

PROTECTED PLANT PRESERVATION PLAN

PHELAN, SAN BERNARDINO COUNTY CALIFORNIA

APN: 3066-261-08, 10 & 3066-251-14

Prepared for:

**Lilburn Corporation
1905 Business Center Drive
San Bernardino, CA 92408**

Prepared by:

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Project No: RCA#2020-78 JT

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TITLE PAGE

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Field Work Completed: June 24 and 28, 2021

Report Title: Protected Plant Preservation Plan

Project Location: Phelan Park Expansion
APN: 3066-251-14 ; 3066-261-08 & 10

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1.0 SUMMARY

At the request of the project proponent, the Phelan Pinon Hills Community Services District (PPHCSD), RCA Associates, Inc. surveyed a 19-acre property (APN: 3066-261-08, 10 & 3066-251-14) located on the northeast corner of the intersection Warbler Road and Sahara Road in Phelan, California (Figures 1 and 2). The site is specifically located on the NW ¼ of Section 24, Township 4 North, Range 7 West in the USGS Phelan 7.5-minute California Quadrangle. The project proponent is proposing on expanding Phelan Community Center and Park.

The County of San Bernardino has established a Plant Protection and Management Code (Chapter 88.01) to help protect and preserve desert vegetation, which include: all Joshua trees, smoketree (*Dalea spinosa*), all species of the genus *Prosopis* (mesquites), all species of the family *Agavaceae* (century plants, nolin, yuccas), creosote rings, ten feet or greater in diameter, and any part of the following species, whether living or dead, desert ironwood (*Olneya tesota*) and all species of the genus *Cercidium* (palo verdes). The requirements of Chapter 88.01.060 are provided in this report (Appendix B). The purpose of the survey was to evaluate the Joshua trees present on the site, as there were no other county protected desert plants located on site and the Joshua tree is a candidate endangered species under the California Endangered Species Act (CESA), and determine which trees were suitable for relocation and which trees could be discarded prior to site clearing activities. This report provides the results of the Joshua tree survey performed on June 24 and 28, 2021. Following completion of the survey, RCA Associates, Inc. prepared this Protected Plant Preservation Plan to assist the project proponent with future relocation of the Joshua trees. Information on the Joshua trees which will need to be relocated-transplanted in the future is provided in Section 4.0.

Based on the results of the field investigations there are 162 Joshua trees which occur within the boundaries of the property (Figures 1 and 2). Based on the evaluation and analysis of each tree it was determined that 28 of the 162 Joshua trees (17.3%) are suitable for transplanting. These trees are marked in red in Table 4-1. The remaining 134 Joshua trees (82.7%) were determined to be unsuitable for transplanting due to a variety of factors such as size, condition, damage, dying, excessive leaning, possibly disease, clonal, etc.

2.0 INTRODUCTION AND PROJECT LOCATION

The area surveyed is located at the northeast corner of the intersection Warbler Road and Sahara Road in Phelan, California (Figures 1 and 2). The biological resources on the site consist of a desert scrub community typical of the area with Asian mustard (*Brassica tournefortii*), Nevada jointfir (*Ephedra nevadensis*), manybristle chinchweed (*Pectis papposa*), Joshua trees (*Yucca brevifolia*), flatspine bur ragweed (*Ambrosia acanthicarpa*), desert woollystar (*Eriastrum eremicum*) and rubber rabbitbrush (*Ericameria nauseosa*) observed on the site. A residential development is located immediately east of the site, north of the property is the Phelan Elementary School, a takeout restaurant, and vacant land, and southwest of the parcels is a NAPA Auto Parts commercial business and Phelan Community Park (Figure 1).

Joshua trees occur throughout the Mojave Desert in Southern California and are typically found at an elevation of 400 to 1,800 meters (~1,200 to ~5,400 feet). Joshua trees within the western portion of the Mojave Desert typically receive more annual precipitation during “normal” years; consequently, cloning occurs more often resulting in numerous trunks sprouting from the same root system (Rowland, 1978). Joshua tree habitats provide habitat for a variety of wildlife species including desert wood rats (*Neotoma* sp.) and night lizards (*Xantusia* sp.) both of which utilize the base of the trees. A variety of birds also utilize Joshua trees for nesting such as hawks, common ravens, and cactus wrens. CDFW consider Joshua tree woodlands as areas that support relatively high species diversity and as such are considered to be a sensitive desert community. Joshua trees are also considered a significant resource under the California Environmental Quality Act (CEQA) and are included in the California Desert Plant Protection Act, Food and Agricultural Code (80001 – 80006).

3.0 METHODOLOGIES

Pedestrian surveys were walked throughout the site and biologists from RCA Associates, Inc. evaluated each Joshua tree to determine which trees were suitable for relocation/transplanting based on a general health assessment. Each Joshua tree received a metal numbered tag which was affixed on the north side of each tree for orientation purposes during future transplanting. Surveyor flagging was also placed around those trees suitable for transplanting to facilitate future identification. The precise location of each tree was recorded using a Garmin GPS unit and a Bushnell Yardage Pro rangefinder was utilized to determine the extent of the property boundaries. Those Joshua trees which occur on the property site are presented in Table 4-1 and the locations are provided in Figure 2.

The factors utilized to determine which Joshua trees were suitable for transplanting include the following factors:

1. Trees from about 1 foot in height up to approximately 12 feet,
2. No visible signs of damage to the tree such as absence of bark due to rodent or other animals,
3. Minimal number of branches (No more than 2 to 3 branches),
4. No excessive leaning of the tree,
5. No yellow or brown fronds,
6. Proximity to other Joshua trees (i.e., clonal), and
7. No exposed roots at the base of the tree.

4.0 RESULTS

There are 162 Joshua trees on the property and the GPS locations of the Joshua trees are provided in Table 4-1. A total of 28 Joshua trees (17.3%) are suitable for relocation/transplanting based on the seven factors listed in Section 3.0 (Table 4-1). The Joshua trees suitable for transplanting should be relocated/transplanted on-site, which is the preferable option, or to an off-site area approved by the County of San Bernardino. Those Joshua trees that are not suitable for relocation/transplanting due to size, health of the tree, presence of damage, excessive branches, excessive leaning, clonal, and exposed roots should be disposed of as per County requirements.

Table 4-1: Joshua tree census. (Note: The GPS locations of the Joshua trees are provided below and those trees which are suitable for transplanting on-site as part of project landscaping are highlighted in red.)

Total Number of Joshua Trees on Site	Joshua Trees to be Transplanted	Number of Clonal Trees	Number of Non-Clonal Trees
162	28	112	50

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1501	18	N 34°25.313 W 117°34.210	Good	19P 13B	X	No
1502	8	N 34°25.316 W 117°34.155	Good	0P 0B	X	No
1503	8	N 34°25.315 W 117°34.154	Good	0P 0B	X	No
1504	3	N 34°25.316 W 117°34.157	Good	0P 0B	X	No
1505	3	N 34°25.314 W 117°34.150	Good	0P 0B	X	No
1506	4	N 34°25.325 W 117°34.147	Good	0P 0B	X	No
1507	6	N 34°25.318 W 117°34.138	Good	1P 0B	X	No
1508	7	N 34°25.316 W 117°34.126	Good	1P 0B	X	No
1509	3	N 34°25.314 W 117°34.123	Good	0P 0B	X	No
1510	2	N 34°25.316 W 117°34.126	Fair	0P 0B	X	No
1511	8	N 34°25.315 W 117°34.108	Good	0P 0B	X	No
1512	11	N 34°25.313 W 117°34.102	Good	11P 5B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1513	3	N 34°25.329 W 117°34.108	Good	0P 0B		Yes
1514	9	N 34°25.330 W 117°34.108	Good	0P 0B	X	No
1515	11	N 34°25.329 W 117°34.107	Good	0P 3B	X	No
1516	10	N 34°25.336 W 117°34.105	Good	2P 2B	X	No
1517	15	N 34°25.343 W 117°34.091	Good	9P 7B	X	No
1518	5	N 34°25.327 W 117°34.124	Good	0P 0B	X	No
1519	6	N 34°25.331 W 117°34.131	Good	0P 0B	X	No
1520	4	N 34°25.325 W 117°34.140	Good	1P 0B	X	No
1521	4	N 34°25.336 W 117°34.156	Good	0P 0B	X	No
1522	10	N 34°25.335 W 117°34.159	Good	32P 11B	X	No
1523	5	N 34°25.347 W 117°34.167	Good	0P 0B		Yes
1524	6	N 34°25.356 W 117°34.163	Good	0P 0B	X	No
1525	19	N 34°25.341 W 117°34.146	Good	24P 11B	X	No
1526	7	N 34°25.349 W 117°34.141	Good	0P 0B	X	No
1527	9	N 34°25.356 W 117°34.139	Good	0P 0B	X	No
1528	16	N 34°25.370 W 117°34.147	Good	10P 12B	X	No
1529	14	N 34°25.368 W 117°34.143	Good- Size	5P 4B		No
1530	4	N 34°25.370 W 117°34.147	Good	0P 0B		Yes

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1531	5	N 34°25.370 W 117°34.146	Good	0P 0B		Yes
1532	4	N 34°25.376 W 117°34.146	Good	0P 0B		Yes
1533	10	N 34°25.380 W 117°34.149	Good	41P 48B	X	No
1534	11	N 34°25.374 W 117°34.145	Good	2P 3B	X	No
1535	8	N 34°25.374 W 117°34.142	Good	1P 0B	X	No
1536	4	N 34°25.373 W 117°34.143	Good	0P 0B		Yes
1537	5	N 34°25.377 W 117°34.140	Good	0P 0B		Yes
1538	6	N 34°25.368 W 117°34.129	Good	0P 0B	X	No
1539	6	N 34°25.372 W 117°34.129	Good- Leaning	2P 0B		No
1540	5	N 34°25.366 W 117°34.113	Good	0P 0B	X	No
1541	9	N 34°25.374 W 117°34.103	Good	4P 3B	X	No
1542	11	N 34°25.377 W 117°34.103	Good	4P 2B	X	No
1543	10	N 34°25.380 W 117°34.100	Good	10P 9B	X	No
1544	5	N 34°25.375 W 117°34.108	Good	0P 0B	X	No
1545	9	N 34°25.374 W 117°34.108	Good	2P 0B		Yes
1546	2	N 34°25.375 W 117°34.111	Good	0P 0B		Yes
1547	9	N 34°25.374 W 117°34.111	Good	3P 4B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1548	10	N 34°25.371 W 117°34.113	Good	2P 2B	X	No
1549	3	N 34°25.378 W 117°34.113	Good	0P 0B		Yes
1550	1	N 34°25.377 W 117°34.114	Good- Small	0P 0B		No
1551	13	N 34°25.376 W 117°34.115	Good	2P 2B	X	No
1552	12	N 34°25.380 W 117°34.120	Good	33P 25B	X	No
1553	15	N 34°25.380 W 117°34.135	Good	16P 12B	X	No
1554	15	N 34°25.381 W 117°34.137	Good	37P 21B	X	No
1555	11	N 34°25.383 W 117°34.146	Good	1P 4B	X	No
1556	8	N 34°25.386 W 117°34.146	Good	2P 4B	X	No
1557	9	N 34°25.384 W 117°34.150	Good	2P 2B		Yes
1558	9	N 34°25.385 W 117°34.150	Good	2P 2B		Yes
1559	3	N 34°25.384 W 117°34.151	Good	0P 0B		Yes
1560	1	N 34°25.376 W 117°34.149	Good- Small	0P 0B		No
1561	13	N 34°25.391 W 117°34.157	Good	14P 9B	X	No
1562	5	N 34°25.391 W 117°34.171	Good	1P 4B	X	No
1563	9	N 34°25.394 W 117°34.162	Good	2P 0B	X	No
1564	9	N 34°25.394 W 117°34.160	Good	1P 4B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1565	11	N 34°25.394 W 117°34.158	Good	5P 4B	X	No
1566	14	N 34°25.393 W 117°34.145	Good	12P 14B	X	No
1567	6	N 34°25.394 W 117°34.147	Good	1P 0B	X	No
1568	8	N 34°25.389 W 117°34.139	Good	3P 6B	X	No
1569	8	N 34°25.389 W 117°34.137	Good	5P 7B	X	No
1570	7	N 34°25.386 W 117°34.141	Good	2P 5B	X	No
1571	8	N 34°25.390 W 117°34.133	Good	3P 4B	X	No
1572	10	N 34°25.388 W 117°34.126	Good	2P 3B	X	No
1573	10	N 34°25.384 W 117°34.127	Good- multiple branches	2P 3B		No
1574	11	N 34°25.385 W 117°34.124	Good	6P 7B	X	No
1575	6	N 34°25.386 W 117°34.120	Good	1P 0B	X	No
1576	4	N 34°25.388 W 117°34.119	Good	0P 0B	X	No
1577	11	N 34°25.390 W 117°34.118	Good	3P 3B	X	No
1578	4	N 34°25.387 W 117°34.119	Good	0P 0B		Yes
1579	9	N 34°25.389 W 117°34.115	Good	4P 4B	X	No
1580	8	N 34°25.389 W 117°34.110	Good	3P 4B	X	No
1581	5	N 34°25.391 W 117°34.109	Good	0P 0B		Yes

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1582	9	N 34°25.388 W 117°34.102	Good- multiple branches	2P 2B		No
1583	4	N 34°25.389 W 117°34.100	Good	0P 0B		Yes
1584	6	N 34°25.390 W 117°34.101	Good	1P 0B	X	No
1585	1	N 34°25.391 W 117°34.102	Good	0P 0B	X	No
1586	2	N 34°25.396 W 117°34.107	Good	0P 0B		Yes
1587	1	N 34°25.395 W 117°34.106	Good- Small	0P 0B		No
1588	1	N 34°25.394 W 117°34.110	Good	0P 0B	X	No
1589	7	N 34°25.395 W 117°34.110	Good	1P 2B	X	No
1590	6	N 34°25.395 W 117°34.113	Good	3P 2B	X	No
1591	11	N 34°25.395 W 117°34.115	Good- Leaning	8P 4B		No
1592	10	N 34°25.398 W 117°34.116	Good	2P 5B	X	No
1593	6	N 34°25.395 W 117°34.120	Good- Leaning	0P 0B		No
1594	7	N 34°25.391 W 117°34.122	Good- multiple branches	2P 3B		No
1595	8	N 34°25.394 W 117°34.123	Good	2P 5B	X	No
1596	7	N 34°25.394 W 117°34.125	Good	1P 2B	X	No
1597	9	N 34°25.392 W 117°34.130	Good	5P 3B	X	No
1598	11	N 34°25.401 W 117°34.127	Good	25P 32B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1599	12	N 34°25.398 W 117°34.130	Good	4P 3B	X	No
1600	5	N 34°25.401 W 117°34.129	Good	0P 0B	X	No
1601	9	N 34°25.396 W 117°34.135	Good	5P 5B	X	No
1602	5	N 34°25.395 W 117°34.141	Good	1P 3B	X	No
1603	10	N 34°25.400 W 117°34.148	Good	5P 7B	X	No
1604	13	N 34°25.397 W 117°34.150	Good- Leaning	3P 4B		No
1605	12	N 34°25.399 W 117°34.156	Good	4P 11B	X	No
1606	3	N 34°25.400 W 117°34.157	Good	0P 0B		Yes
1607	10	N 34°25.401 W 117°34.153	Good	2P 4B	X	No
1608	9	N 34°25.400 W 117°34.151	Good	0P 0B		Yes
1609	12	N 34°25.403 W 117°34.154	Good	4P 5B	X	No
1610	8	N 34°25.403 W 117°34.156	Good- multiple branches	0P 3B		No
1611	9	N 34°25.406 W 117°34.158	Good- Leaning	2P 2B		No
1612	4	N 34°25.417 W 117°34.170	Good	0P 0B	X	No
1613	11	N 34°25.411 W 117°34.157	Good- multiple branches	1P 3B		No
1614	10	N 34°25.408 W 117°34.152	Good	3P 6B	X	No
1615	9	N 34°25.409 W 117°34.148	Good	2P 4B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1616	5	N 34°25.407 W 117°34.148	Good	0P 0B	X	No
1617	12	N 34°25.406 W 117°34.147	Good	11P 12B	X	No
1618	5	N 34°25.403 W 117°34.139	Good	0P 0B	X	No
1619	7	N 34°25.404 W 117°34.132	Good	1P 0B	X	No
1620	7	N 34°25.405 W 117°34.132	Good	0P 0B	X	No
1621	14	N 34°25.406 W 117°34.132	Good	4P 6B	X	No
1622	8	N 34°25.408 W 117°34.133	Good	1P 0B	X	No
1623	13	N 34°25.413 W 117°34.134	Good	14P 11B	X	No
1624	8	N 34°25.412 W 117°34.132	Good	0P 3B	X	No
1625	8	N 34°25.412 W 117°34.129	Good	0P 2B	X	No
1626	8	N 34°25.407 W 117°34.126	Good	0P 2B		Yes
1627	8	N 34°25.410 W 117°34.119	Good	1P 0B	X	No
1628	4	N 34°25.410 W 117°34.113	Good	0P 0B		Yes
1629	8	N 34°25.409 W 117°34.108	Good	1P 2B		Yes
1630	14	N 34°25.404 W 117°34.105	Good	1P 2B	X	No
1631	7	N 34°25.398 W 117°34.109	Good	1P 0B	X	No
1632	14	N 34°25.398 W 117°34.102	Good	2P 3B	X	No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1633	4	N 34°25.397 W 117°34.100	Good	0P 0B		Yes
1634	2	N 34°25.401 W 117°34.100	Good	0P 0B	X	No
1635	9	N 34°25.404 W 117°34.097	Good	1P 3B	X	No
1636	13	N 34°25.421 W 117°34.101	Good	37P 25B	X	No
1637	14	N 34°25.432 W 117°34.113	Good	15P 34B	X	No
1638	8	N 34°25.441 W 117°34.118	Good	3P 10B	X	No
1639	15	N 34°25.422 W 117°34.118	Good	11P 13B	X	No
1640	16	N 34°25.419 W 117°34.129	Good	19P 31B	X	No
1641	4	N 34°25.426 W 117°34.126	Good	0P 0B	X	No
1642	5	N 34°25.424 W 117°34.130	Good	0P 0B		Yes
1643	4	N 34°25.423 W 117°34.133	Good	0P 0B		Yes
1644	8	N 34°25.424 W 117°34.133	Good	4P 6B	X	No
1645	7	N 34°25.427 W 117°34.132	Good- multiple branches	2P 2B		No
1646	4	N 34°25.427 W 117°34.133	Good	0P 0B		Yes
1647	7	N 34°25.427 W 117°34.135	Good	0P 0B		Yes
1648	7	N 34°25.427 W 117°34.137	Good	0P 0B	X	No
1649	9	N 34°25.434 W 117°34.135	Good- multiple branches	2P 5B		No

Tag	Height (ft)	Location	Condition	Panicles Branches	Clonal	Transplantable
1650	5	N 34°25.426 W 117°34.140	Good	0P 0B	X	No
1651	9	N 34°25.419 W 117°34.141	Good	5P 4B	X	No
1652	7	N 34°25.413 W 117°34.140	Good	0P 0B	X	No
1653	15	N 34°25.417 W 117°34.150	Good- Size	7P 5B		No
1654	10	N 34°25.430 W 117°34.152	Good- multiple branches	7P 6B		No
1655	6	N 34°25.416 W 117°34.152	Good	1P 0B	X	No
1656	6	N 34°25.415 W 117°34.151	Good	0P 0B	X	No
2730	5	N 34°25.360 W 117°34.156	Good- Leaning	0P 0B	X	No
2731	3	N 34°25.310 W 117°34.118	Dead	0P 0B		No
2732	6	N 34°25.325 W 117°34.102	Dead	0P 0B		No
2733	8	N 34°25.388 W 117°34.099	Dead	0P 0B		No
2734	3	N 34°25.412 W 117°34.095	Good- Leaning	0P 0B		No
2735	5	N 34°25.402 W 117°34.129	Good	0P 0B		Yes

(Note: The Tag numbers corresponds to the numbers placed on the Joshua trees.)

5.0 CONCLUSIONS

There are 162 Joshua trees located on the property and only 28 of the trees are suitable for relocation/transplanting. This conclusion was based on: (1) trees which were one foot or greater in height and less than twelve feet tall (approximate); (2) in good health; (3), two branches or less; (4) density of trees (i.e., no clonal trees); (5) no exposed roots; and (6) trees that are not leaning over excessively. As indicated in Table 4-1, the majority of the Joshua trees which were not suitable for relocation are relatively large ranging from about 15 to 35 feet in height.

As of September 22, 2020, the California Department of Fish and Wildlife temporarily listed the western Joshua tree (*Yucca brevifolia*) as an endangered species for one year until a final decision is made in 2021. Therefore, any attempt to remove a Joshua tree, dead or alive, from its current position will require an Incidental Take Permit (ITP).

The County of San Bernardino Plant Protection and Management Code (Chapter 88.01) requires preservation of Joshua trees given their importance in the desert community. A qualified County-approved biologist or arborist should be retained to conduct any future relocation/transplanting activities and should follow the protocol of the County's Code (Appendix B: Chapter 88.01.060). The following criteria will be utilized by the contractor when conducting any future transplanting activities.

A. The Joshua trees will be retained in place or replanted somewhere on the site where they can remain in perpetuity or will be transplanted to an off-site area approved by the County where they can remain in perpetuity. Joshua trees which are deemed not suitable for transplanting will be cut-up and discarded as per County requirements.

B. Earthen berms will be created around each tree by the biologist prior to excavation and the trees will be watered approximately one week before transplanting. Watering the trees prior to excavation will help make excavation easier, ensure the root ball will hold together, and minimize stress to the tree.

C. Each tree will be moved to a pre-selected location which has already been excavated and will be placed and oriented in the same direction as their original direction. The hole will be backfilled with native soil, and the transplanted tree will be immediately watered. As noted in Section 3.0, a numbered metal tag was placed on the north side of the trees and the trees were also flagged with surveyor's flagging. The biologist will develop a watering regimen to ensure the survival of the transplanted trees. The watering regimen will be based upon the needs of the trees and the local precipitation.

6.0 REFERENCES

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7.0 CERTIFICATION

I hereby certify the statements furnished above and in the attached exhibits, present the data and information required for this Joshua tree survey and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this survey was performed by Ryan Hunter, Lisa Cardoso and Randall Arnold.

Date: July 13, 2021 Signed: *Lisa Cardoso*
Ryan Hunter

Field Work Performed by:

Ryan Hunter
Environmental Scientist/Biologist

Lisa Cardoso
Wildlife Biologist



APPENDIX A

Figures

APPENDIX B

**County of San Bernardino
Code: Chapter 88.01.060**