

III.C. BIOLOGICAL RESOURCES

The analysis contained within this section describes the existing biological resources within the project site, potential environmental impacts, recommended mitigation measures to reduce or avoid impacts to biological resources and the level of significance after mitigation.

EXISTING CONDITIONS

SITE OVERVIEW

The project site is located in the Chatsworth-Porter Ranch community of the City of Los Angeles and consists of a single 23.6-acre parcel bounded by Winnetka Avenue on the west, Prairie Street on the north, existing light industrial/corporate office park uses on the east and a Southern Pacific Railroad right-of-way on the south. A City of Los Angeles flood control facility is located along the western and southern perimeter of the site. The site is almost entirely paved with ornamental landscaping located along the perimeter. The site is a former *Los Angeles Times* printing facility. The proposed project would develop a corporate and residential mixed-use development totaling 1,212,515 million square feet of floor area. **Figure III.C-1** through **III.C-4** below show representative views of the project site and adjacent areas.

REGULATORY SETTING

Federal

Federal Endangered Species Act

Under the Federal Endangered Species Act (FESA), the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as threatened or endangered (16 United States Code [USC] 1533[c]). Pursuant to the requirements of FESA, a federal agency reviewing a proposed project within its jurisdiction must determine whether any federally listed, threatened, or endangered species, or species proposed for federal listing may be present in the project area and determine whether the proposed project would have a potentially significant impact on such species. In addition, the federal agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under FESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[3], [4]). Adverse project impacts on these species or their habitats would be considered potentially significant.

Procedures for addressing federal-listed species follow two principal pathways, both of which requires consultation with the United States Fish and Wildlife Service (USFWS), which administers the Act for all terrestrial species, and/or the National Marine Fisheries (NMFS), which has jurisdiction over anadromous salmonids. The first pathway (FESA, Section 10(a) Incidental Take Permit) is set up for circumstance where a non-federal government entity (or where no federal nexus exists) must resolve potential adverse impacts to species protected under the Act. The second pathway (FESA, Section 7 Consultation) involves projects with a federal connection or requirement; typically these are projects where a federal lead agency is sponsoring or permitting the proposed project. For example, a permit from the U.S. Army Corp of Engineers (ACOE) may be required if a project could result in wetland impacts. In these instances, the federal lead agency (e.g., the ACOE) initiates and coordinates the following steps: informal consultation with USFWS and/or NMFS to establish a list of target species;



Figure III.C-1:
View looking Southeast along Flood Control Channel – Southern Boundary of Site



Figure III.C-2:
View looking South along Flood Control Channel -- Western Boundary of Site



Figure III.C-3:
View looking South towards Entrance on Northern Boundary of Site



Figure III.C-4:
View looking Southwest from Adjacent Property on Eastern Boundary of Site

preparation of biological assessment assessing potential for the project to adversely affect listed species; coordination between state and federal biological resource agencies to assess impacts/proposed mitigation; and development of appropriate mitigation for all significant impacts on federally listed species.

The USFWS and/or NMFS ultimately issue a final Biological Opinion on whether the project will affect the federally listed species. A Section 10(a) Endangered Species Incidental Take Permit may be necessary when the “taking” or harming of a species is incidental to the lawful operation of a project.

The USFWS also publishes a list of candidate species. Species on this list receive “special attention” from federal agencies during environmental review, although they are not otherwise protected under FESA. The candidate species are taxa for which the USFWS has sufficient biological information to support a proposal to list as Endangered or Threatened.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (16 USC, Sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Birds of prey are protected in California under the State Fish and Game Code, Section 3503.5, 1992. Section 3503.5 states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Project impacts to these species would not be considered significant unless they are known or have a high potential to nest in the project area or to rely on it for primary foraging.

State

California Endangered Species Act

Section 2080 of the California Fish and Game Code prohibits the taking of plants and animals listed under the authority of the California Endangered Species Act of 1984 (CESA). Under the California Endangered Species Act (CESA), California Department of Fish and Wildlife (CDFW) maintains a list of threatened species and endangered species (Cal. Fish and Game Code 2070). The CDFW also maintains a list of candidate species that are species that the CDFW has formally noticed as being under review for addition to either the list of endangered species or the list of threatened species. The CDFW also maintains lists of “species of special concern” which serve as “watch lists.” Pursuant to the requirements of CESA, an agency reviewing a project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present in the project area and determine whether the proposed project would have a potentially significant impact on such species.

Plants

The legal framework and authority for the state's program to conserve plants are woven from various legislative sources, including CESA, the California Native Plant Protection Act (Fish and Game Code Section 1900 – 1913), CEQA *Guidelines*, and the Natural Communities Conservation Planning Act.

The Native Plant Protection Act of 1977 (Fish and Game Code Section 1900 et seq.) gives the CDFW authority to designate State Endangered, Threatened, and Rare plants and provides specific protection measures for identified populations. Sensitive plant and wildlife species that would qualify for listing but are not currently listed are afforded protection under CEQA. The CEQA *Guidelines*, Section 15065 (“Mandatory Findings of Significance”) requires that a reduction in numbers of a rare or endangered species be considered a significant effect. CEQA *Guidelines* Section 15380 (“Rare or endangered species”) provides for assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing.

The California Native Plant Society (CNPS) maintains a list of special status plant species based on collected scientific information. Designation of these species by CNPS has no legal status or protection under federal or state endangered species legislation. CNPS designations are defined as List 1A (plants presumed extinct); List 1B (plants rare, threatened, or endangered in California and elsewhere); List 2 (plants rare, threatened, or endangered in California, but more numerous elsewhere); List 3 (plants about which more information is needed – a review list); and List 4 (plants of limited distribution - a watch list). In general, plants appearing on CNPS List 1A, 1B or 2 meet the criteria of Section 15380 of the CEQA *Guidelines*; thus, substantial adverse effects to these species would be considered significant. Additionally, plants constituting CNPS List 1A, 1B or 2 meet the definitions of California Department Fish and Game Code Section 1901 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act).

Wetlands, Streams and Riparian Habitat

Federal

U.S. Army Corps of Engineers

Wetlands and other waters, e.g., rivers, streams and natural ponds, are a subset of “waters of the U.S.” and receive protection under Section 404 of the federal Clean Water Act. The regulations and policies of various federal agencies (e.g., ACOE, United States Department of Agriculture [USDA], and Natural Resource Conservation Service [NRCS], U.S. Environmental Protection Agency [EPA]) mandate that the filling of wetlands be avoided to the extent possible. The ACOE has primary federal responsibility for administering regulations that concern waters of the U.S. In this regard, the ACOE acts under two statutory authorities, the Rivers and Harbors Act (Sections 9 and 10), which governs specified activities in “navigable waters,” and the Clean Water Act (Section 404), which governs specified activities in “waters of the United States,” including wetlands. Navigable waters of the United States are defined as those waters that are a subject to the ebb and flow of the tide or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. EPA has the ultimate authority for designating dredge and fill material disposal sites and can veto the Corp's issuance of a permit to fill jurisdictional waters of the U.S.

The term “waters of the U.S. “ as defined in Code of Federal Regulations (33 CFR 328.3[a]; 40 CFR 230.3[s]) includes: (1) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (2) All interstate waters including interstate wetlands; (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce including any such waters which are or could be used by interstate or foreign travelers for recreational or other purposes; or from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or which are used or could be used for industrial purposes by industries in interstate commerce; (4) All impoundments of waters otherwise defined as waters of the United States under the definition; (5) Tributaries of waters identified in paragraphs (1) through (4); (6) Territorial seas; and (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (1) through (6). The ACOE requires obtaining a permit if a project proposes placing structures within navigable waters and/or alteration of waters of the United States.¹ There are no navigable waters or waters of the U.S. on or adjacent to the project site (including the unnamed drainage channel located adjacent to the project site).

Nationwide Permits

Projects that meet certain conditions may be authorized by the ACOE under the Nationwide General Permit Program (NWP), a permitting process for specific activities. Nationwide Permit (NWP) 39 authorizes discharges resulting for Residential, Commercial, and Institutional Developments, which applies to construction or expansion of building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures.

Attendant features may include, but are not limited to, roads, parking lots, garages, yards, utility lines, stormwater management facilities, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development). These types of projects can be authorized by NWP 39 if the discharge does not cause a loss of greater than ½-acre of non-tidal waters of the US, excluding non-tidal wetlands adjacent to tidal waters. NWP also authorizes discharge to less than 300 linear feet of an ephemeral or intermittent a stream bed, although this limit may be exceeded under certain conditions.

Individual Permit

An Individual Permit is required for any project that does not meet the NWP General Conditions. Additional regional requirements for maintaining upland buffer areas between authorized projects and open waters or streams may be conditions for granting any ACOE permit. Activities authorized under an Individual Permit require compliance with ACOE Section 404 regulations, EPA Section 404(b)(1) Guidelines, National Environmental Policy Act, the Federal Endangered

¹ Based on the Supreme Court ruling (SWANCC) concerning the Clean Water Act jurisdiction over isolated waters (January 9, 2001), non-navigable, isolated, intrastate waters based solely on the use of such waters by migratory birds are no longer defined as waters of the United States. Jurisdiction of non-navigable, isolated, intrastate waters may be possible if their use, degradation, or destruction could affect other waters of the United States, or interstate or foreign commerce. Jurisdiction over such other waters are analyzed on a case-by-case basis. Impoundments of waters, tributaries of waters, and wetlands adjacent to waters should be analyzed on a case-by-case basis.

Species Act (FESA), Section 106 of the National Historic Preservation Act, and Section 401 of the Clean Water Act (water quality certification).

State

Regional Water Quality Control Board

The Regional Water Quality Control Board (RWQCB) regulates waters of the state under the Porter-Cologne Act. Under Section 401 of the Clean Water Act, the RWQCB has review authority of Section 404 permits. The RWQCB has a policy of no-net-loss of wetlands in effect and typically requires mitigation for all impacts to wetlands before it will issue a water quality certification. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the State, and prospective dischargers are required to submit a report of waste discharge to the RWQCB and comply with other requirements of Porter-Cologne.

California Department of Fish and Wildlife

Under Sections 1600 - 1616 of the California Fish and Game Code, the CDFW regulates activities that would substantially divert, obstruct the natural flow, or substantially change of rivers, streams and lakes. The jurisdictional limits of CDFW are defined in Section 1602 of the California Fish and Game Code as, "bed, channel, or bank of any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake..." The CDFW requires a Streambed Alteration Agreement for activities within its jurisdictional area. CDFW has no jurisdiction over the unnamed channel adjacent to the project site (or any other drainages on the project site).

Local

City of Los Angeles Tree Ordinances

Native Tree Protection

The City of Los Angeles Municipal Code (Section 1., Subdivision 12 of Subsection (a) of Section 12.21; Ordinance 177,404 as amended) provides for the protection of native trees of four types: (1) oaks other than scrub oak (*Quercus dumosa*), (2) southern California black walnut (*Juglans californica* var. *californica*), (3) western sycamore (*Platanus racemosa*), and (4) California bay (*Umbellularia californica*). To qualify for protection, individual plants must also measure four inches or more in cumulative diameter, 4.5 ft above the ground level at the base of the tree.

The Municipal Code permits the City's Board of Public Works to grant permission to remove or relocate these species. Three options are available to the Board and include:

(1) replacement within the same property of the same species and in which case two replacement trees (15-gallon, or larger, specimen, measuring one inch or more in diameter one foot above the base, and be not less than seven feet in height measured from the base, and be not less than seven feet in height measured from the base) are required. The size and number of replacement trees shall approximate the value of the tree to be replaced;

(2) Permit protected trees of a lesser size or trees of a different species to be planted as replacement trees, if replacement trees of the size and species otherwise required pursuant to

this Code are not available. In that event, a greater number of replacement trees may be required; or

(3) Permit a protected tree to be moved to another location on the property, provided that the environmental conditions of the new location are favorable to the survival of the tree and there is a reasonable probability that the tree will survive.

There are no native tree species contained on-site which are protected by Ordinance 177,404.

To avoid potentially significant effects to natural resources in off-site areas, such as downstream portions of the Los Angeles River (the flood control facility is tributary to the River), replacement trees must not be from among the following list of trees or large shrubs considered to be nonnative, invasive species by the California Invasive Plant Council:²

- *Schinus molle*, Peruvian pepper-tree or California pepper-tree
- *Schinus terebinthifolius*, Brazilian pepper-tree
- *Elaeagnus angustifolia* (or *E. angustifolius*), oleaster (or Russian-olive)
- *Acacia melanoxylon*, blackwood acacia
- *Robinia pseudoacacia*, black locust
- *Ficus carica*, edible fig (or common fig)
- *Myoporum laetum*, lollypop tree (or Ngaio tree)
- *Eucalyptus camaldulensis*, river red gum (or red gum)
- *Eucalyptus globulus*, Tasmanian blue gum (or blue gum)
- *Olea europaea*, European olive (or commercial olive)
- *Ailanthus altissima*, tree-of-heaven
- *Tamarix* species, tamarisk or salt-cedar (all species)

There are two invasive tree species noted above and contained on-site. These include tree numbers # 2139 (*Schinus molle*) and #2153 (*Eucalyptus camaldulensis*) as noted by the Tree Evaluation and Preservation Study included as Appendix B.³

Landscape Ordinance

The Emergency Water Conservation Plan of the City of Los Angeles (Municipal Code, Chapter XII, Article 1, Section 121.08) provides for the reduction in the City's water use through the regulation of landscape watering practices throughout the City. The ordinance states that no lawn, landscape, or other turf areas shall be watered or irrigated between the hours of 10:00 AM and 5:00 PM from April 1 to September 30, or between the hours of 11:00 AM and 3:00 PM from October 1 to March 31. In addition, Article IV of Chapter XII presently requires a ten percent reduction in the amount of water used for landscape irrigation on large turf areas, and provides for surcharges for water used in violation of the requirements. Lastly, LAMC Section 124.03 requires certain water conservation requirements for large turf areas. These mandate that:

- (a) Owners of large turf areas in the City of Los Angeles shall reduce or caused to be reduced by ten percent the amount of water used for landscape

² California Invasive Plant Council. 2006. California Invasive Plant Inventory. Berkeley, CA: California Invasive Plant Council. February. Available: <www.cal-ipc.org>.

³ Consulting Arborist Report, December 2, 2013: Tree Evaluation and Preservation Study, Arbogate Consulting, Inc.; **Appendix B** of this EIR.

irrigation purposes on large turf areas. The ten percent reduction shall be calculated based on the corresponding billing period in the base year.

- (b) Owners of large turf areas shall comply with the requirements of Subsection (a) of this section by October 13, 1988.
- (c) Owners of large turf areas who install water conservation devices that are specifically designed or manufactured, as determined by the Department of Water and Power, to reduce water consumption by at least ten percent shall be deemed to have complied with this section.
- (d) The provisions of this section shall not apply to those owners of large turf areas who are determined by the Department of Water and Power to use reclaimed water for landscape irrigation purposes.

Urban Forest

An urban forest is the sum total of all vegetation growing in urban areas. According to the National Urban Forest Council, an urban forestry is defined as:

The art, science, and technology of managing trees, forests, and natural systems in and around urban areas for the health and well being of communities.

Urban forests, and in particular trees, provide significant benefits to communities although the urban ecosystem presents a less than optimal environment for tree growth. Urban sprawl has contributed to the decline of urban forests and the development of additional problems associated with urban heat islands and storm water runoff. In an attempt to deal with these additional problems, communities have experienced increased costs associated with the installation and repair of their gray infrastructures (sewers, utilities, buildings, roads, etc). As such, more communities are recognizing that vegetation, especially trees, make up a green infrastructure that has the potential to improve the quality of life in a more cost effective manner than the gray infrastructure.⁴ The City of Los Angeles contains one of the largest urban forests in the United States.⁵

The tree survey performed for the project site (and including trees off-site along the perimeter) identified a total of 310 trees ranging in diameter from three to 36 inches. The bulk of the trees are: (31) *Pinus halepensis*, Aleppo pine; (18) *Cedrus deodara*, deodar cedar; (34) *Cupaniopsis anacardioides*, carrotwoods; (67) *Corymbia (Eucalyptus) citriodora*, lemon gums; (31) *Brachychiton populneus*, bottle trees; (18) *Melaleuca quinquenervia*, paperbark; and (18) *Magnolia g. 'Majestic Beauty'*, Majestic Beauty magnolia. There are 217 trees between these seven types on this site. This represents 70 percent of all trees concentrated in seven of the species. Trees contained on-site vary in health, and range from "B" to "F."⁶ Of the 310 on-site trees, one tree received a ranking of "A," 103 trees received a ranking of "B," 154 received a ranking of "C," 47 received a ranking of "D," and 5 received a ranking of "F." No trees surveyed

⁴ National Urban Forest Council, 2008.

⁵ City of Los Angeles, Bureau of Street Services, Urban Forestry Division: http://www.lacity.org/boss/UrbanForestryDivision/index_managingUF.htm, accessed August 21, 2008.

⁶ Tree health ratings are as follows: A health rating of A is excellent, B is good, C is adequate, D is declining, but probably recoverable, and F is dead, near dead, and probably not recoverable.

on-site are protected by City ordinance. The arborist recommended removal of 101 trees and identified 42 large trees in good health that should be preserved if feasible.”⁷

BIOLOGICAL RESOURCES

Regional

The project site is located within the northwestern portion of the San Fernando Valley and immediately adjacent to an unnamed City of Los Angeles flood control facility which is tributary to Limekiln Canyon Creek.⁸ Limekiln Canyon Creek drains a portion of the San Fernando Valley and is tributary to the Los Angeles River. Major topographical features within close proximity of the project site include the San Fernando Valley, San Gabriel Mountains, Santa Susana Mountains, Verdugo Mountains, Santa Monica Mountains and Simi Hills.

Local

The project site is located within the central-eastern section (Range 16 West, Township 1 North) of the United States Geological Surveys’ Canoga Park, California Topographical Quadrangle (7.5 Series, photo-revised, 1972).⁹ The unnamed flood control facility forms the western and southern boundaries of the project site. The right-of-way of this facility is approximately 20 feet in width. With the exception of the unnamed flood control facility, land uses surrounding the project site are entirely urban. The project site itself is urbanized consisting of large surface parking lots and the former *Los Angeles Times* printing facility. The project site elevation is approximately 850 feet above mean sea level and is generally flat.

On-Site Plant Communities and Wildlife Habitats

Natural Plant Communities

No natural plant communities are contained on-site, although the site does include ornamental vegetation, as discussed below. With the exception of the unnamed flood control facility, the areas surrounding the site are urban. This facility is a concrete-lined channel (no vegetation occurs in the channel itself).

Ornamental Landscaping

Ornamental landscaping generally includes non-native species which are utilized for aesthetic purposes. The range of non-native species utilized in Southern California is extensive and varies from area to area, although price availability of commercial nursery stock largely dictates the species utilized. In general, native species are in limited use although their popularity appears to be increasing. As noted in the project’s *Tree Evaluation and Preservation Study* (Appendix B of this Draft EIR) there are a number of ornamental species present on-site.

⁷ Tree Evaluation and Preservation Study, Arborgate Consulting, Inc., December 2, 2013; see **Appendix B** of the Draft EIR

⁸ Los Angeles County Department of Public Works: <http://dpw.lacounty.gov/LACFCD/map/map.cfm>

⁹ No Section number for the project site is contained within the Canoga Park, CA Quadrangle.

Sensitive Biological Resources

Several species known to occur in the project vicinity are protected pursuant to federal and/or State endangered species laws, or have been designated as Species of Concern by the USFWS or Species of Special Concern by the CDFW. In addition, Section 15380(b) of the California Environmental Quality Act (CEQA) *Guidelines* provides a definition of rare, endangered or threatened species that are not included in any listing. Species recognized under these terms are collectively referred to as “special-status species.” For purposes of this analysis, special-status species include:

- Plant and wildlife species listed as rare, threatened or endangered under the federal or State endangered species acts;
- Species that are candidates for listing under either federal or State law;
- Species designated by the USFWS as Species of Concern or by CDFW as Species of Special Concern;
- Species protected by the federal Migratory Bird Treaty Act (16 U.S.C. 703-711);
- Bald and golden eagles protected by the federal Bald Eagle Protection Act (16 U.S.C. 668); and
- Species such as candidate species that may be considered rare or endangered pursuant to Section 15380(b) of the CEQA *Guidelines*.

According to the California Natural Diversity Data Base (CNDDDB 2014) there are a number of sensitive plant and animal species known to have recently or historically occurred within the topographical quadrangles queried. Many of these species are considered extant (present) or extirpated (removed/non-existent).

Sensitive Plant Species

Table III.C-1 contains a list of special status plant species derived from the CNDDDB. The status of these plants, their habitat and distribution and potential to occur on-site are noted.

TABLE III.C-1 LISTED SPECIAL STATUS PLANT SPECIES				
Scientific Name	Common Name	Status Designation	Potential for Occurrence	Habitat and Distribution
<i>Astragalus brauntonii</i>	Braunton’s Milk-vetch	ESA: FE CESA: None CNPS: List 1B.1	None	Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland, recent burns or disturbed areas, in stiff gravelly clay soils overlaying granite or limestone 13-2,099 feet (ft) above mean sea level (msl).
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	Ventura Marsh Milk-vetch	ESA: FE CESA: SE CNPS: List 1B.1	None	Coastal strand and beach areas.
<i>Chorizanthe parryi</i> var. <i>fernandina</i>	San Fernando Valley Spineflower	ESA: Candidate CESA: SE CNPS: List 1B.1	None	Coastal scrub, sandy soils in elevations ranging from 9-3,395 ft above msl.
<i>Dithyrea maritima</i>	Beach Spectaclepod	ESA: None CESA: ST CNPS: List 1B.1	None	Coastal dunes, sandy coastal scrub.

TABLE III.C-1
LISTED SPECIAL STATUS PLANT SPECIES

Scientific Name	Common Name	Status Designation	Potential for Occurrence	Habitat and Distribution
<i>Dodecahema leptoceras</i>	Slender-horned spineflower	ESA: FE CESA: SE CNPS: List 1B.1	None	Silty areas of low disturbance within alluvial scrub communities.
<i>Dudleya cymosa marcescens</i>	Marcescent Dudleya	ESA: FT CESA: Rare CNPS: List 1B.2	None	On sheer rock surfaces and rocky volcanic cliffs, 590-1700 ft above msl.
<i>Dudleya cymosa oviatifolia</i>	Santa Monica Mountains Dudleya	ESA: FT CESA: None CNPS: List 1B.2	None	In canyons on sedimentary conglomerates, primarily North-facing slopes, 690-1640 ft above msl.
<i>Orcuttia californica</i>	California Orcutt Grass	ESA: FE CESA: SE CNPS: List 1B.1	None	Deeper portions of vernal pools.
<i>Astragalus tener</i> var. <i>titi</i>	Coastal Dunes Milk-vetch	ESA: None CESA: None CNPS: List 1B.1	None	Moist, sandy depressions in coastal bluff scrub, coastal dunes.
<i>California macrophylla</i>	Round-leaved Filaree	ESA: None CESA: None CNPS: List 1B.1	None	Clay soils in cismontane woodland, valley and foothill grassland.
<i>Deinandra minthornii</i>	Santa Susana Tarplant	ESA: None CESA: SR CNPS: List 1B.2	None	Sandstone outcrops and crevices, in natural shrublands.
<i>Centromadia parryi</i> ssp. <i>australis</i>	Southern Tarplant	ESA: None CESA: None CNPS: List 1B.1	None	Variably disturbed sites near the coast at marsh edges, also in alkaline soils sometimes with saltgrass.
<i>Dudleya multicaulis</i>	Many-stemmed Dudleya	ESA: None CESA: None CNPS: List 1B.2	None	Heavy soils, natural grassy slopes in scrub or native grasslands.
<i>Horkelia cuneata</i> ssp. <i>puberula</i>	Mesa Horkelia	ESA: None CESA: None CNPS: List 1B.1	None	Perennial herb occurring in coastal scrub, chaparral and cismontane woodland on sandy or gravelly soils at elevations ranging from 230 to 2,660 ft above msl.
<i>Nama stenocarpum</i>	Mud Nama	ESA: None CESA: None CNPS: List 2.2	None	Drying lake or river margins with fine soils.
<i>Sidalcea neomexicana</i>	Salt Spring Checkerbloom	ESA: None CESA: None CNPS: List 2.2	None	Perennial herb occurring in coastal scrub, chaparral, lower montane coniferous forest, brackish marshes, mohavean desert scrub, and playas on alkaline, mesic soils at elevations ranging from 0 to 5,020 ft above msl.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	ESA: None CESA: None CNPS: List 1B.1	None	Annual herb occurring salt-marsh, playas, vernal-pools, coastal at elevations ranging from 0 to 3,641 ft above msl.

TABLE III.C-1
LISTED SPECIAL STATUS PLANT SPECIES

Scientific Name	Common Name	Status Designation	Potential for Occurrence	Habitat and Distribution
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's dudleya	ESA: None CESA: None CNPS: List 1B.1	None	Perennial herb occurring in valley grassland and coastal sage scrub on open, rocky slopes, often serpentine or clay-dominated at elevations ranging from 0 to 1,804 ft above msl.
<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>	white-veined monardella	ESA: None CESA: None CNPS: List 1B.3	None	Perennial herb occurring in oak woodland and chaparral at elevations ranging from 656 to 4,330 ft above msl.
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	ESA: None CESA: None CNPS: List 4.2	None	Perennial herb (bulb) occurring in chaparral, foothill woodland, yellow pine forest, coastal sage scrub, and valley grassland at elevations ranging from 459 to 6,299 ft above msl.
<i>Calochortus clavatus</i> var. <i>gracilis</i>	slender mariposa-lily	ESA: None CESA: None CNPS: List 1B.1	None	Perennial herb (bulb) occurring in chaparral, foothill woodland, yellow pine forest, coastal sage scrub, and valley grassland at elevations ranging from 459 to 6,299 ft above msl.
<i>Symphyotrichum greatae</i>	Greata's aster	ESA: None CESA: None CNPS: List 1B.3	None	Perennial herb (rhizomatous) occurring in chaparral and associated damp places in canyons at elevations ranging from 1,017 to 6,692 ft above msl.
<i>Berberis nevinii</i>	Nevin's barberry	ESA: FE CESA: SE CNPS: List 1B.1	None	Shrub occurring in chaparral, foothill woodland, and coastal sage scrub in sandy to gravelly soils and washes at elevations ranging from 70 to 3,904 ft above msl.
<i>Harpagonella palmeri</i>	Palmer's grapplinghook	ESA: None CESA: None CNPS: List 4.2	None	Annual herb occurring in chaparral, valley grassland, and coastal sage scrub at elevations ranging from 0 to 3,969 ft above msl.
<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	ESA: None CESA: None CNPS: List 4.3	None	Annual herb occurring in chaparral and coastal sage scrub at elevations ranging from 0 to 4,396 ft above msl.
<i>Malacothamnus davidsonii</i>	Davidson's bush-mallow	ESA: None CESA: None CNPS: List 1B.2	None	Shrub occurring in chaparral, northern coastal scrub, and coastal sage scrub along slopes and in washes at elevations ranging from 459 to 6,069 ft above msl.

TABLE III.C-1 LISTED SPECIAL STATUS PLANT SPECIES				
Scientific Name	Common Name	Status Designation	Potential for Occurrence	Habitat and Distribution
<i>Atriplex parishii</i>	Parish's brittle scale	ESA: None CESA: None CNPS: List 1B.1	None	Annual herb occurring in shadscale scrub, alkali sink, freshwater wetlands, wetland-riparian in alkaline and clay soils at elevations ranging from 131 to 1,640 ft above msl.
<i>Chloropyron maritimum ssp. maritimum</i>	salt marsh bird's-beak	ESA: FE CESA: SE CNPS: List 1B.2	None	Annual herb occurring in coastal salt marshes at elevations ranging from 0 to 3,453 ft above msl.
<i>Baccharis malibuensis</i>	Malibu baccharis	ESA: None CESA: None CNPS: List 1B.1	None	Shrub occurring in chaparral and grassy openings at elevations ranging from 295 to 2,132 ft above msl.
<i>Isocoma menziesii var. decumbens</i>	decumbent goldenbush	ESA: None CESA: None CNPS: List 1B.2	None	Shrub occurring in coastal sage scrub and wetland-riparian at elevations ranging from 0 to 1,476 ft above msl.
<i>Pentachaeta lyonii</i>	Lyon's pentachaeta	ESA: FE CESA: SE CNPS: List 1B.1	None	Annual herb occurring in chaparral and valley grassland at elevations ranging from 75 to 1,804 ft above msl.
<i>Atriplex coulteri</i>	Coulter's saltbush	ESA: None CESA: None CNPS: List 1B.2	None	Perennial herb occurring in coastal strand, valley grassland, and coastal sage scrub and in alkaline or clay soils at elevations ranging from 0 to 2,559 ft above msl.
<i>Atriplex serenana var. davidsonii</i>	Davidson's salt scale	ESA: None CESA: None CNPS: List 1B.2	None	Annual herb occurring in coastal sage scrub and wetland-riparian at elevations ranging from 0 to 1,471 ft above msl.
<i>Dudleya cymosa ssp. marcescens</i>	marcescent dudleya	ESA: FT CESA: Rare CNPS: List 1B.2	None	Perennial herb occurring in chaparral and in shaded, rocky volcanic outcrops and slopes at elevations ranging from 492 to 1,640 ft above msl.
<i>Nolina cismontana</i>	chaparral nolina	ESA: None CESA: None CNPS: List 1B.2	None	Shrub occurring in chaparral of coastal mountains at elevations ranging from 656 to 4,265 ft above msl.
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	ESA: None CESA: None CNPS: List 1B.2	None	Perennial herb occurring in open coastal woodland and chaparral at elevations ranging from 1,148 to 4,101 ft above msl.
Federal (Fed)				
Endangered Species Act (ESA) Listing Codes:				
FE Federally-listed as Endangered				
FT Federally-listed as Threatened				

TABLE III.C-1 LISTED SPECIAL STATUS PLANT SPECIES				
Scientific Name	Common Name	Status Designation	Potential for Occurrence	Habitat and Distribution
FPE	Federally-proposed for listing as Endangered			
FPT	Federally-proposed for listing as Threatened			
FPD	Federally-proposed for delisting			
FC	Federal candidate species (former Category 1 candidates)			
(FSC)	Federal Species of Concern (Not an active term, and is provided for informational purposes only)			
State (CA)				
California Endangered Species Act (CESA) Listing Codes:				
SE	State-listed as Endangered			
ST	State-listed as Threatened			
SR	State-listed as Rare (Listed "Rare" animals have been re-designated as Threatened, but Rare plants have retained the Rare designation.)			
SCE	State candidate for listing as Endangered			
SCT	State candidate for listing as Threatened			
California Native Plant Society (CNPS) Listing Code:				
List 1A:	Plants presumed extinct in California.			
List 1B:	Plants rare and endangered in California and throughout their range.			
List 2:	Plants rare, threatened or endangered in California but more common elsewhere in their range.			
List 3:	Plants about which we need more information; a review list.			
List 4:	Plants of limited distribution; a watch list.			

Sensitive Animal Species

Table III.C-2 contains a list of special status animal species derived from the CNDDDB. The status of these animals, their habitat and distribution and potential to occur on-site are noted.

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
FISHES				
<i>Catostomus santaanae</i>	Santa Ana Sucker	ESA: FT CESA: SC	None	Endemic to Los Angeles Basin south coastal streams. Habitat generalists but prefer sand-rubble-boulder bottoms, clear water, & algae.
<i>Gila orcutti</i>	Arroyo Chub	ESA: None CESA: None CDFW: SC	None	Occurs in slow water stream sections with mud or sand bottoms. Often found in intermittent streams.
<i>Oncorhynchus mykiss irideus</i>	southern steelhead - southern California Distinct Population Segment	ESA: FE CESA: None CDFW: SC	None	Streams and deep low-velocity pools are important wintering habitats. Spawning habitat consists of gravel substrates free of excessive silt.
AMPHIBIANS				
<i>Bufo californicus</i>	Arroyo Toad	ESA: FE CESA: None CDFW: SC	None	Sandy, low gradient open wash habitat with slow moving or pooling water.
<i>Rana aurora</i>	California	ESA: FT	None	Natural streams with low levels of

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
<i>draytonii</i>	Red-legged Frog	CESA: None CDFW: SC		disturbance and without nonnative predators such as bullfrog.
REPTILES				
<i>Aspidoscelis tigris stejnegeri</i>	coastal whiptail	ESA: None CESA: None CDFW: None	None	Habitats include chaparral, woodland, and riparian areas.
<i>Diadophis punctatus modestus</i>	San Bernardino ringneck snake	ESA: None CESA: None CDFW: None	None	Prefers moist habitats, including wet meadows, rocky hillsides, gardens, farmland, grassland, chaparral, mixed coniferous forests, woodlands.
<i>Lampropeltis zonata (pulchra)</i>	San Diego California Mountain Kingsnake	ESA: None CESA: None CDFW: SC	None	Elevation range extends from near sea level up to about 5900 ft above msl. In coniferous or mixed coniferous-hardwood forests with considerable to abundant downed logs and/or slash. At lower elevations it is generally associated with various riparian woodlands connective to higher elevation forest.
<i>Phrynosoma coronatum blainvillei</i>	San Diego Coast Horned Lizard	ESA: None CESA: None CDFW: SC	None	Occurs in coastal sage scrub, open chaparral, riparian woodland, annual grassland habitats that support adequate prey species.
<i>Anniella pulchra pulchra</i>	silvery legless lizard	ESA: None CESA: None CDFW: SC	Possible	Occurs in moist warm loose soil with plant cover. Moisture is essential. Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather often indicate suitable habitat. Often can be found under surface objects such as rocks, boards, driftwood, and logs. Can also be found by gently raking leaf litter under bushes and trees. Sometimes found in suburban gardens in Southern California.
<i>Thamnophis hammondii</i>	Two-striped Garter Snake	ESA: None CESA: None CDFW: SC	None	Found in or near fresh water, often along streams with rocky beds and riparian growth. Absent from concrete channels.
BIRDS				
<i>Athene cucularia</i>	Burrowing Owl	ESA: None CESA: None CDFW: SC	None	Prefers open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Dependent on small mammal burrows (particularly ground squirrels) for its subterranean nesting.
<i>Riparia riparia</i>	bank swallow	ESA: None CESA: SE CDFW: None	None	Low areas along rivers, streams, ocean coasts, or reservoirs. Territories include vertical cliffs or banks where they nest in colonies of 10 to 2,000 nests along natural

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
				bluffs, eroding streamside banks, sand and gravel quarries or road cuts.
<i>Buteo swainsoni</i>	Swainson's hawk	ESA: None CESA: SE CDFW: SC	None	Favors open habitats for foraging although can be present foraging in hay and alfalfa fields, pastures, grain crops, and row crops, or perched atop adjacent fence posts and overhead sprinkler systems. They rely on scattered stands of trees near agricultural fields and grasslands for nesting sites.
<i>Agelaius tricolor</i>	Tricolored Blackbird	ESA: None CESA: None CDFW: SC	None	Intensively gregarious, males and females remaining in large flocks together year round. Elevation range is from near sea level to at least 4400 ft (1341 m) above msl. Nests in dense colonies in marshes and occasionally in moist thickets, agricultural fields, or sewage treatment plants. They will readily use restored or created wetlands. Species often commute in flocks for some distance between nesting areas and feeding areas, and the latter can be in varied wetlands, including sewage treatment plants, or in open areas such as agricultural fields and even stock yards or short grasslands.
<i>Aimophila ruficeps canescens</i>	Ashy (=Southern California) Rufous-crowned Sparrow	ESA: None CESA: None CDFW: SC	None	Fairly common, widespread and generally fairly conspicuous resident of rocky grassland and patchy shrub habitats, often including areas with disturbance from fire, trash, soil compaction and nonnative vegetation. There is no regular migration, and dispersal is typically limited. Elevation range extends from near sea level to at least 2500 ft above msl, and probably somewhat higher.
<i>Aquila chrysaetos</i>	Golden Eagle	ESA: EPA CESA: CFP CDFW: SFP	None	Occurs widely in California and forages in grassland and open savannah of many types. It tolerates considerable variation in topography and elevation. It is very sensitive to human disturbance.
<i>Coccyzus americanus occidentalis</i>	Western Yellow-billed Cuckoo	ESA: FC CESA: SE CDFW: None	None	Inhabitant of extensive riparian forests; it has declined from a fairly common, local breeder in much of California sixty years ago, to virtual extirpation, with only a handful of tiny populations remaining in all of California today. Losses are tied to obvious loss of nearly all suitable habitat, but other factors may also be involved. Relatively broad, well-shaded riparian forests are utilized, although it tolerates some disturbance. A specialist to some degree on tent caterpillars, with a remarkably fast development of young covering only 18 - 21

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
				days from incubation to fledging.
<i>Polioptila californica californica</i>	Coastal California Gnatcatcher	ESA: FT CESA: None CDFW: SC	None	Occurs in coastal sage scrub vegetation on mesas, arid hillsides, and in washes and nests almost exclusively in California sagebrush.
<i>Vireo bellii pusillus</i>	Least Bell's vireo	ESA: FE CESA: SE	None	Occurs in moist thickets and riparian areas that are predominately comprised of willow and mule fat.
<i>Falco peregrinus anatum</i>	American peregrine falcon	ESA: Delisted CESA: Delisted CDFW: FP	None	Open landscapes with cliffs (or skyscrapers) for nest sites up to elevations of 12,000 ft above msl, as well as along rivers and coastlines or in cities, where the local Rock Pigeon populations offer a reliable food supply. In migration and winter can be found in nearly any open habitat, but with a greater likelihood along barrier islands, mudflats, coastlines, lake edges, and mountain chains.
MAMMALS				
<i>Antrozous pallidus</i>	Pallid Bat	ESA: None CESA: None CDFW: None	None	Throughout So. Cal. from coast to mixed conifer forest; grasslands, shrublands, woodlands, & forest; most common in open, dry habitats w/ rocky areas for roosting; yearlong resident in most of range; Roosts – caves, crevices, mines, hollow trees, buildings.
<i>Lasiurus cinereus</i>	Hoary bat	ESA: None CESA: None CDFW: None	None	May be found at any location in California, although distribution patchy in southeastern deserts. This common, solitary species winters along the coast and in southern California, breeding inland and north of the winter range. Habitats suitable for bearing young include all woodlands and forests with medium to large-size trees and dense foliage. Hoary bats have been recorded from sea level to 4125 m (13,200 ft) above msl. Generally roosts in dense foliage of medium to large trees. Preferred sites are hidden from above, with few branches below, and have ground cover of low reflectivity. Females and young tend to roost at higher sites in trees.
<i>Lasionycteris noctivagans</i>	Silver-haired bat	ESA: None CESA: None CDFW: None	None	In southern California from Ventura and San Bernardino Cos. south to Mexico and on some of the Channel Islands. Roosts in hollow trees, snags, buildings, rock crevices, caves, and under bark. Primarily a forest dweller, feeding over streams, ponds, and open brushy areas.
<i>Euderma maculatum</i>	Spotted Bat	ESA: None CESA: None	None	Habitats occupied range from arid deserts and grasslands through mixed conifer forests. It apparently occurs from sea level

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
		CDFW: SC		to 10,600 ft (3230 meters) elevation.
<i>Eumops perotis californicus</i>	Western Mastiff Bat	ESA: None CESA: None CDFW: SC	None	For roosting, appear to favor rocky, rugged areas in lowlands where abundant suitable crevices are available for day roosts. There appears to be little use of night roosts. Roost sites may be in natural rock or in tall buildings away from or at the edge of urban areas, large trees or elsewhere, but must be at least 2 inches (5 centimeters) wide and 12 inches (30 centimeters) deep, and narrow to at most 1 inch (2.5 cm) at their upper end.
<i>Macrotus californicus</i>	California Leaf-nosed Bat	ESA: None CESA: None CDFW: SC	Possible	Roosts are in deep tunnels or caves, occasionally in buildings or bridges. It was formerly found throughout southern California, but is apparently now restricted to the deserts. Historical habitats utilized in coastal areas appear to be poorly known. The species is sensitive to disturbance at roosts, and the extensive human development of coastal Southern California may be the cause of extirpation.
<i>Myotis yumanensis</i>	Yuma myotis	ESA: None CESA: None CDFW: None	Possible	Found in a wide variety of habitats ranging from sea level to 3300 m (11,000 ft), but it is uncommon to rare above 2560 m (8,000 ft) above msl. Optimal habitats are open forests and woodlands with sources of water over which to feed. The Yuma myotis roosts in buildings, mines, caves, or crevices. The species also has been seen roosting in abandoned swallow nests and under bridges. Separate, often more open, night roosts may be used.
<i>Myotis ciliolabrum</i>	Western small-footed myotis	ESA: None CESA: None CDFW: None	Possible	In coastal California it occurs from Contra Costa Co. south to the Mexican border. It occurs in a wide variety of habitats, primarily in relatively arid wooded and brushy uplands near water. This bat seeks cover in caves, buildings, mines, crevices, and occasionally under bridges and under bark.
<i>Lasiurus blossevillii</i>	western red bat	ESA: None CESA: None CDFW: SC	None	In California, the majority of records are from the coastal areas from the San Francisco Bay area south, plus the Central Valley and surrounding foothills, with a limited number of records from southern California, extending as far east as western Riverside and central San Diego counties. Although they have been observed foraging around lights in urban areas they primarily inhabit areas distant from human habitation.
<i>Microtus californicus</i>	South Coast Marsh Vole	ESA: None CESA:	None	Tidal marshes in Los Angeles, Orange, and southern Ventura counties.

TABLE III.C-2 LISTED SPECIAL-STATUS WILDLIFE SPECIES				
Scientific Name	Common Name	Status	Probability of Occurrence	Habitat
<i>stephensi</i>		None CDFW: SC		
<i>Perognathus longimembris brevinasus</i>	Los Angeles pocket mouse	ESA: None CESA: None CDFW: SC	None	Historically occurred in the coastal basins of southern California, from San Fernando and Burbank in the San Fernando Valley east to Cabazon, south through the San Jacinto and Temecula Valleys to Aguanga, Warner Pass, Vail, and Temecula. The current range does not include the San Fernando Valley, the majority of which has been urbanized. There is potential for the species in the canyons of the San Fernando Valley (e.g., Tujunga wash).
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	ESA: None CESA: None CDFW: SC	None	Occurs in moderate to dense canopies, especially in rock outcrops, rocky cliffs, and slopes. Occurs in Southern California from San Diego County to San Luis Obispo County.
<p>Federal (Fed) Endangered Species Act (ESA) Listing Codes: FE Federally-listed as Endangered FT Federally-listed as Threatened FPE Federally-proposed for listing as Endangered FPT Federally-proposed for listing as Threatened FPD FC Federally-proposed for delisting Federal candidate species (former Category 1 candidates) (FSC) Federal Species of Concern (Not an active term, and is provided for informational purposes only)</p> <p>State (CA) California Endangered Species Act (CESA) Listing Codes: SE State-listed as Endangered ST State-listed as Threatened SCE State candidate for listing as Endangered SCT State candidate for listing as Threatened SFP State Fully Protected</p>				

Sensitive Plant Communities

In addition to stream and wetlands, habitats may be considered sensitive if they exhibit a limited distribution, have high wildlife value, contain sensitive species or are particularly susceptible to disturbance. There are no sensitive plant communities associated with the un-named drainage facility located adjacent to the project site.

There are no habitat types considered sensitive by the CDFW that occur on the project site.

Wildlife Usage and Dispersal

The project site is urbanized. Most of the species expected to utilize the project site or adjacent areas for foraging and nesting include those accustomed to the presence of humans. Typical bird species expected may include Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), killdeer (*Charadrius vociferus*), greater yellowlegs (*Tringa melanoleuca*), western gull (*Larus occidentalis*), rock dove (*Columba livia*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), black phoebe (*Sayornis nigricans*), common raven (*Corvus corax*), northern rough-winged swallow (*Stelgidopteryx serripennis*), barn swallow (*Hirundo rustica*), bushtit (*Psaltriparus minimus*), northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), yellow-rumped warbler (*dendroica coronata*), Brewer's blackbird (*Euphagus cyanocephalus*), house finch (*Carpodacus mexicanus*), purple finch (*Carpodacus purpureus*), lesser goldfinch (*Carduelis psaltria*) and house sparrow (*Passer domesticus*). Many of these species could use the on-site landscaping, including trees for nesting.

Reptile and amphibian use of the site and adjacent areas would be anticipated to be extremely limited. Species potentially present may include western toad (*Bufo boreas*), side-blotched lizard (*Uta stansburiana*) and western fence lizard (*Sceloporus occidentalis*).

Mammal use of the site and adjacent areas would be expected to be minimal and may include species such as striped skunk (*Mephitis mephitis*), northern raccoon (*Procyon lotor*), coyote (*Canis latrans*), red fox (*Vulpes vulpes*), deer mouse (*Peromyscus maniculatus*), house mouse (*Mus musculus*), Norway rat (*Rattus norvegicus*), black rat (*Rattus rattus*), western gray squirrel (*Sciurus griseus*), California leaf-nosed bat (*Macrotus californicus*), Yuma myotis (*Myotis yumanensis*), western small-footed myotis (*Myotis cilioabrum*), and Virginia opossum (*Didelphis virginiana*).

Wetlands and Waters of the United States and California

The un-named wash is maintained and operated by the City of Los Angeles Department of Public Works. In general, many drainage (e.g., streams, rivers, washes, etc.) wetlands and waters of the United States and California are governed by a variety of federal and state regulations. These resources were previously described in the *Wetlands, Streams and Riparian Habitat* section above. The analysis and determination of jurisdiction noted below is based upon guidance criteria provided by the ACOE and CDFW.

Jurisdictional Determinations

ACOE "Waters of the U.S."

There are no ACOE "waters of the U.S." contained within or adjacent to (including the unnamed city flood control channel) the project site.

ACOE Wetlands

There are no areas located within or adjacent to (including the unnamed city flood control channel) the project site which meet the definition of wetlands, per ACOE criteria.

CDFW Jurisdictional Riparian Areas

There are no areas located within or adjacent to (including the unnamed city flood control channel) the project site which meet the definition of riparian areas, per CDFW criteria.

Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP)

The project site is not located within an NCCP or HCP.

ENVIRONMENTAL IMPACT

METHODOLOGY

In general, the principal reason an individual taxon (species, subspecies or variety) is considered sensitive is the documented or perceived decline or limitation of its population size or geographical extent and/or distribution resulting in most cases from habitat loss.

A federally or state endangered species is defined as a species facing extinction throughout all or a significant part of its geographic range. A federally or state threatened species is defined as a species that is likely to become endangered within the foreseeable future throughout all or a significant part of its range.

Sensitive plant communities are vegetation assemblages, associations or sub-associations that support concentrations of sensitive plant or wildlife species, are of relatively limited distribution or are of particular value to wildlife. Although sensitive habitats are not afforded specific legal protection unless they support protected species, potential impacts to them are important as they provide diversity and must be considered in the context of CEQA.

The California Species of Special Concern (CSC or SSC) is an informal designation used by the CDFW for some declining wildlife species that are not considered threatened or endangered. This designation does not provide legal protection, but signifies that these species are recognized as sensitive by the CDFW.

The CNPS is a state-wide resource conservation organization that has developed an inventory of California's sensitive plant species. This inventory is the summary of information on the distribution, rarity and endangerment of California's vascular plants. This rare plant inventory is comprised of a series of lists that rank rarity of plant species found in California. List 1B plants are considered rare, threatened or endangered throughout their ranges.

A number of databases and literature resources were used to evaluate whether or not sensitive species were previously known to occur on-site or within the area and if suitable habitat and/or resources exist to support these species. Database queries included the use of the CDFW's California Natural Resources Database (CNDDDB), and CNPS Electronic Inventory of Rare Plant. In addition, field guides and other literature resources containing information on the life history and habitat requirements of these species were also used to determine their likelihood of occurrence on-site or within the immediate area. The following USGS topographical quadrangles were queried and include:

- Oat Mountain
- Van Nuys
- San Fernando
- Beverly Hills
- Topanga
- Malibu Beach
- Calabasas
- Santa Susana

Based on the evaluation of these resources and on-site habitat conditions of the project site, a determination as to whether or not a species was likely absent or present was made. These determinations were presented in **Table III.C-1** and **Table III.C-2**.

As such, the analysis is based upon predictive and actual presence information for a particular sensitive species.

The biological resources present, or likely present, on the site were determined from biological reconnaissance surveys conducted on February 9, 2014.

No sensitive species surveys were conducted on-site or within areas immediately adjacent because no habitat exists on the project site.

Descriptions of plant communities on the project site are based on site conditions and generally follow the *List of California Terrestrial Natural Communities Recognized by the California Natural Diversity Database* system. This classification system is similar in structure to previous CDFW classification systems but is based on the Sawyer and Keeler-Wolf plant classification system. This classification system is a hierarchical treatment of vegetation communities/wildlife habitats that describes natural communities, naturalized communities, invasive plant associations, and human-influenced and urban landscapes. The vegetation communities generally correlate with wildlife habitat types.

An inventory of tree species within the project site was conducted by a certified landscape architect.

THRESHOLDS OF SIGNIFICANCE

Appendix G of the CEQA *Guidelines*, as amended through January 1, 2014, provides criteria under which a project could have a significant impact. Specifically, the project is considered to have a significant impact if it meets any of the following criteria and cannot be adequately mitigated:

- The project has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations or by the CDFW or the USFWS.
- The project has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the CDFW or the USFWS.

- The project has a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Federal Clean Water Act (CWA), CDFW or California Coastal Commission, including but not limited to marsh, coastal, etc. through direct removal, filling, hydrological interruption or other means.
- The project interferes substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impedes the use of native wildlife nursery sites.
- The project conflicts with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance.
- The project conflicts with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP) or other approved local, regional or state HCP.

Additionally, the City of Los Angeles CEQA Thresholds Guide provides thresholds not encompassed by the CEQA Guidelines. These thresholds state that a significant impact would result if:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;
- Interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species;
- The alteration of an existing wetland habitat;
- Interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species; or
- Cause flooding during the projected 50-year developed storm, which would have the potential to harm people or damage property or sensitive biological resources;

For purposes of this Draft EIR, the project is considered to have a significant impact if it exceeds any of the above thresholds as stated by Appendix G of the CEQA *Guidelines* or the City of Los Angeles CEQA Thresholds Guide.

PROJECT IMPACTS

Direct biological impacts involve the temporary or permanent physical loss of plant communities, wildlife habitat, and/or special interest plant and wildlife species resulting from site preparation activities such as clearing and grading. Direct impacts may also include habitat degradation, fragmentation or modification. Direct impacts would occur on plant communities, wildlife habitat,

special interest species and special interest habitats as a result of implementation of the proposed project.

Indirect impacts on plant communities include the potential for increased susceptibility of adjacent native habitats to invasion by non-native plant species. The establishment of non-native plants lead to increased competition between native and non-native plants for available resources and decreased native species diversity in adjacent, native habitats. Fugitive dust created during project-related construction activities may settle on plants adjacent to the construction zone. This dust can at least temporarily result in reductions in plant photosynthesis, growth and reproduction.

Indirect impacts on wildlife species also include the potential for noise, human intrusion into sensitive habitats and night-lighting, as well as potential disruptions in local movement patterns for wildlife.

Short-term impacts are those that would result in the temporary removal of a biological resource.

Long-term impacts are those that would result in permanent changes to biological resources.

The potential direct and indirect, short and long-term impacts of the proposed project on biological resources are discussed below.

Short-Term Direct Impacts

Construction activities associated with the proposed project during the breeding season, including removal of landscaping trees have the potential to result in direct mortality of species protected by the Migratory Bird Treaty Act. In addition, human disturbances and construction noise have the potential to cause nest abandonment and death of young or loss of reproductive potential at active nests located near project activities. Therefore, a short-term potentially significant impact to migratory birds could occur without mitigation.

Construction activities associated with the proposed project, including removal of and disturbance to existing landscape trees do not have the potential to result in direct mortality of special-status bat species. However, human disturbances and construction noise along the adjacent unnamed drainage located along Winnetka Avenue could disturb special status bats (California leaf-nosed bat, Yuma myotis, and western small-footed myotis) where existing bridges are located (i.e., Prairie Avenue and Southern Pacific Railroad right-of-way) and as such, could cause roost abandonment and death of young or loss of reproductive potential. Therefore, a short-term potentially significant impact to a special status bat species could occur without mitigation.

No special status mammals (excepting possibly California leaf-nosed bat, Yuma myotis, and western small-footed myotis), reptiles (excepting possibly silvery legless lizard) or amphibians are anticipated to be affected by implementation of the proposed project. As noted previously, habitats and other resources associated with these species are absent on-site and within the adjacent areas. Therefore, impacts associated with special status mammals, reptiles and amphibians would be less than significant.

Implementation of the proposed project would not affect wildlife dispersal. As noted previously, the project site and surrounding areas are urban. In addition, the species utilizing this area and

adjacent areas both immediately up and downstream of the project site are limited to common wildlife and those which have a high tolerance for human environments and activities. Therefore, impacts associated with wildlife dispersal would be less than significant.

The proposed project would entail the construction of a bridge across the un-named wash located along Winnetka Avenue. The wash is a concrete-lined channel and no impacts to riparian or wetland habitats would result as the bridge would be constructed in a manner in which the unnamed wash would be completely spanned and would not result in its alteration, including dredging or filling of the wash or alterations to its embankments. Therefore, no impacts to ACOE or CDFW jurisdictional resources would occur and no mitigation is required (see Section III.E Hydrology for a discussion of water quality and required mitigation).

Short-Term Indirect Impacts

During construction of the proposed project, temporary indirect impacts to sensitive plant communities and wildlife habitat would not result since these resources are absent from the project site.

Short-term indirect impacts to sensitive animal species are not expected since sensitive species are generally not present on-site or within areas immediately adjacent. California leaf-nosed bat, Yuma myotis, western small-footed myotis, could occur under bridges. Silvery legless lizard could occur in the landscaped areas of the site although generally habitat is absent. Therefore no indirect impacts to sensitive animal species are expected to occur; nonetheless mitigation measures are included to ensure impacts are reduced to a less than significant level.

Temporary indirect impacts on wildlife movement as a result of the proposed project can result from the generation of dust, noise and light emissions that could potentially disturb or alter animal behavior. The project would not block terrestrial animals from migrating through the area because the area is already urbanized and suitable alternative routes for any migration are available. As noted previously, species anticipated to occur on-site or within areas immediately adjacent include those species that are tolerant of urban environments or the presence of humans. Therefore, the indirect impacts to terrestrial animals would be less than significant.

No short-term indirect impacts related to hydrology or water quality on biological resources would result, based upon the analysis provided previously and in Section III.E Hydrology of this EIR.

Long-Term Direct Impacts

The proposed project would not result in the substantial conversion of plant communities or wildlife habitats. The proposed project would result in the construction of a bridge across an un-named wash located along Winnetka Avenue and no impacts to riparian or wetland habitats would occur. As noted above, the project site does not currently contain native plant species. However, the Conceptual Planting List contained in the *Landscape Plan* (see Figure II-13 Conceptual Landscape Plan) includes the incorporation of many native tree, shrub, grass and herbaceous species into the overall planting scheme. Native species proposed to be planted include western sycamore (*Platanus racemosa*), California fan palm (*Washingtonia filifera*), big-leaf maple (*Acer macrophyllum*), coast live oak (*Quercus agrifolia*), California black walnut (*Juglans californica*), Engelmann oak (*Quercus engelmannii*), deergrass (*Muhlenbergia rigens*), toyon (*Heteromeles arbutifolia*), California coffeeberry (*Rhamnus californica*), California wildrose (*Rosa californica*), seep monkey flower (*Mimulus guttatus*), Nevin's barberry (*Berberis nevinii*),

and California Poppy (*Eschscholzia californica*). The re-introduction of these plant species would result in a beneficial impact of the proposed project. Many of the species proposed are known to have occurred on-site or within the area prior to development of the San Fernando Valley, but are now absent on-site. The use of native plant species on-site is a beneficial impact of the proposed project.

The proposed project would include reuse of the site for existing urban uses. Species utilizing this area although temporarily displaced would reutilize the site once construction activities cease. Moreover, any project displacement of common wildlife would be considered less than significant because of the commonness of the species. In addition, project impacts to common wildlife habitats, populations and communities are not expected to be substantial because of the urban nature of the site, and would be considered less than significant. A beneficial impact from the project would be the reintroduction of native plant species, which would provide additional habitat and foraging resources for native wildlife species.

Project displacement of special-status species generally would not occur due to lack of suitable habitats and resources available to these species on-site or in areas immediately adjacent. As noted in **Table III.C-1** and **Table III.C-2**, these species are generally absent from the project site or immediate areas. California leaf-nosed bat, Yuma myotis, western small-footed myotis, could occur under bridges. Silvery legless lizard could occur in the landscaped areas of the site although generally habitat is absent. While impacts would be expected to be less than significant, mitigation measures are identified to ensure impacts are reduced to a less than significant level.

Implementation of the proposed project would not result in impacts to wildlife dispersal. The species anticipated to occur on-site and within areas immediately adjacent are comprised of common wildlife which is accustomed and/or highly tolerant of humans and urban environments. Therefore, impacts associated with wildlife dispersal would be less than significant.

As noted previously, there are no native tree species contained on-site and no tree species considered invasive are proposed to be planted. Therefore, implementation of the proposed project would result in less than significant impacts. However, a beneficial impact from the proposed project would result due to the inclusion of native plant species as previously described above.

No long-term direct impacts related to hydrology or water quality on biological resources would result, based upon the analysis provided previously and in **Section III.G Hydrology** of this EIR.

Long-Term Indirect Impacts

There would be no long-term indirect impacts to the plant communities and wildlife habitat associated with the proposed project. The proposed project would result in the reuse of the project site for urban uses. It is anticipated that species utilization of the project site would increase over time. The species occupying the project site are tolerant of human presence and urban environments. As such, the continued human presence on-site is not expected result in disruption to adjacent wildlife due to lighting, noise and other human disturbance. Therefore, the potential long term impact of the proposed project would be less than significant.

No long-term indirect impacts related to hydrology or water quality on biological resources would result, based upon the analysis provided previously and in **Section III.G Hydrology** of this EIR.

Jurisdictional Areas

There are no ACOE or CDFW jurisdictional areas located on-site and therefore, no impacts would result with project implementation.

City of Los Angeles Tree Ordinances

There are no native trees contained on-site that are subject to the City's ordinance. Therefore, implementation of the proposed project would not result in impacts associated with native tree removal.

Urban Forest

The urban forest is an important community resource and assists in reducing the impacts of urban heat islands. It can also serve as habitat for urban and local wildlife by providing refugia, nest, and food resources. A total of 310 trees were identified in the survey as on or immediately adjacent to the project site (since the survey 5 trees have been removed). Implementation of the proposed project would require removal of these trees, although the exact number of trees to be removed has not been determined. **Figure III.C-5 A and B** shows trees anticipated to be retained or relocated (64), additional trees that could be transplanted (29) and trees to be removed (189) as well as trees located immediately adjacent to the project site (23). The removal of trees contained on-site is considered a less than significant impact with mitigation.

MITIGATION MEASURES

MM-III.C-1 Disturbance of any nests protected by the Migratory Bird Treaty Act shall be avoided. If construction activities (i.e., removal of trees or shrubs) are scheduled to occur during the non-breeding season (September 1 through January 31), no mitigation is required.

If construction activities are scheduled to occur during the breeding season (February 1 through August 31), the project proponent will implement the following measures to avoid potential adverse effects on birds covered by the Migratory Bird Treaty Act:

- No more than two weeks prior to construction, a qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat within 500 feet of construction activities where access is available.
- If active nests are found during preconstruction surveys, the project proponent will create a no-disturbance buffer (acceptable in size to the CDFW) around active raptor nests and nests of other special-status birds during the breeding season, or until it is determined that all young have fledged. Typical buffers include 500 feet for raptors and 250 feet for other nesting birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified during coordination and in consultation with the CDFW and will be based on existing noise and human disturbance levels at the project site. Nests initiated during construction are presumed to be unaffected, and no buffer would be necessary. However, the "take" (mortality, severe disturbance to, etc.) of any individual birds will be prohibited.



- Remove
- Retained or relocated on site
- Potential transplant



- Remove
- Retained or relocated on site
- Potential transplant

If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by birds covered by the Migratory Bird Treaty Act or that are located outside the no-disturbance buffer for active nests may be removed.

MM-III.C-2 Disturbance of the roosts of special-status bats shall be avoided. Prior to construction activities, a qualified bat biologist shall survey for special-status bats within 200 feet of the existing bridge crossings along the unnamed drainage (i.e., Prairie Avenue and Southern Pacific Railroad right-of-way along Winnetka Avenue). If no evidence of bats (i.e., direct observation, guano, staining, strong odors) is present, no further mitigation is required.

If evidence of bats is observed, the following measures are required to avoid potential adverse effects to special-status bats:

- A no-disturbance buffer acceptable in size to CDFW shall be created around active bat roosts during the breeding season (April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the take of individuals will be prohibited.
- Removal of habitat showing evidence of bat activity shall occur during the period least likely to impact the bats, as determined by a qualified bat biologist, generally between February 15 and October 15 for winter hibernacula and between August 15 and April 15 for maternity roosts. If exclusion is necessary to prevent indirect impacts to bats from construction noise and human activity adjacent to areas showing evidence of bat activity, these activities shall be conducted during these periods as well.

MM-III.C-3 Reduce impacts associated with dust accumulation (see air quality measures to reduce dust). The dust accumulation on the foliage of trees and shrubs from nearby construction shall be washed off during construction under the direction of a qualified arborist/biologist.

MM-III.C-4 To the maximum extent possible, on-site trees shall be retained, except in cases where the arborist indicates that retention is not appropriate. Reduce impacts to the Urban Forest and wildlife species that depend on these resources for foraging and nesting habitat. Trees removed from the project site shall be replaced at a one for one (1:1) ratio (size to be determined by the City's Urban Forester). The Applicant will work closely with the City's Arborist and project biologist to identify native species that are suitable for the proposed replacement location and which are practicable and do not create safety or nuisance issues.

MM-III.C-5 24-hours prior to construction activities, the project area shall be surveyed for silvery legless lizard. Survey of the project area should be repeated if a lapse in construction activity of two weeks or greater has occurred. If a lizard is encountered during construction, activities in the vicinity of the lizard shall cease until appropriate corrective measures have been completed as determined by a qualified biologist or it has been determined that the lizard will not be harmed.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Through the implementation of the mitigation measures described above, the potential for significant adverse impacts on biological resources will be reduced to a less than significant level.

CUMULATIVE IMPACTS

Los Angeles County is biologically diverse and contains both common and sensitive plant and animal species. However, as noted previously the project site has very limited resources to support biological resources due to its current urban use. In addition, the majority of projects occurring within this portion of the Los Angeles region are largely infill projects (similar to the proposed project) and have limited impacts on common or sensitive plant or wildlife species since most species would avoid these areas or are considered habitat generalist and highly tolerate of urban uses. Additionally, no identified Related Projects (see **Table III.I-8**) are located immediately adjacent and/or non-urban, such that direct potential impacts could be compounded. As such, cumulative impacts on biological resources (including sensitive species and communities) or jurisdictional areas are less than significant.