Appendix C-1

Biological Resources Report

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August 12, 2016
Rincon Project Number: 14-00929

Glassell Park, LLC
Attn: Nancy Johns
23622 Calabasas Road, Suite 220
Calabasas, California 91302
Via Email: wildflowerdevelopment@yahoo.com

Subject: Updated Biological Resources Assessment for the Haverhill-Glassell Park Project, Los Angeles, California

Dear Ms. Johns,

This report documents the findings of an updated biological resources assessment conducted by Rincon Consultants, Inc. (Rincon) for the Haverhill-Glassell Park Project (project) located in the City of Los Angeles (City), California. The purpose of this report is to document the existing conditions of the project site and to evaluate the potential for impacts to special-status biological resources for compliance with the City's California Environmental Quality Act (CEQA) review process.

PROJECT LOCATION AND DESCRIPTION

The approximate 5-acre project site occurs within Northeast Los Angeles, which is bordered to the north by the cities of Glendale and Pasadena, to the south by downtown Los Angeles, to the west by the Los Angeles River, and to the east by several cities of the San Gabriel Valley (Figure 1). Specifically, the project site is located in the neighborhood of Glassell Park east and north of Division Street at the southern terminus of Haverhill Drive, Sundown Drive, and Brilliant Drive. The site is depicted in Sections 2 and 3, Township 1 South, Range 13 West of the U.S. Geological Survey (USGS) *Los Angeles, California* 7.5-minute topographic quadrangle (Figure 2).

The proposed project site encompasses 32 vacant parcels proposed for single-family residential development. Adjacent land uses include residential development on all sides. The site is currently undeveloped.

REGULATORY BACKGROUND

Regulatory authority over biological resources is shared by Federal, State, and local authorities under a variety of statutes and guidelines. Primary authority for general biological resources lies within the land use control and planning authority of local

jurisdictions (in this instance, the City of Los Angeles). The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the state under CEQA and also has direct jurisdiction under the California Fish and Game Code (CFGC). Under the State and Federal Endangered Species Act (CESA/FESA), the CDFW and the U.S. Fish and Wildlife Service (USFWS) also have direct regulatory authority over species formally listed as Threatened or Endangered as well as native bird species listed under the Federal Migratory Bird Treaty Act (MBTA), and the Bald and Golden Eagle Protection Act (BGEPA). The U.S. Army Corps of Engineers (USACE) has regulatory authority over specific biological resources, namely wetlands and waters of the United States, under Section 404 of the federal Clean Water Act. Statutes within the Federal Clean Water Act (CWA), CFGC, and Regional Water Quality Control Boards (RWQCB) protect wetlands and riparian habitat. Following site development, the project site will remain subject to the fuel modification requirements of the California Fire Code.

METHODOLOGY

The biological resources study for the project consisted of a review of relevant literature followed by a field reconnaissance survey, a focused bat survey, and a rare plant survey. The potential presence of special-status species is based on a literature review and a field survey designed to assess habitat suitability and presence of target species. The findings and opinions conveyed in this report are based on this methodology.

Literature Review. The literature review included database research on special-status resources occurrences within a 5-mile radius of the project site. Sources included the CDFW California Natural Diversity Data Base (CNDDB), Biogeographic Information and Observation System (BIOS – http://www.bios.dfg.ca.gov), and USFWS Critical Habitat Portal (http://criticalhabitat.fws.gov). Other resources included the California Native Plant Society's (CNPS) online *Inventory of Rare and Endangered Plants of California* (CNPS 2014), CDFW's *Special Animals List* (September 2014), and CDFW's *Special Vascular Plants, Bryophytes, and Lichens List* (April 2014). Aerial photographs, topographic maps, soil survey maps, geologic maps, and climatic data in the area were also examined.

Field Reconnaissance Survey. A biological resource reconnaissance-level site visit was conducted to assess the habitat suitability for potential special-status species, map the existing vegetation, map any sensitive biological resources currently onsite, note the presence of potential jurisdictional waters or wetlands, document any wildlife connectivity/movement features, and record all observations of plant and wildlife species. Rincon Biologist Jillian Moore conducted the first site visit on October 23, 2014, between the hours of 1300 and 1400. Rincon Biologist Lindsay Griffin conducted a supplemental survey on December 8, 2014, between the hours of 1400 and 1500.

Rincon Biologists Jennifer Kendrick and Robin Murray conducted a supplemental survey on May 27, 2016. The survey consisted of an updated assessment to confirm absence of potential waters or wetlands under the jurisdiction and oversight of Federal, State, and local authorities and an analysis of walnut woodland habitat quality. Weather conditions during the survey included an average temperature of 78 degrees Fahrenheit (°F), with winds between 1 and 3 miles per hour (mph) and no cloud cover. Site photos from all surveys are attached as Appendix 1.

All plant species observed within the survey area were documented. The survey included a directed search for special-status plants that would have been apparent during the time of the survey. Limitations to the compilation of a comprehensive floral checklist were imposed by seasonal factors, such as blooming period and emergence of some of the annual species. Floral nomenclature for native and non-native plants follows Baldwin et al. (2012) as updated by The Jepson Online Interchange (University of California, Berkeley 2013).

Wildlife species observed directly or detected from calls, tracks, scat, nests, or other sign were documented. The detection of wildlife species was limited by seasonal and temporal factors. The survey was conducted in the early fall; therefore, potentially occurring spring or winter migrants may not have been observed. As the survey was performed during the day, identification of nocturnal animals was limited to sign if present on-site. Zoological nomenclature is based upon Stebbins (2003) for amphibians and reptiles, the American Ornithologists Union (2008) for birds, and Burt and Grossenheider (1980) for mammals.

Focused Bat Survey. Rincon Biologists Leslie Yen and Lauren Kodama conducted a focused bat survey that included a day-time habitat assessment and an evening bat emergence and acoustic survey on March 13, 2015, between the hours of 1600 and 2000. The daytime habitat assessment included a visual inspection of foliage, crevices, hollows, and peeling bark of trees suitable for roosting bats (e.g. medium sized walnut trees and palm trees bordering the site) within the project boundary. The survey focused on hoary bat (*Lasiurus cinerus*) and western yellow bat (*Lasiurus xanthinus*), two species with low potential to occur onsite. Ten (10) x 42 binoculars were used during the inspections. If observed, bats and/or bat sign were recorded, including roosting bat(s), urine staining, and individual scat or guano accumulations stuck to trees and bark or piled below a roosting location.

The evening bat emergence and acoustic surveys were conducted on the ground. Weather conditions during the survey included an average temperature of 70-80 °F, with winds between 1 and 3 mph, partial cloud cover, and a relative humidity of 21%. During this observation period the biologists looked northwest and south at vegetation for emerging bats. In addition to recording all visual observations of bats, a Pettersson D240x acoustical detector and auto recording device were used to detect inaudible ultrasonic calls of bats active within the area. To increase the airspace of the detector the

detector microphone was placed on an extension pole of 20 vertical feet in the air. Acoustic recordings were subsequently downloaded to a computer and analyzed in Sonobat 3.2.1.

No bats were observed during either portion of the survey and no accumulations of guano were found on site. No bats were detected by the acoustical detectors.

Rare Plant Survey. Rincon Biologist, Daniel Rosie conducted a rare plant survey on March 17, 2015, between the hours of 1615 and 1800, with an average temperature of 75 °F, winds between 0 and 3 mph, and 85 to 90% high cloud cover. The rare plant survey focused on special-status species that had low potential to occur on site, based on previous site surveys conducted in October and December 2014. These species include round-leaved filaree *(California macrophylla)*, many-stemmed dudleya *(Dudleya multicaulis)*, mesa horkelia *(Horkelia cuneata* var. *puberula)*, . No rare plants were observed on site. A second rare plant survey to capture late-blooming species was conducted on May 29, 2015. The rare plant survey report is included as Appendix 2.

EXISTING SITE CONDITIONS

Topography and Soils. At an elevation range of approximately 675-775 feet above mean sea level (amsl), the topography of the project area is characterized by a steep downward slope east toward Division Street, with a slight erosional feature that cuts down from Brilliant Way near the southern site boundary. Based on the most recent Natural Resources Conservation Service (NRCS) soil survey for Los Angeles County, California, Southeastern Part (USDA 2014), the survey area is mapped as Urban land-Lithic Xerorthents-Hambright-Castaic (s1042) a hydrologic group D soil, which has high runoff potential, very low infiltration rates, and consists chiefly of clay soils.

Vegetation. The survey area primarily consists of California walnut woodland, which is described as an open canopied woodland community dominated by California walnut (*Juglans californica*). The understory consists primarily of non-native annual grasses and forbs (Figure 3). California walnut woodlands are typically found on relatively moist fine-textured soils of valley slopes and bottoms, as well in rocky outcrops. On drier, rockier sites this habitat is often surrounded by coastal sage scrub (Holland 1986). Within the study area, this habitat type is specifically dominated by southern California black walnut (*Juglans californica* var. *californica*) intermixed with several coast live oaks (*Quercus agrifolia*) and various ornamental trees. The understory and adjacent vegetation is relatively open, consisting of castor bean (*Ricinus communis*), mallow (*Malva* sp.), black mustard (*Brassica nigra*) and annual non-native grasses. The understory vegetation appears to undergo regular maintenance (i.e. trimming/ mowing).

General Wildlife. The project site and surrounding area provide habitat for wildlife species that commonly occur in suburban areas of the City. Avian species observed/detected on or adjacent to the site include red-tailed hawk (*Buteo jamaicensis*), lesser goldfinch (*Spinus psaltria*), western scrub-jay (*Aphelocoma californica*), common raven (*Corvus corax*), bushtit (*Psaltriparus minimus*), and California towhee (*Melozone crissalis*). Three mammalian species, California ground squirrel (*Otospermophilus beecheyi*), cottontail rabbit (*Sylvilagus* sp.), and coyote (*Canis latrans*) were also either observed or detected (via presence of scat) on the project site during the survey. No amphibian or reptile species were observed during the assessment; however, common reptilian species such as western fence lizard (*Sceloporus occidentalis*) are expected to occur.

SPECIAL-STATUS BIOLOGICAL RESOURCES

This section discusses sensitive biological resources observed on the project site, and evaluates the potential for the project site to support other sensitive biological resources.

Special-Status Species. Local, state, and federal agencies regulate special-status species and require an assessment of their presence or potential presence to be conducted on-site prior to the approval of any proposed development on a property. Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences for the species, species occurrence records from the CNDDB species occurrence records from other sites in the vicinity of the study area, and previous reports for the project site. The potential for each special status species to occur in the study area was evaluated according to the following criteria:

- *No Potential*. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- *Low Potential*. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- *Moderate Potential*. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- *High Potential*. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- *Present*. Species is observed on the site or has been recorded (e.g., CNDDB, other reports) on the site recently (within the last 5 years).

For the purpose of this report, special-status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS under FESA; those listed or proposed for listing as Rare, Threatened, Endangered, or Species of Special Concern (SSC) by the CDFW under CESA; and plants occurring on lists 1 and 2 of the CDFW California Rare Plant Rank (CRPR) system per the following definitions:

- List 1A = Plants presumed extinct in California;
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);
- List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known);
- List 2 = Rare, threatened or endangered in California, but more common elsewhere

A review of the Conservation Element for the City of Los Angeles General Plan did not identify any habitat for any threatened or rare species as listed in Title 14 of the California Code of Regulations. Based on a query of CNDDB RareFind 5, there are 11 special-status plant species and 12 special-status wildlife species documented within a 5-mile radius of the project site. All 23 special-status species have been evaluated for potential to occur within the survey area (Table 1).

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Plants			
Atriplex serenana var. *davidsonii* Davidson's saltscale	--/ -- 1B.2 G5T2?/S2?	Annual herb. Blooms Apr-Oct. Coastal bluff scrub, coastal scrub. Alkaline soil. 3-250m (10-820ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Berberis nevinii Nevin's barberry	FE / SE 1B.1 G1/S1	Perennial evergreen shrub. Blooms Mar-Jun. Chaparral, cismontane woodland, coastal scrub, riparian scrub. On steep, N-facing slopes or in low grade sandy washes. 290-1575m (950-5165ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.
California macrophylla Round-leaved filaree	-- / -- 1B.1 G2 / S2	Annual herb. Blooms Mar-May. Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200m (50-3935ft).	**Low.** Walnut woodland present on site; however, soils are primarily clay and highly disturbed by non-native grass undergrowth and regular ground maintenance. Species was not observed during rare plant survey conducted on March 17, 2015.
Dudleya multicaulis Many-stemmed dudleya	--/ -- 1B.2 G2/S2	Perennial herb. Blooms Apr-Jul. Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 0-790m (0-2590ft).	**Low.** Grassy slopes and clayed soils present on site; however, undergrowth primarily non-native grasses that undergo regular ground maintenance. Species was not observed during rare plant survey conducted on March 17, 2015.
Helianthus nuttallii ssp. *parishii* Los Angeles sunflower	-- / -- 1A G5TH / SH	Perennial rhizomatous herb. Marshes and swamps (coastal salt and freshwater). Historical from Southern California. 5-1675m (15-5495ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Horkelia cuneata var. *puberula* Mesa horkelia	-- / -- 1B.1 G4T2 / S2.1	Perennial herb. Blooms Feb-Sept. Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 70-810m (230-2655ft).	**Low.** Walnut woodland present on site; however, soils are primarily clay and highly disturbed by non-native grass undergrowth and regular ground maintenance. Species was not observed during rare plant survey conducted on March 17, 2015.
Lasthenia glabrata ssp. *coulteri* Coulter's goldfields	--/ -- 1B.1 G4T3/S2.1	Annual herb. Blooms Feb-Jun. Coastal salt marshes, playas, valley and foothill grassland, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-1400m (3-4595ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.
Navarretia fossalis Spreading navarretia	FT/ -- 1B.1 G1/S1	Annual herb. Blooms Apr-Jun. Vernal pools, chenopod scrub, marshes and swamps, playas. San Diego hardpan and San Diego claypan vernal pools; in swales and vernal pools, often surrounded by other habitat types. 30-665m (100-2180ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.
Pseudognaphalium leucocephalum White rabbit-tobacco	-- / -- 2B.2 G4 / S2S3.2	Perennial herb. Blooms Jul-Dec. Riparian woodland, cismontane woodland, coastal scrub, chaparral. Sandy, gravelly sites. 0-2100m (0-6890ft).	**Low.** Walnut woodland present on site; however, soils are primarily clay and highly disturbed by non-native grass undergrowth and regular ground maintenance.
Ribes divaricatum var. *parishii* Parish's gooseberry	-- / -- 1A G4TH / SH	Perennial deciduous shrub. Blooms Feb-Apr. Riparian woodland. Salix swales in riparian habitats. 65-100m (215-330ft).	**None.** Habitat requirements not present on site. Species was not observed during rare plant survey conducted on March 17, 2015.

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Symphyotrichum greatae Greata's aster	-- / -- 1B.3 G2 / S2.3	Perennial rhizomatous herb. Blooms Jun-Oct. Chaparral, cismontane woodland. Mesic canyons. 800-1500m (2625-4920ft).	**Low.** Walnut woodland present on site; however, site elevation well below typical species requirements.
Reptiles			
Phrynosoma blainvillii Coast horned lizard (=Blainvilli's)	-- / -- SSC G3G4 / S3S4	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	**None.** Habitat requirements not present on site.
Birds			
Athene cunicularia Burrowing owl	-- / -- SSC G4 / S2	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	**Low.** Dry grasslands present, but no notable burrows observed during previous surveys.
Empidonax traillii extimus Southwestern willow flycatcher	FE / SE -- G5T1T2 / S1	Riparian woodlands in Southern California.	**None.** Habitat requirements not present on site.
Falco peregrinus anatum American peregrine falcon	FD / SD FP G4T4 / S2	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.	**None.** Habitat requirements not present on site.
Riparia riparia Bank swallow	-- /ST -- G5 / S2S3	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	**None.** Habitat requirements not present on site.
Vireo bellii pusillus Least Bell's vireo	FE / SE -- G5T2 / S2	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	**None.** Habitat requirements not present on site.

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Mammals			
Antrozous pallidus Pallid bat	-- / -- SSC G5 / S3	Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites. Roosts in rock crevices, abandoned mines, caves, hollow trees and in cavern-like building features (e.g. attics). Water must be available close by.	**None.** Habitat requirements not present on site. Site lacks watering source requirement.
Eumops perotis californicus Western mastiff bat	-- / -- SSC G5T4 / S3?	Frequently encountered in broad open areas associated with dry desert washes, flood plains, chaparral, oak woodland, open ponderosa pine forest, grassland, montane meadows, and agricultural area. Roosts in crevices in cliff faces, high buildings, trees and tunnels. Requires large open-water drinking sites.	**None.** Habitat requirements not present on site. Site lacks watering source requirement.
Lasiurus cinereus Hoary bat	-- / -- -- G5 / S4?	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in woodlands and forests with medium to large-size trees and dense foliage. Feeds primarily on moths. Requires water.	**Low**. Marginally suitable roosting habitat (i.e. medium sized walnut trees) present on site. However, site lacks watering source requirement. The species was not observed/detected during the focused survey conducted on March 13, 2015.
Lasiurus xanthinus Western yellow bat	-- / -- SSC G5 / S3	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	**Low.** A few palms trees present along boarder of site, but constrained by development. Site lacks watering source requirement. The species was not observed/detected during the focused survey conducted on March 13, 2015.
Nyctinomops macrotis Big free-tailed bat	-- / -- SSC G4 / S2	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	**None.** Habitat requirements (i.e. cliffs or rocky outcrops) not present on site.

Table 1. Special-Status Species Potentially Occurring on the Project Site

Scientific Name Common Name	Status Fed/State ESA CRPR G-Rank/S-Rank	Habitat Requirements	Potential for Occurrence / Basis for Determination
Taxidea taxus American badger	-- / -- SSC G5 / S4	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	**Low.** Dry grasslands present, but no notable burrows observed during surveys conducted.

Regional Vicinity refers to within a 5 mile radius of site.

FT = Federally Threatened
FC = Federal Candidate Species
FE = Federally Endangered
SE = State Endangered
ST = State Threatened
SR = State Rare
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected

CRPR (CNPS California Rare Plant Rank):
1A=Presumed Extinct in California
1B=Rare, Threatened, or Endangered in California and elsewhere
2=Rare, Threatened, or Endangered in California, but more common elsewhere
3=Need more information (a Review List)
4=Plants of Limited Distribution (a Watch List)
CRPR Threat Code Extension:
.1=Seriously endangered in California (> 80% of occurrences threatened / high degree and immediacy of threat)
.2=Fairly endangered in California (20-80% occurrences threatened)
.3=Not very endangered in California (<20% of occurrences threatened)

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind 5.

No special-status plant species were detected during the field reconnaissance or rare plant surveys conducted at the site (Appendix 2). Although elements of suitable habitat for some species are present (e.g. round-leaved filaree, many-stemmed dudleya, and mesa horkelia), each species is limited to specific biotypes or soil types (e.g., volcanic, alkaline, and/or clay soils; salt marshes; upland scrub; etc.), which do not occur on site.

Special-status wildlife species typically have very specific habitat requirements which may include, but are not limited to, vegetation communities, elevation levels and topography, and availability of primary constituent elements (i.e., space for individual and population growth, breeding, foraging, and shelter). Given the high degree of urbanization within the project site and lack of suitable habitat for each species, no special-status wildlife species are expected to occur. The site contains marginal habitat for special status bat species (e.g. hoary bat and western yellow bat); however, none were detected during the focused surveys conducted at the site.

Special-Status Vegetation Communities. Plant communities are also considered sensitive biological resources if they have limited distributions, have high wildlife value, include sensitive species, or are particularly susceptible to disturbance. CDFW ranks sensitive communities as "threatened" or "very threatened" and keeps records of their occurrences in CNDDB. CNDDB vegetation alliances are ranked 1 through 5

based on NatureServe's (2010) methodology, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive.

The CNDDB has records for four sensitive terrestrial natural communities or habitat types that are reported from historical information within a 5-mile radius: California walnut woodland, southern coast live oak riparian forest, southern sycamore alder riparian woodland, and walnut forest. California walnut woodland is located within the project site.

Jurisdictional Waters and Wetlands. The project site does not contain any federally protected waters or wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.); riparian habitat or streambed as defined by Section 1600 et seq. of the Fish and Game Code; or "waters of the State," pursuant to Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act.

As described in the *Methodology* section above, Rincon biologists conducted a supplemental site visit to update the hydrologic conditions at the site and confirm the absence of jurisdictional waters and wetlands. One erosional feature was previously documented. It appears that this area developed into an erosional complex with several associated features that occur in the southwestern end of the project site, likely due to nuisance runoff from adjacent residential development. These features generally traverse west to east for approximately 90 feet on a slope south of Brilliant Drive. They originate near houses at the top of a hillside along the western portion of a trail. The features then abate into the landscape with no headcutting, indicators of an Ordinary High Water Mark (OHWM), or bed, bank, or channel characteristics occurring beyond eastern side of the trail. The features showed no evidence of ordinary conveyance of storm waters such as bed and bank, channel bottom, scouring, matted vegetation, or any other characteristics of an active stream course. Furthermore, no clear hydrologic connection to any potentially jurisdictional drainages downstream of the site was observed.

The erosional features contained no riparian vegetation, only sparse scatterings of California walnut, laurel sumac (*Malosma laurina*), and non-native annual grasses. The features have limited to no functional value or associated resources that are distinctly different from adjacent uplands. Due to the absence of these indicators of jurisdictional waters and wetlands, these features do not meet USACE, RWQCB, or CDFW established criteria for jurisdictional areas (i.e. OHWM; bed, bank, and channel). As previously mentioned, photographs of the features are attached as Appendix 1. No other potentially jurisdictional waters or wetlands were observed within the project site.

Protected Trees. Per Section 17.02 (Protected Tree Relocation and Replacement) of the Los Angeles Municipal Code (LAMC), the City regulates protection of trees in

four categories: Trees Protected by LA City Ordinances, Heritage Trees, Special Habitat Value Trees, and all other Common Park Trees. Specific species of trees protected by the City of Los Angeles include southern California black walnut, western sycamore (*Platanus racemosa*), California bay (*Umbellularia californica*), box-elder (*Acer negundo*), big leaf maple (*Acer macrophyllum*), toyon (*Heteromeles arbutifolia*), native cherry trees (*Prunus* sp.), cottonwood (*Populus fremontii*, *P. trichocarpa*), native willow trees (*Salix* spp.) and all trees in the genus oak (*Quercus* sp.), which measure four inches or more in diameter at breast height (DBH). In addition, the Mount Washington/Glassell Park Specific Plan specifies that any tree, which measures 12 inches or more in diameter at four and one-half feet above the average natural grade at the base of the tree and/or is more than 35 feet in height is considered a "significant tree". Heritage Trees, Special Habitat Value Trees, and all other Common Park Trees are only protected when they occur in City Recreation and Parks grounds. Therefore, given that the subject property occurs on private lands, these three categories would not be protected on site.

As identified in the Mount Washington/Glassell Park Specific Plan, the majority of the trees located within the project site would be considered "significant" specimens, and are therefore, afforded protection under LAMC and by the Mount Washington /Glassell Park Specific Plan. Based on updated horticultural tree report prepared in August 2016 by Carlberg Associates Horticulturists and Registered Consulting Arborists, a total of 160 southern California black walnuts, seven coast live oaks, one western sycamore, and 50 "significant" trees of various species occur within the project site. Per the updated tree report, 121 California black walnuts, seven coast live oaks, and one western sycamore will be removed. A total of 20 California black walnuts will sustain encroachment. In addition, 39 non-protected, but "significant" trees of various species will be removed. Impacts to these trees would be considered significant without mitigation. However, these impacts can be reduced to less than significant levels through mitigation as described in the following section.

Other Regulated Areas. The City of Los Angeles Citywide General Plan consists of the Community Plan (Land Use Element) for East Los Angeles which has identified the project area as Low Residential. The project area and is not identified as a Biological Resource Area (BRA) or Significant Ecological Area (SEA). In addition, the site is highly constricted by residential development on all sides, and not within or proximate to any native wildlife corridors, native wildlife nursery sites, critical habitat, land trust, habitat conservation plan or any other regional planning areas, as identified by the City or any other local, regional, state or federal agency.

CONCLUSIONS AND RECOMMENDATIONS

As discussed above, the project site does not contain any riparian habitat, jurisdictional drainages/wetlands, suitable habitat for special-status plant species, regional migratory corridors, or conflict with the provisions an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state

habitat conservation plan. However, on-site vegetation provides potential habitat for nesting migratory birds protected by the MBTA and the CFG Code. In addition, impacts to protected trees and special-status vegetation communities, as identified in local or regional plans, policies, or regulations or those identified by the CDFW or USFWS must be considered and evaluated under CEQA. **Implementation of the following recommended measures would reduce potential impacts to nesting birds and raptors; protected trees, and special-status vegetation communities to less than significant levels:**

Nesting Birds. The project site contains natural vegetation that provides suitable nesting habitat for protected nesting birds. The project could adversely affect raptors and other nesting birds if construction occurs while they are present on or adjacent to the site through direct mortality or abandonment of nests. The loss of a nest due to construction activities would be a violation of the MBTA and CFGC 3503 et. seq.

- To avoid disturbance of nesting and special status birds including raptorial species protected by the MBTA and Sections 3503, 3503.5, and 3513 of the CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30), but variable based on seasonal and annual climatic conditions. If construction must begin within the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 3 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 300-foot buffer within inaccessible areas (i.e. private lands) surveyed by binoculars. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in Los Angeles County.
- If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

Protected Trees. Pursuant to LAMC and the Mount Washington /Glassell Park Specific Plan, if a project requires the removal or relocation of one or more protected tree(s), or proposes land movement activities (i.e. grading, grubbing, re-contouring, etc.) within the drip line of a protected tree, a Tree Report shall be prepared and submitted with the application for a tentative tract map approval. The subject property

already has a recorded tract map; however, the report must be prepared in accordance with, and contain the required contents outlined in LAMC Section 17.06 B 13, including such information as: type, diameter, spread, health, aesthetic grade, damage/disease, recommended remedial measures, value, and technical feasibility and cost of relocating. The precise vertical and horizontal locations, plus or minus one foot, of all protected trees must be shown on the site, landscaping, and grading plans as part of the initial application for any development project. A Tree Removal Permit would be required prior to any action that impacts the trees on the site or initiation of grading.

The applicant shall implement all measures contained within the project's arborist report (Carlberg Associates 2016) for the avoidance and mitigation for tree removal. Measures excerpted from the report include recommendations for avoidance and mitigation of both protected trees and significant trees as follows:

'Protected' Tree Removals:

1. Removal of 129 'protected' trees will require mitigation tree plantings at a ratio of 4:1, which equals 516 trees.
2. Mitigation trees should consist of *Quercus agrifolia, Platanus racemosa, Juglans californica* var. *californica*, or *Umbellularia californica*. Mitigation trees will be planted on-site in the natural or manufactured slope areas of the lots.
3. Removal trees that are in the public streets rights-of-way may be replaced at a lower ratio of 2:1. The City of Los Angeles will make the final determination in this regard.
4. The City of Los Angeles' Urban Forestry Division generally requires 24-inch box trees to be planted on-site for mitigation. Depending on nursery availability, especially for Southern California black walnuts *(Juglans californica* var. *californica)* one- to fifteen-gallon container sizes may be more appropriate for mitigation trees. Therefore, the applicant proposes to plant smaller container sizes that will be approved by the Urban Forestry Division in the final landscape/mitigation planting plans.
5. Mitigation trees will be planted in natural groupings, as well as individually, as space allows on each lot and in open spaces of the project. A sample of the proposed mitigation planting schedule on a typical lot is provided in Exhibit K of the Carlberg 2016 report.
6. The project landscape architect is designing mitigation trees into the landscape plans for the lots. The color-coded mitigation trees will be required on the landscape and irrigation plans and establishment irrigation will be provided for all mitigation trees to the satisfaction of the Urban Forestry Division as outlined in the final Protected Tree Removal Permit.
7. The City will make the final determination in the tree removal permit as to the final number of mitigation trees required, the container sizes, and the species to be planted.
8. Mitigation trees shall be guaranteed under a bond for a period of three years. The bond amount will be determined through negotiations between the

applicant team and the Urban Forestry Division prior to issuance of a grading permit. The bond will be posted prior to issuance of a grading permit.

9. Mitigation trees that are planted in private yards will be protected by project Conditions, Covenants, and Restrictions (CC&Rs) or other legal instrument. The CC&Rs or other legal instrument will ensure access for reasonable mitigation monitoring, as required.
10. The Urban Forestry Division shall be notified at least ten (10) days prior to the date of the approved Protected Tree removals. The applicant's Tree Expert (project arborist) shall be on-site for the duration of the tree removals to ensure that the proper trees are removed. A post-tree removal site meeting with an Urban Forestry Division arborist will be required one day after the removals are complete.
11. The Urban Forestry Division shall be notified no later than five days after completion of the tree replacement plantings.
12. The applicant, along with the project arborist and landscape architect, shall be responsible to ensure that the tree removal permit tree replacement conditions are met. Monitoring and compliance documentation will be required as outlined in the General Recommendations below.
13. The mitigation tree bond will be released upon satisfactory compliance with the Protected Tree Removal Permit and all associated conditions.

'Significant' Tree Removals:

14. In compliance with the Mount Washington/Glassell Park Specific Plan, removal of 39 'significant' trees will require mitigation tree plantings at a ratio of 1:1, which equals 39 trees.
15. Mitigation (replacement) trees shall have a minimum trunk diameter of two inches and a height of eight feet at the time of planting. Each replacement tree planted on a slope shall be a minimum of 15 gallons in size and shall be surrounded by native plants according to xeriscape and landform planting specifications. Replacement tree on substantially level grades shall be no smaller in diameter, measured 12 inches above the ground, than the trees removed, except that no trees larger than 24-inch box size shall be required.
16. The project landscape architect is designing mitigation trees into the landscape plans for the 32 lots. The color-coded mitigation trees should be required on the landscape and irrigation plans and establishment irrigation should be provided for trees planted in the natural areas of the site.
17. The City Planning Department will make the final determination in the CEQA document and /or other conditions of approval as to the final number of mitigation trees required, the container sizes, and the species to be planted on-site.

General Recommendations:

18. Any demolition, digging, excavating, or trenching within the protected zone of any protected tree to remain shall be monitored by a qualified arborist.

19. Exposed roots to remain should be covered with burlap, carpet remnants or other material that may be kept moist until soil can be replaced.
20. The Carlberg 2016 arborist report shall be part of the set of plans given to the contractors. Contractors should be familiar with the specific instructions and responsibilities pertaining to protected trees. It is recommended that a professional arborist be retained and meet with the contractor and his personnel prior to commencement of the project.
21. If canopy pruning is found to be necessary for trees to remain, it should only be performed by a qualified ISA Certified Arborist or ISA Certified Tree Worker. Climbing "gaffs" shall not be used by any tree climber except in an emergency to reach an injured climber or when removing a tree.
22. Protected trees shall not be removed until/unless approval is granted by the City of Los Angeles' Urban Forestry Division.
23. Pruning or Removals shall occur outside of the nesting bird season as defined by the California Department of Fish and Wildlife and other jurisdictional agencies. If removals must occur in nesting bird season, biological monitoring should be required.
24. Construction monitoring reports will be submitted to the Urban Forestry Division at appropriate intervals. Intervals may vary depending on the level of activity on-site. A monitoring and reporting program will be developed by the project arborist for various phases of the development process. This program will be submitted to the Urban Forestry Division prior to issuance of grubbing, grading, or demolition permits. A final compliance report will be prepared for submission to Urban Forestry upon completion of the project.
25. A maintenance and monitoring program for mitigation trees will be included in the monitoring and reporting program that will be developed by the project arborist. This program will be developed in coordination with the project landscape architect. At least three (3) years of monitoring for mitigation trees is recommended. The Urban Forestry Division will dictate the actual monitoring period for mitigation trees.
26. Equipment, materials, and vehicles shall not be stored, parked, or operated within the protected zone of trees to remain.
27. Equipment with overhead exhaust shall not be placed in such a manner as to scorch overhanging branches or foliage. Smaller equipment shall be used in such areas as deemed necessary by the monitoring arborist.
28. Five (5) foot high chain link fencing shall be installed as illustrated on the Tree Protection Plan prior to submission of this report to the Urban Forestry Division of the City of Los Angeles (reports may not be deemed complete by the Division if fencing is not in place). Photographs of the fencing should be submitted with the report. When performing their inspection, Urban Forestry requires that the protective fencing be in place.
29. A 'Warning' sign shall be prominently displayed on each protective enclosure. The sign will be a minimum of 8.5 inches x 11 inches and clearly indicate the presence of a tree protection zone.

30. Because of the close proximity of construction to protected and significant trees, a professional arborist with construction monitoring experience should be retained to monitor and report on various phases of the project.
31. The Urban Forestry Division shall be notified immediately if any Protected Tree Removal Permit conditions have been violated or cannot be fulfilled.

Special-Status Vegetation Communities. The proposed project will impact approximately 3.44 acres of walnut woodland, a CNDDB special-status vegetation community, which is also afforded protection under LAMC and by the Mount Washington /Glassell Park Specific Plan. Removal of 121 California black walnuts would be considered significant. A separate Walnut Woodland Habitat Quality Analysis (Appendix 3) concluded that as the habitat within the site is fragmented and significantly degraded, mitigation for impacts to California walnut trees by replacement of walnut woodland habitat acreage is not warranted. Recommended mitigation for removal of California walnut trees is replacement of the trees at a 4:1 ratio, in accordance with the recommendations of Carlberg Associates' arborist report. The applicant shall comply with the recommendations of the Protected Tree Report as may be amended by the Urban Forester. This mitigation will, by definition, reduce the level of impacts to less than significant.

LIMITATIONS

This limited biological analysis was prepared for use solely and exclusively by The Glassell Park, LLC. No other use or disclosure is intended or authorized by Rincon Consultants, nor shall this analysis be relied upon or transferred to any other party without the express written consent of Rincon Consultants. Glassell Park, LLC agrees to hold Rincon harmless for any inverse condemnation or devaluation of said property that may result if Rincon's report or information generated is used for other purposes. The findings and opinions conveyed in this analysis are based on the material reviewed and the limited field reconnaissance. Although Rincon believes the data sources are reasonably reliable, Rincon cannot and does not guarantee the authenticity or reliability of the data sources reviewed.

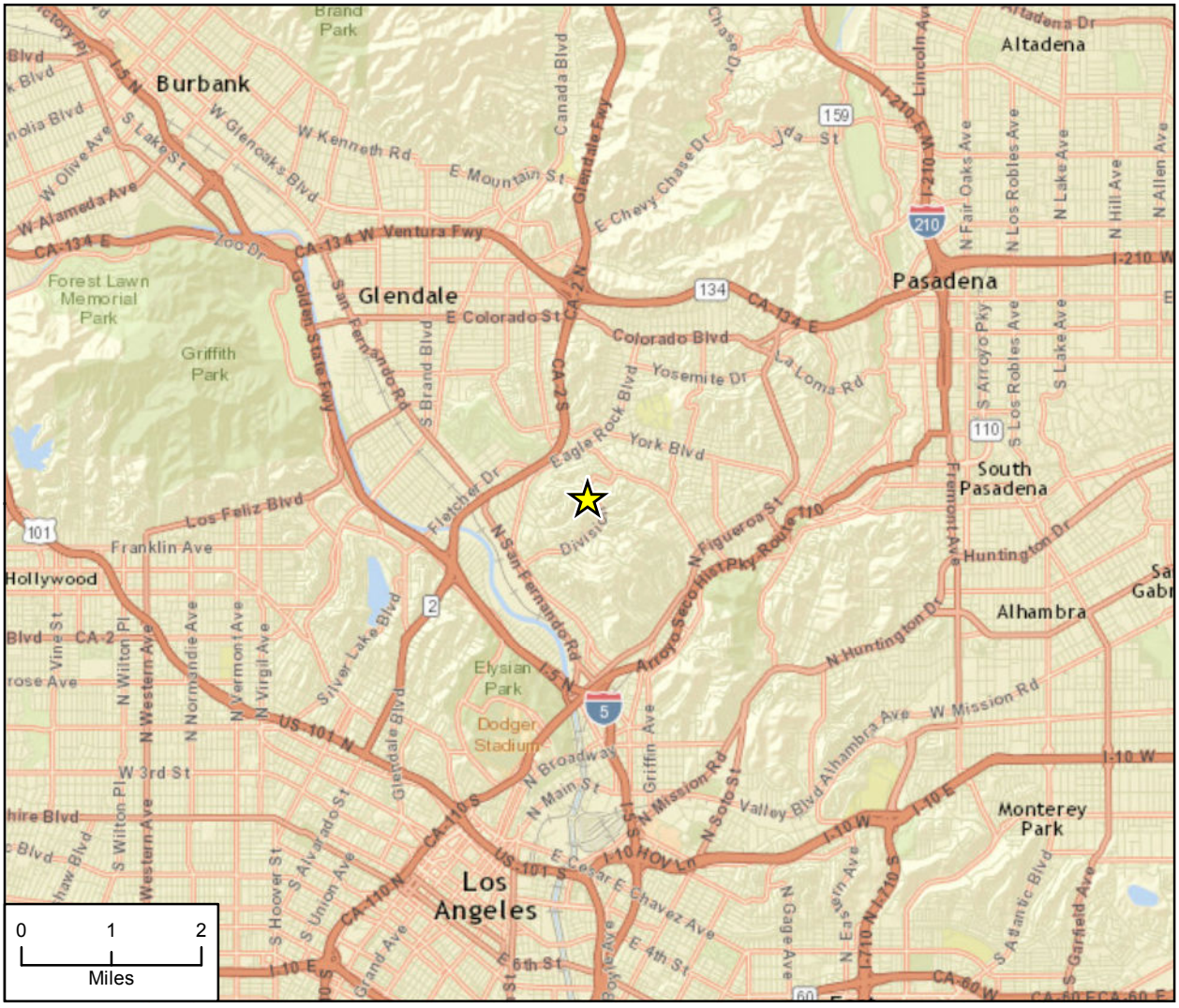
Thank you for selecting Rincon Consultants to provide you with this biological technical study. Please call if you have questions, or if we can be of further assistance.

Sincerely,
RINCON CONSULTANTS, INC.

Robin Murray
Senior Biologist/Project Manager

Steven J. Hongola
Principal / Senior Ecologist

Attachments: *Figure 1. Regional Location*
Figure 2. Project Location on USGS Topographic Map
Figure 3. Vegetation Community/Land Cover Types within the Project Survey Area
Appendix 1. Site Photographs
Appendix 2. Rare Plant Survey Report, 2015
Appendix 3. Walnut Woodland Habitat Quality Analysis, 2016



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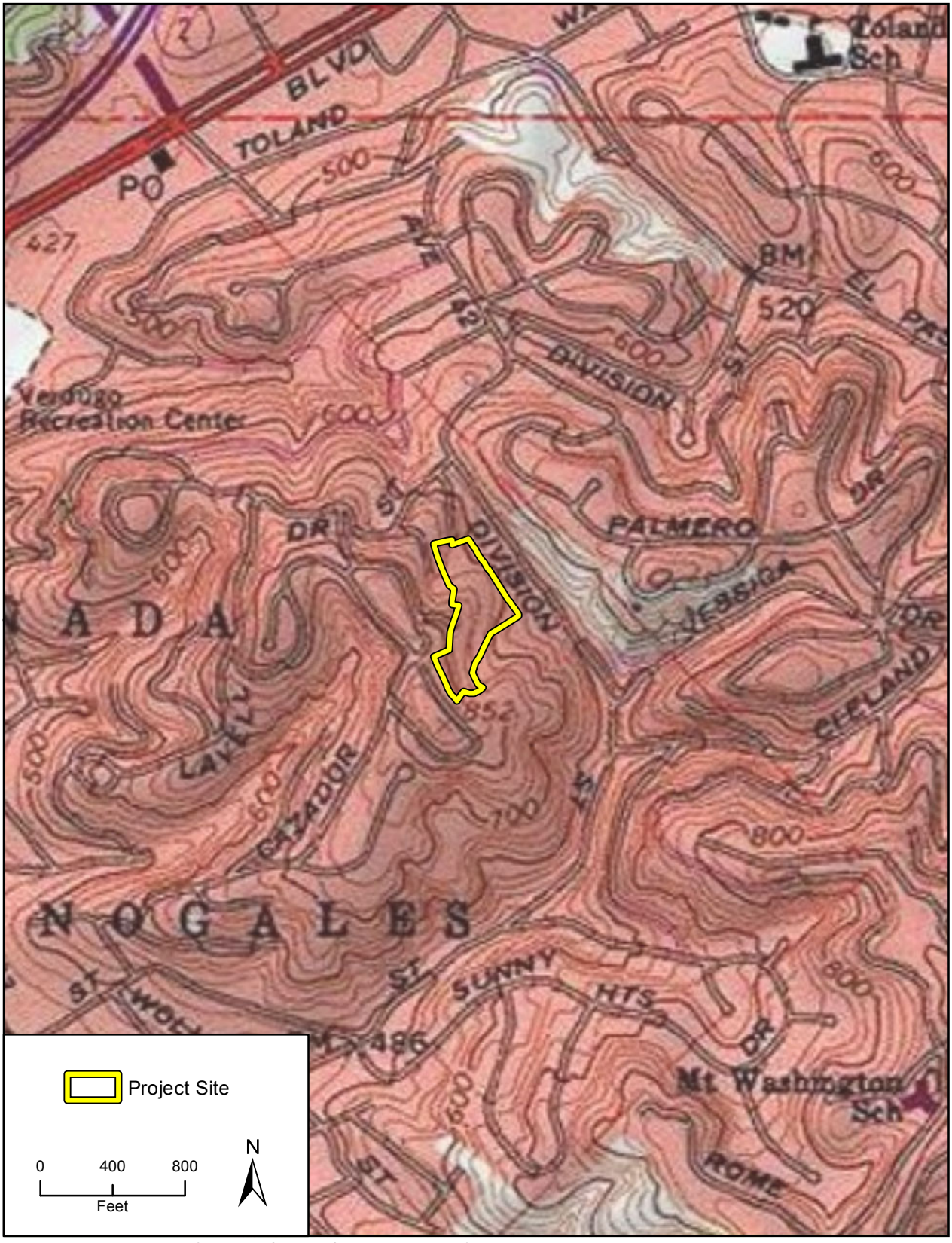
Project Location

Regional Location

Figure 1



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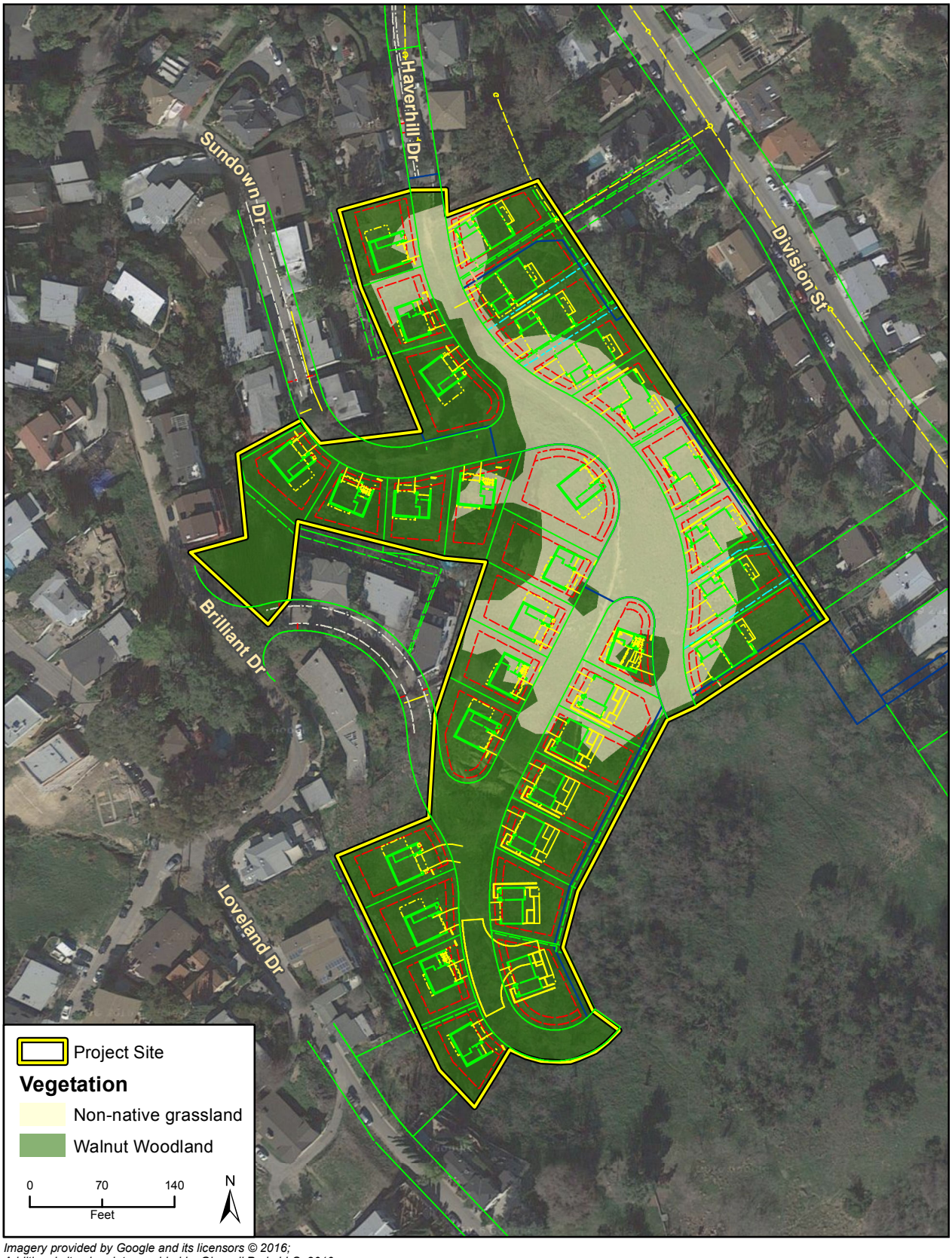
Project Location on USGS Topographic Map Figure 2



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Additional site plan data provided by Glassell Park, LLC, 2016.

Vegetation Community/Land Cover Types
within the Project Survey Area

Figure 3

Photograph 1. View facing south along dirt trail from Haverhill Drive. California walnut in background. (2014)

Photograph 2. View facing southeast from Haverhill Drive. California walnut mixed with non-native trees. (2014)

Photograph 3. View facing northwest from center of project site. Small erosional feature that extends from Brilliant Drive southeast to Division Street. (2014)

Photograph 4. View facing northwest from center of project site of the small erosional complex. No OHWM or bed, bank and channel characteristics present. (2016)

Photograph 5. View facing southeast at the end of the erosional complex. No head cutting, OWHM, or bed, bank and channel indicators occur beyond the trail. (2016)

Photograph 6. View facing southeast at the top of the erosional complex. (2016)