5.3 Biological Resources

5.3.1 INTRODUCTION

This section addresses potential environmental effects of the Proposed Project related to biological resources. The information and analysis herein rely on the following technical reports and documents regarding the biological resources and conditions of the Project site:

- *General Biological Assessment for Assessor's Identification Number 7440-016-001, 7440-016-002, 7440-016-003, and 7412-024-007*, Hernandez Environmental Services (HES), September 2023, provided as EIR Appendix C.
- *City of Los Angeles Municipal Code*
- *Port of Los Angeles Master Plan Update Environmental Impact Report 2013*
- *Port Master Plan*, Adopted September 2018

5.3.2 REGULATORY SETTING

5.3.2.1 Federal Regulatory Setting

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 defines an endangered species as "any species which is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA, unless properly permitted, it is unlawful to "take" any endangered or threatened listed species. "Take" is defined in Section 3(18) of FESA as: "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the United States Fish and Wildlife Service (USFWS), through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of "take." These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action which could affect a federally listed plant or animal species, the property owner and agency are required to consult with USFWS pursuant to Section 7 of the FESA if there is a federal nexus or consult with USFWS and potentially obtain a permit pursuant to Section 10 of the FESA in the absence of a federal nexus. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects individuals as well as any part, nest, or eggs of any bird listed as migratory. In practice, federal permits issued for activities that potentially impact migratory birds typically have conditions that require pre-disturbance surveys for nesting birds. In the event nesting is observed, a buffer area with a specified radius must be established, within which no disturbance or intrusion is allowed until the young have fledged and left the nest, or it has been determined that the nest has failed. If not otherwise specified in the permit, the size of the buffer area varies with species and local circumstances (e.g., presence of busy roads, intervening topography, etc.), and is based on the professional judgment of a monitoring biologist. A list of migratory bird species protected under the MBTA is published by USFWS.

5.3.2.2 State Regulatory Setting

California Endangered Species Act

Under the California's Endangered Species Act (CESA) (Fish and Game Code § 2050 et seq.), California Species of Special Concern are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. Informally listed species are not protected per se but warrant consideration in the preparation of biological resource assessments. For some species, the California Natural Diversity Database (CNDDB) is only concerned with specific portions of the life history, such as roosts, rookeries, or nest areas. The California Department of Fish and Wildlife (CDFW) administers CESA and enforces relevant statutes from the California Fish and Game Code and Title 14 of the California Code of Regulations (CCR).

California Rare Plant Ranks (CRPR)

The California Native Plant Society (CNPS) maintains a list of special-status plant species based on collected scientific information. Three designations meet the criteria of Section 15380 of the State CEQA Guidelines – CRPR 1A, plants presumed extinct; CRPR 1B, plants rare, threatened, or endangered in California and elsewhere; and CRPR 2, plants rare, threatened, or endangered in California, but more numerous elsewhere. Therefore, impacts to plants under these ranks must be analyzed in the preparation of CEQA documents (CNPS, n.d.).

California Fish and Game Code, Sections 3503.5, 3511, 3515

Section 3503.5 of the California Fish and Game Code 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." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that is it unlawful to take any non-game migratory bird protected under the MBTA.

Native Plant Protection Act of 1977

This act (Fish and Game Code § 1900 et seq.) directed CDFW to "preserve, protect and enhance rare and endangered plants in this State." It gave the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protect endangered and rare plants from take. CESA, which came later, entered all "rare" animals as "threatened" species, but not rare plants. Thus, there are three listings for plants in California: rare, threatened, and endangered. Because rare plants are not included in CESA, mitigation measures for impacts to rare plants are specified in a formal agreement between CDFW and the project proponent.

5.3.2.3 Local and Regional Regulatory Setting

Significant Ecological Areas (SEAs)

The County of Los Angeles has designated SEAs that are ecologically important land and water systems that support valuable habitat for plants and animals, often including rare, threatened, or endangered species and/or special status communities. The City's General Plan Conservation Element recognizes SEAs identified by Los Angeles County as important for the preservation and maintenance of biodiversity as well as of special status species and communities (City of Los Angeles, 2001).

City of Los Angeles General Plan

The City of Los Angeles General Plan (City of Los Angeles, 2001) contains the following policies and programs related to biological resources that are applicable to the Proposed Project:

Endangered Species Objectives, Policies and Programs

Objective Protect and promote the restoration, to the greatest extent practical, of sensitive plant and animal species and their habitats.

Policy 1 Continue to require evaluation, avoidance, and minimization of potential significant impacts, as well as mitigation of unavoidable significant impacts on sensitive animal and plant species and their habitats and habitat corridors relative to land development activities.

Program Permit processing, monitoring, enforcement and periodic revision of regulations and procedures.

Habitats/Ecological Areas Objectives, Policies, and Programs

Objective Preserve, protect, restore and enhance natural plant and wildlife diversity, habitats, corridors and linkages so as to enable the healthy propagation and survival of native species, especially those species that are endangered, sensitive, threatened or species of special concern.

Policy 1 Continue to identify significant habitat areas, corridors, and buffers and to take measures to protect, enhance and/or restore them.

Program 1 Development permit environmental review and other applicable processes that identify and/or require evaluation, avoidance, minimization, and mitigation of potential significant impacts on natural habitats, corridors and linkages.

Program 2 Community plan land use classification of significant habitats in categories that will encourage their retention.

Port of Los Angeles Master Plan

The Port of Los Angeles Master Plan (POLA, 2018) contains the following policies and objectives related to biological resources that are applicable to the Proposed Project:

Endangered Species Objectives, Policies and Programs

Objective: Protect and promote the restoration, to the greatest extent practical, of sensitive plant and animal species and their habitats.

Policy 1: Continue to require evaluation, avoidance, and minimization of potential significant impacts, as well as mitigation of unavoidable significant impacts on sensitive animal and plant species and their habitats and habitat corridors relative to land development activities.

City of Los Angeles Municipal Code

Section 46.00 Protected Tree and Shrub Regulations. No protected tree or shrub may be relocated or removed except as provided in Article 7 of Chapter I or this article. The term "removed", or "removal" shall include any act that will cause a protected tree or shrub to die, including, but not limited to, acts that inflict damage upon the root system or other part of the tree or shrub by fire, application of toxic substances, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk (City of Los Angeles, 2023).

5.3.3 ENVIRONMENTAL SETTING

The Project site is currently undeveloped and vacant except for remnants of two abandoned cellular communication towers, a partially paved access road, and surface and buried abandoned oil pipelines and utilities. Three concrete culverts cross under the Interstate 110 (I-110) and outlet to the Project site (LGC, 2019). The site vegetation consists of sour fig (ice plant) and sparse dry scrub with a mix of native and non-native species. The majority of the vegetation is composed of non-native species such as brome grasses, Russian thistle, tree tobacco, and acacia. There is one oak tree located in the southern portion of the site. Site topography consists of a nearly level terrace area adjacent to I-110 with an approximately 2:1 slope along the southeastern side of the site descending to John S. Gibson Boulevard (LGC, 2019). The main soil type mapped within the Project site is urban land (0 to 2 percent slops) dredged fill substratum, and urban land industrial soils.

The Project site is located within a developed and urban area that supports Port operations and is bound to the north and west by I-110 and to the east by John S. Gibson Boulevard. The parcels adjacent to the Project site to the north contain industrial uses. The parcels adjacent to the Project site to the west are either vacant or developed for industrial uses. The parcels adjacent to the Project site directly south and east are container storage and terminal storage uses and the parcels adjacent to the Project site directly west are developed with a vehicle storage facility. No SEAs occur within or adjacent to the Project site. The closest designated SEA is the Madrona Marsh Preserve SEA, located approximately 1.5 miles southwest of the Project site (County of Los Angeles, 2019a).

Vegetation Communities and Land Covers

The Project site, inclusive of off-site infrastructure areas, is comprised of two types of vegetation communities and land covers: non-native grasslands and disturbed coyote brush scrub, described below.

- **Non-Native Grasslands:** The Project site contains approximately 16.0 acres of non-native grassland habitat dominated by crown daisy (*Chrysanthemum coronarium*) and compact brome (*Bromus madritensis*). Other species in this habitat include slender wild oat (*Avena barbata*), redstem filaree (*Erodium cicutarium*), hottentot-fig (*Carpobrotus edulis*) and white sweet clover (*Melilotus albus*). This habitat occupies most of the site, with a homeless encampment and a walking path extending to the north of the Project site.
- **Disturbed Coyote Brush Scrub:** The Project site contains approximately 2.8 acres of disturbed coyote brush scrub habitat dominated by coyote brush (*Baccharis pilularis*) and cheeseweed (*Malva neglecta*). Other species in this habitat include tree tobacco (*Nicotiana glauca*) and broadleaf filaree (*Erodium botrys*). This habitat is located within the southeast portion of the Project site.

Special-Status Plant Species

According to the CNDDB and CNPS, 49 special-status plant species have been recorded in the *Torrance, Venice, Inglewood, Southgate, Long Beach, San Pedro, and Redondo Beach* quadrangles. Table 5.3-1 shows special-status plant species known to exist in the region. No special-status plant species were observed on site during the field survey. Additionally, based on habitat requirements for these species and the availability, the quality of on-site habitat, and the routine onsite disturbances, it was determined that no special-status plant species have potential to occur on site and are all presumed not present (EIR Appendix C).

Table 5.3-1: Special-Status Plant Species Recorded in Torrance, Venice, Inglewood, Southgate, Long Beach, San Pedro, and Redondo Beach Quadrangles

Species Name	Common Name	Status	Habitat	Potential to Occur
Aphanisma blitoides	Aphanisma	1B.2	On bluffs and slopes near the ocean in sandy or clay soils. 3-305 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Astragalus hornii var. hornii	Horn's milk- vetch	1B.1	Lake margins, alkaline sites. 75-350 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Astragalus pcyncostachyus var. lanosissimus	Ventura Marsh milkvetch	1B.1	Within reach of high tide or protected by barrier beaches, more rarely near seeps on sandy bluffs. 1-60 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Astragalus tener var. tit	Coastal dunes milkvetch	1B.1	Moist, sandy depressions of bluffs or dunes along and near the Pacific Ocean; one site on a clay terrace. 1-45 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Atriplex coulteri	Coulter's saltbush	1B.2	Ocean bluffs, ridgetops, as well as alkaline low places. Alkaline or clay soils. 2-460 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Atriplex pacifica	South coast saltscale	1B.2	Akali soils. 1-400 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Atriplex parishii	Parish's brittlescale	1B.1	Usually on drying alkali flats with fine soils. 4-1420 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Atriplex serenana var. davidsonii	Davidson's saltscale	1B.2	Alkaline soi. 0-480 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Camissoniopsis lewisii	Lewis' evening primrose	3	Clay (sometimes), Sandy (sometimes)	Although marginally suitable habitat for this species is present within the sandy substrate and sparse vegetation on the project site, the site is highly disturbed and dominated by nonnative vegetation; therefore, it is highly unlikely that this species occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Centromadia parryi ssp. australis	Southern tarplant	1B.1	Often in disturbed sites near the coast at marsh edge; also in alkaline soils sometimes with saltgrass. Sometimes on vernal pool margins. 0-975 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Centromadia pungens ssp. laevis	Smooth tarplant	1B.1	Akali meadow, akali scrub; also in disturbed places. 5-1170 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Chaenactic glabriuscala var. orcuttiana	Orcutt's pincushion	1B.1	Sandy sites. 3-80 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Chenopodium littoreum	Coastal goosefoot	1B.2	Generally sandy soils, and on dunes. 5-40 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Chloropyron maritimum ssp maritimum	Salt marsh bird's-beak	1B.2	Limited to higher zones of salt marsh habitat. 0-10 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Chorizanthe parryi var. fernandina	San Fernando Valley spineflower	1B.1	Sandy Soils. 15-1015 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Crossosoma califonicum	Catalina crossosoma	1B.2	On rocky sea bluffs, wooded canyons, and dry, open sunny spots on rocky clay. 5-535 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Dithyrea maritima	Beach spectaclepod	1B.1	Sea shores, on sand dunes, and sandy places near the shore. 3-60 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Dudleya virens ssp. insularis	Island green dudleya	1B.2	Rocky soils. 0-275 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Eryngium aristulatum var. parishii	San Diego button-celery	1B.1	San Diego mesa hardpan and claypan vernal pools and southern interior basalt flow vernal pools; usually surrounded by scrub. 15-880 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Horkelia cuneata var. puberula	Mesa horkelia	1B.1	Sandy or gravelly sites. 15-1645 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Isocoma menziesii var. decumbens	Decumbent goldenbush	1B.2	Sandy soils; often in disturbed sites. 1-915 m.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Lasthenia glabrata ssp. coulteri	Coulter's goldfields	1B.1	Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Lycium bervipes var. hassei	Santa Catalina Island desert-thorn	3.1	Coastal bluffs and slopes. 30-95 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Nama stenocarpa	Mud nama	2B.2	Lake shores, river banks, intermittently wet areas. 15-815 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Navarretia fossalis	Spreading navarretia	1B.1	San Diego hardpan and San Diego claypan vernal pools; In swales and vernal pools, often surrounded by other habitat types. 15-850 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Navarretia prostrata	Prostrate vernal pool navarrieta	1B.2	Alkaline soils in grassland. Or in vernal pools. Mesic, alkaline sites. 3-1235 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Nemacaulis denudate var. denudata	Coastal woolly-heads	1B.2	Coastal dines. 0-5 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Orcuttia californica	California Orcutt grass	1B.1	Vernal pools. 10-660 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Pantachaeta lyonii	Lyon's pentachaeta	1B.1	Edges of clearings in chaparral, usually at the ecotone between grassland and chaparral or edges of firebreak. 30-670 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Phacelia stellaris	Brand's star phacelia	1B.1	Open areas. 3-370 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Potentilla multijuga	Ballona cinquefoill	1A	Brackish meadows. 0-2 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Sidelcea neomexicana	Salt spring checkerbloom	2B.2	Alkali springs and marshes. 3-2380 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Southern Coastal Bluff Scrub	Southern Coastal Bluff Scrub	none	Coastal bluff scrub	**This species is not present.**
Southern Coastal Salt Marsh	Southern Coastal Salt Marsh	none	Marsh and swamp; Wetland	**This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Southern Dune Scrub	Southern Dune Scrub	none	Coastal dunes	**This species is not present.**
Suaeda esteroa	Estuary seablite	1B.2	Coastal salt marshes in clay, silt, and sand substrates. 0-80 m.	No suitable habitat occurs on the Project site. **This species is not present.**
Symphyotrich um defoliatum	San Bernardo aster	1B.2	Vernally mesic grassland or near ditched, streams and springs; disturbed areas. 3-2045 m.	No suitable habitat occurs on the Project site. **This species is not present.**

Source: HES, 2023 (EIR Appendix C).
Acronyms: U.S. Fish and Wildlife Service (Fed)- Federal: END- Federal Endangered, THR- Federal threatened; California Department of Fish and Wildlife (CA)- California: END- California Endangered, THR- California Threatened, Candidate- Candidate for listing under the California Endangered Species Act, FP- California Fully Protected, SSC- Species of Special Concern, WL- Watch List; California Native Plant Society (CNPS); *California Rare Plant Rank:* 1B- Plants Rare, Threatened, or Endangered in California or Elsewhere, 2B- Plants Rare, Threatened, or Endangered in California, but more common elsewhere, 3- Plants about which more information is needed- a review list, 4- Plants of Limited Distribution- a watch list; *CNPS Threat Rank:* 0.1- seriously threatened in California, 0.2- moderately threatened in California, 0.3- not very threatened in California

Special-Status Wildlife Species

Sensitive animal species include federally and State listed endangered and threatened species, candidate species for listing by USFWS or CDFW, and/or are species of special concern (SSC) pursuant to CDFW. Forty-seven (47) special-status wildlife species were identified as having a potential to occur in the vicinity of the Project site, based on the literature review, but none of the species were observed during biological surveys. Table 5.3-2 shows special-status animal species which were previously recorded and their potential to occur on site. Additionally, based on habitat requirements for these species and the availability, the quality of on-site habitat, and the routine on-site disturbances, it was determined that no special-status wildlife species have potential to occur on site and are all presumed not present (HES, 2023 – EIR Appendix C).

Table 5.3-2: Special-Status Animal Species Recorded in Torrance, Venice, Inglewood, Southgate, Long Beach, San Pedro, and Redondo Beach Quadrangles

Species Name	Common Name	Status	Habitat	Potential to Occur
Agelaius tricolor	Tricolored blackbird	CA THR, SSC	Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	No suitable habitat occurs on the Project site. **This species is not present.**
Anniella stebbinsi	Southern California legless lizard	None	Occurs in sparsely vegetated habitat types including coastal sand dunes, chaparral, pine-oak woodland, desert scrub, open grassland, and riparian areas. Requires sandy or loose loamy substrates conducive to burrowing.	There is potentially suitable habitat within the sandy substrate and sparse vegetation onsite. **This species has low potential to be present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Athene cunicularia	Burrowing owl	None	Occurs in open, annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Dependent upon fossorial mammals for burrows, most notable ground squirrels.	No suitable habitat occurs on the Project site. **This species is not present.**
Bombus crotchii	Crotch bumblebee	CA CE	Coastal California east to the Sierra-Cascade crest and south into Mexico.	No suitable habitat occurs on the Project site. **This species is not present.**
Bombus pensylvanicus	American bumble bee	None	Coastal prairie | Great Basin grassland | Valley & foothill grassland	No suitable habitat occurs on the Project site. **This species is not present.**
Brennania belkini	Belkin's dune tabanid fly	None	San obligate species known from coastal dunes near Playa del Ray and El Segundo south to Ensenada, Mexico. One of few tabanids not requiring a blood meal for successful egg production.	No suitable habitat occurs on the Project site. **This species is not present.**
Charadrius nivosus nicosus	Western snowy plover	Fed THR	Sandy, gravelly or friable soils for nesting.	No suitable habitat occurs on the Project site. **This species is not present.**
Cicindela hirticollis gravida	Sandy beach tiger beetle	None	Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	No suitable habitat occurs on the Project site. **This species is not present.**
Cicindela latesignata	Western beach tiger beetle	None	Typically inhabit wet or dry sandy beaches and mud, sand, or salt flats.	No suitable habitat occurs on the Project site. **This species is not present.**
Cicindela senilis frosti	Senile tiger beetle	None	Inhabits dark-colored mud in the lower zone and dried salt pans in the upper zone.	No suitable habitat occurs on the Project site. **This species is not present.**
Coccyzus americanus occidentalis	Western yellow-billed cuckoo	CA END Fed THR	Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Coelus globosus	Globose dune beetle	None	Foredunes and sand hummocks; burrows beneath the sand surface and is most common beneath dune vegetation.	No suitable habitat occurs on the Project site. **This species is not present.**
Coturnicops noveboracensis	Yellow rail	None	Freshwater marshlands.	No suitable habitat occurs on the Project site. **This species is not present.**
Danaus plexippus plexippus pop. 1	Monarch- California overwintering population	None	Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	Suitable habitat occurs onsite. There is potential roosting habitat in eucalyptus trees onsite. **This species has low potential to be present.**
Empidonax traillii extimus	Southwestern willow flycatcher	FED END; CA END	Occurs in riparian woodlands in southern California. Typically requires large areas of willow thickets in broad valleys, canyon bottoms, or around ponds and lakes. These areas typically have standing or running water or are at least moist.	No suitable habitat occurs on the Project site. **This species is not present.**
Emys marmorata	Western pond turtle	None	Needs baking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg laying.	No suitable habitat occurs on the Project site. **This species is not present.**
Eugnosta busckana	Busck's gallmoth	None	Coastal dunes, costal scrub.	No suitable habitat occurs on the Project site. **This species is not present.**
Eumops perotis Californicus	Western mastiff bat	None	Roots in crevices in cliff faces, high buildings, trees, and tunnels.	No suitable habitat occurs on the Project site. **This species is not present.**
Euphilotes allyni	El Segundo blue butterfly	FED END	Coastal dunes.	No suitable habitat occurs on the Project site. **This species is not present.**
Glaucopsyche lygdamus palosverdesnsi	Palos Verdes blue butterfly	FED END	Coastal scrub. Host plant is Astragalus trichopodus var lonchus (locoweed).	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Glyptostoma gabrelense	San Gabriel chestnut	None	Terrestrial.	No suitable habitat occurs on the Project site. **This species is not present.**
Gonidea angulata	Western ridged mussel	None	Primarily creeks and rivers and less often lakes. Originally in most of state, now extirpated from Central and Southern California.	No suitable habitat occurs on the Project site. **This species is not present.**
Habroscelimorp ha gabbii	Western tidal flat tiger beetle	None	Generally found in dark colored mud in lower zone; occasionally found on dry saline flats or estuaries.	No suitable habitat occurs on the Project site. **This species is not present.**
Laionycteris noctivagans	Silver-haired bat	None	Roosts in hallow trees, beneath exfoliating bark, abandoned woodpecker holes and rarely under rocks.	No suitable habitat occurs on the Project site. **This species is not present.**
Laterallus jamaicensis coturniculus	California black rail	CA THR	Inhabits freshwater marshes, wet meadows, and shallow margins of saltwater marches bordering larger.	No suitable habitat occurs on the Project site. **This species is not present.**
Microtus californicus stephensi	South coast marsh vole	None	Tidal marshes in Los Angeles, Orange, and southern Ventura Counites.	No suitable habitat occurs on the Project site. **This species is not present.**
Neotoma lepida Intermedia	San Diego desert woodrat	None	Occurs in coastal scrub communities between San Luis Obispo and San Diego Counties. Prefers moderate to dense canopies, and especially rocky outcrops.	No suitable habitat occurs on the Project site. **This species is not present.**
Nyctinomops femorosaccus	Pocketed free-tailed bat	None	Often found in pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oasis.	No suitable habitat occurs on the Project site. **This species is not present.**
Nyctinomops macrotiss	Big free-tailed bat	None	Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	No suitable habitat occurs on the Project site. **This species is not present.**
Onychobaris langei	Lange's El Segundo Dune weevil	None	Known from El Segundo Dunes.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Panoquina errans	Wandering (saltmarsh) skipper	None	Southern California coastal salt marshes.	No suitable habitat occurs on the Project site. **This species is not present.**
Passerculus sandwichensis beldingi	Belding's savannah sparrow	CA END	Coastal salt marshes, from Santa Barbara south through San Diego County.	No suitable habitat occurs on the Project site. **This species is not present.**
Pelecanus occidentalis Californicus	California brown pelican4	FED DL; CA DL, FP	Coastal areas, with nesting occurring on islands. Species found occasionally along Arizona's lakes and rivers. This species inhabits shallow inshore waters, estuaries and bays, avoiding the open sea. Its diet is comprised mostly of fish, causing great congregations in areas with abundant prey. Prey species include sardines and anchovies, but has been seen to take shrimps and carrion, and even nestling egrets. It regularly feeds by plunge diving and is often the victim of kleptoparasites.	No suitable habitat occurs on the Project site. **This species is not present.**
Pelochrista hennei	Henne's eucosman moth	None	Coastal sand dunes with host Phacelia ramosissima. Originally believed to be endemic to the El Segundo sand dunes of Los Angeles County where the type specimen was collected. Also collected from coastal San Luis Obispo.	No suitable habitat occurs on the Project site. **This species is not present.**
Perognathus langimembris pacificus	Pacific pocket mouse	Fed END	Seems to prefer soils of fine alluvial sands near the ocean, but much remains to be learned.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Phrynosoma blainvillii	Coast horned lizard	None	Occurs in a wide variety of vegetation types including coastal sage scrub, annual grassland, chaparral, oak woodland, riparian woodland and coniferous forest. In inland areas, this species is restricted to areas with pockets of open microhabitat, created by disturbance (i.e., fire, floods, roads, grazing, fire breaks). The key elements of such habitats are loose, fine soils with a high sand fraction; an abundance of native ants or other insects; and open areas with limited overstory for basking and low, but relatively dense shrubs for refuge.	No suitable habitat occurs on the Project site. **This species is not present.**
Polioptila californica californica	Coastal California gnatcatcher	FED THR;	Obligate resident of sage scrub habitats that are dominated by California sagebrush (Artemisia californica). This species generally occurs below 750 feet elevation in coastal regions and below 1,500 feet inland. Ranges from the Ventura County, south to San Diego County and northern Baja California and it is less common in sage scrub with a high percentage of tall shrubs. Prefers habitat with more low-growing vegetation.	No suitable habitat occurs on the Project site. **This species is not present.**
Rhaphiomidas terminatus terminatus	El Segundo flower-loving fly	None	Perched dunes.	No suitable habitat occurs on the Project site. **This species is not present.**
Riparia riparia	Bank swallow	CA THR	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert.	No suitable habitat occurs on the Project site. **This species is not present.**
Siphateles bicolor mohavensis	Mohave tui chub	CA END Fed END	Endemic to the Mojave River basin, adapted to alkaline, mineralized waters.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Sorex ornatus salicornicus	Southern California saltmarsh shrew	None	Coastal Marshes in Los Angels, Orange and Ventura counties.	No suitable habitat occurs on the Project site. **This species is not present.**
Spea hammondii	Western spadefoot	None	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwoods woodlands.	No suitable habitat occurs on the Project site. **This species is not present.**
Sterna antillarum browni	California least tern	CA END Fed END	Nests along the coast from San Francisco Bay south to northern Baja California.	No suitable habitat occurs on the Project site. **This species is not present.**
Streptocephalus woottoni	Riverside fairy shrimp	FED END	Freshwater crustacean that is found in vernal pools in the coastal California area.	No suitable habitat occurs on the Project site. **This species is not present.**
Taxidea taxus	American badger	CA SSC	Primarily occupy grasslands, parklands, farms, tallgrass and shortgrass prairies, meadows, shrub-steppe communities and other treeless areas with sandy loam soils where it can dig more easily for its prey. Occasionally found in open chaparral (with less than 50% plant cover) and riparian zones.	No suitable habitat occurs on the Project site. **This species is not present.**
Trigonoscuta Dorothea dorothea	Dorothy's El Segundo Dune Weevil	None	Coastal sand dunes in Los Angeles County.	No suitable habitat occurs on the Project site. **This species is not present.**
Tryonia imitator	Mimis tyronia (California brackishwater snail)	None	Inhabits coastal lagoons, estuaries and salt marshes, from Sonoma County south to San Diego County.	No suitable habitat occurs on the Project site. **This species is not present.**

Species Name	Common Name	Status	Habitat	Potential to Occur
Vireo bellii pusillus	Least Bell's vireo	FED END; CA END	Primarily occupy Riverine riparian habitat that typically feature dense cover within 1 -2 meters of the ground and a dense, stratified canopy. Typically, it is associated with southern willow scrub, cottonwood-willow forest, mule fat scrub, sycamore alluvial woodlands, coast live oak riparian forest, arroyo willow riparian forest, or mesquite in desert localities. It uses habitat which is limited to the immediate vicinity of water courses, 2,000 feet elevation in the interior.	No suitable habitat occurs on the Project site. **This species is not present.**

Source: HES, 2023 (EIR Appendix C).
Acronyms: U.S. Fish and Wildlife Service (Fed)- Federal: END- Federal Endangered, THR- Federal threatened. California Department of Fish and Wildlife (CA)- California: END- California Endangered, THR- California Threatened, Candidate- Candidate for listing under the California Endangered Species Act, FP- California Fully Protected, SSC- Species of Special Concern, WL- Watch List.

Jurisdictional Waters and Wetlands

No jurisdictional drainage or wetland features exist on the Project site and none were observed on the Project site during the biological resource field investigation. There are two cement lined culverts onsite; however, only nuisance flows from the site and neighboring areas feed into these manmade structures (EIR Appendix C).

Wildlife Movement

Wildlife corridors connect otherwise isolated pieces of habitat and allow movement or dispersal of plants and animals. Corridors can be local or regional in scale. Their functions may vary temporally and spatially based on conditions and species present. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of their daily routine. Animals use these corridors, which are often hillsides or tributary drainages, to move between different habitats. Regional corridors provide these functions over a larger scale and link two or more large habitat areas, allowing the dispersal of organisms and the consequent mixing of genes between populations.

The Project site has not been identified as occurring within a wildlife corridor or linkage. The Project site is within an urban and developed area and is surrounded by developed areas that include roadways and port related uses. The Project site has been heavily disturbed and is isolated from regional wildlife corridors and linkages. There are no riparian corridors, creeks, or useful patches of natural areas within or connecting the site to a recognized corridor or linkage (HES, 2023 – EIR Appendix C).

Critical Habitat

Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. The Project site is not located within or adjacent to a federally designated Critical Habitat. The

nearest designated Critical Habitat is located approximately 1.7 miles west of the Project site for Coastal California gnatcatcher throughout the Palos Verdes Hills (HES, 2023 – EIR Appendix C).

5.3.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of the State CEQA Guidelines indicates that a project could have a significant effect if it were to:

BIO-1 Have 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

BIO-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

BIO-3 Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

BIO-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

BIO-6 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

The Initial Study established that the Proposed Project would not result in impacts related to Threshold BIO-6; and no further assessment of the impact is required in this EIR.

5.3.5 METHODOLOGY

The analysis within this EIR section is based on the General Biological Assessment completed for the Project site. The assessment is based on literature review of biological resources occurring within the Project site and surrounding vicinity. The literature review was based on the review of the following: CNDDB, USFWS County Endangered Species Lists, and CNPS's rare plant lists. These lists were reviewed to obtain species information for the Project area. Field surveys were conducted to document existing conditions within the Project site and surrounding lands, including a general biological field survey, in-field habitat assessments, vegetation mapping, and investigation of jurisdictional waters and wetlands.

5.3.6 ENVIRONMENTAL IMPACTS

IMPACT BIO-1: WOULD THE PROJECT HAVE 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 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR U.S. FISH AND WILDLIFE SERVICE?

Less-than-Significant with Mitigation Incorporated.

Special Status Plant Species

As shown in Table 5.3-1, a total of 17 rare plant species are listed as State and/or federally Threatened, Endangered, or Candidate species, or 1B.1 listed plants, and have potential to exist on the Project site. None of these plant species were observed during the general biological surveys conducted on March 9, 2023, and there is no potential for their occurrence in the Project area, as described in Table 5.3-3.

Table 5.3-3: Special Status Plant Species On-site Potential

Species Name (Common Name)	Potential to Occur
Astragalus hornii var. hornii (Horn's milk- vetch)	No habitat for this species is present on the project site. **This species is not present.**
Astragalus pycnostachyus var. lanosissimus (Ventura Marsh milk-vetch)	No habitat for this species is present on the project site. **This species is not present.**
Astragalus tener var. titi (Coastal dunes milk-vetch)	No habitat for this species is present on the project site. **This species is not present.**
Atriplex parishii (Parish's brittlescale)	No habitat for this species is present on the project site. **This species is not present.**
Centromadia parryi ssp. australis (Southern tarplant)	No habitat for this species is present on the project site. **This species is not present.**
Centromadia pungens ssp. laevis (Smooth tarplant)	No habitat for this species is present on the project site. **This species is not present.**
Chaenactis glabriuscula var. orcuttiana (Orcutt's pincushion)	No habitat for this species is present on the project site. **This species is not present.**
Chloropyron maritimum ssp. maritimum (Salt marsh bird's-beak)	No habitat for this species is present on the project site. **This species is not present.**
Chorizanthe parryi var. fernandina (San Fernando Valley spineflower)	No habitat for this species is present on the project site. **This species is not present.**
Dithyrea maritima (Beach spectaclepod)	No habitat for this species is present on the project site. **This species is not present.**
Eryngium aristulatum var. parishii (San Diego button-celery)	No habitat for this species is present on the project site. **This species is not present.**
Horkelia cuneata var. puberula (mesa horkelia)	No habitat for this species is present on the project site. **This species is not present.**
Lasthenia glabrata ssp. Coulteri (Coulter's goldfields)	No habitat for this species is present on the project site. **This species is not present.**
Navarretia fossalis (Spreading navarretia)	No habitat for this species is present on the project site. **This species is not present.**
Orcuttia californica (California Orcutt grass)	No habitat for this species is present on the project site. **This species is not present.**

Species Name (Common Name)	Potential to Occur
Pantachaeta lyonia (Lyon's pentachaeta)	No habitat for this species is present on the project site. **This species is not present.**
Phacelia stellaris (Brand's star phacelia)	No habitat for this species is present on the project site. **This species is not present.**

Source: HES, 2023 (EIR Appendix C).

As described in Table 5.3-3, no special-status plants were detected on the Project site during the field survey and no special-status plant species are expected to occur on the Project site due to the absence of suitable habitat. As a result, Proposed Project development and operation would not result in a substantial adverse effect either directly or indirectly, or through habitat modification, on any plant species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulation or by the CDFW or USFWS. Therefore, impacts would be less than significant.

Special Status Animal Species

A total of 15 sensitive animal species, as shown on Table 5.3-2, are listed as Threatened, Endangered, or Candidate Species under State and federal endangered species laws, or for special exemption under CEQA and have the potential to exist in the vicinity of the Project site. None of these animal species were observed during the general biological surveys, and as detailed in Table 5.3-4, no suitable habitat exists for all species with the exception of Southern California legless lizard and monarch, which have a low potential to be present.

Table 5.3-4: Special Status Animal Species On-site Potential

Species Name (Common Name)	Potential to Occur
Agelaius tricolor (tricolored blackbird)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Southern California legless lizard (Anniella stebbinsi)	There is potential habitat for this species to be present within the sandy substrate and sparse vegetation onsite. **This species has a low potential to be present.**
Bombus crotchii (Crotch bumble bee)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Charadrius nivosus nicosus (western snowy plover)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Coccyzus americanus occidentalis (western yellow-billed cuckoo)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Monarch – California overwintering population (Danaus plexippus pop. 1)	There is potential roosting habitat in eucalyptus trees onsite. **This species has low potential to be present.**
Empidonax traillii extimus (Southwestern willow flycatcher)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Glaucopsyche lygdamus palosverdesnsi (Palos Verdes blue butterfly)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Laterallus jamaicensis coturniculus (California black rail)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Passerculus sandwichensis beldingi (Belding's savannah sparrow)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Perognathus langimembris pacificus (Pacific pocket mouse)	No suitable habitat for this species is present on the Project site. **This species is not present.**

Species Name (Common Name)	Potential to Occur
Polioptila californica californica (coastal California gnatcatcher)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Riparia riparia (bank swallow)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Siphateles bicolor mohavensis (Mohave tui chub)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Sterna antillarum browni (California least tern)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Streptocephalus woottoni (Riverside fairy shrimp)	No suitable habitat for this species is present on the Project site. **This species is not present.**
Vireo bellii pusillus (Least Bell's vireo)	No suitable habitat for this species is present on the Project site. **This species is not present.**

Source: HES, 2023 (EIR Appendix C).

No animal species listed as State and/or federal Threatened, Endangered, or Candidate were detected on the Project site during the reconnaissance surveys. Southern California legless lizard and California overwintering populations of monarch have a low potential to occur onsite. Therefore, construction of the Proposed Project has the potential to impact these species. However, Mitigation Measures BIO-1 would require a pre-construction survey and biological monitoring during initial site preparation and grading. Therefore, with implementation of Mitigation Measure BIO-1, construction and operation of the Proposed Project would not result in a substantial adverse effect, either directly or through habitat modification, on any animal species identified as a threatened, endangered, or candidate species in local or regional plans, policies, regulation or by the CDFW or USFWS. Hence, potential impacts to sensitive animal species or their habitat would be less than significant with mitigation.

IMPACT BIO-2: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, REGULATIONS OR BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE OR US FISH AND WILDLIFE SERVICE?

No Impact. The General Biological Assessment describes that the Project site does not contain any drainage, riparian, or riverine features (EIR Appendix C). The Project site is not located within federally designated Critical Habitat. The nearest designated Critical Habitat is located approximately 1.7 miles west of the Project site for Coastal California gnatcatcher throughout the Palos Verdes Hills. Therefore, the Project would not result in impacts related to a riparian environment or other sensitive natural community.

IMPACT BIO-3: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON STATE OR FEDERALLY PROTECTED WETLANDS (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?

No Impact. As described within the General Biological Assessment, included as EIR Appendix C, the Project site does not include any wetlands or vernal pools. As stated above, there are no CDFW, United States Army Corps of Engineers, or Regional Water Quality Control Board jurisdictional waters within the Project site boundaries. Therefore, the Proposed Project would not impact federally protected wetlands.

IMPACT BIO-4: WOULD THE PROJECT INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?

Less-than-Significant with Mitigation Incorporated. The Project site is within an urban and developed area and is surrounded by developed areas that include roadways and port related uses. No wildlife corridors are located on or adjacent to the Project site. Therefore, impacts related to wildlife corridors would not occur. However, the Project site contains shrubs and trees that can support nesting birds and raptors protected under the Federal MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code during the nesting season. The Biological Assessment prepared for the Project site indicates that grading activities or vegetation removal during the nesting bird season of February 1 through September 15 might result in potential impacts to nesting birds. Therefore, if vegetation is required to be removed during nesting bird season, Mitigation Measure BIO-2 has been included to require a nesting bird survey to be conducted three days prior to initiating vegetation clearing. If an active nest is observed, Mitigation Measure BIO-2 requires buffering and other adaptive mitigation techniques deemed necessary by a qualified biologist to ensure that impacts to nesting birds are avoided until the nest is no longer active. With the implementation of Mitigation Measure BIO-2, impacts related to nesting birds and any other migratory wildlife would be reduced to a less-than-significant level.

IMPACT BIO-5: WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE?

Less-than-Significant Impact. Any Proposed Project activities that have the potential to impact the protected trees located on site would require a permit for removal. The permit is issued in compliance with Municipal Code Section 46.00 (Protected Tree and Shrub Regulations). Protected trees include: 1) Oak tree including coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), or any other tree in the oak genus native to California, 2) western sycamore (Platanus racemose), and 3) California bay laurel (*Unbrellularia californica*). The Project site contains one oak tree on the southern portion of the site which would be removed during construction. The oak is less than four inches in cumulative diameter, four and one-half feet above the ground level at the base of the tree, and therefore does not meet the requirements for a permit according to City of Los Angeles Protected Tree and Shrub Regulations (EIR Appendix C). Compliance with permitting regulations for the Project that implement the existing Municipal Code, impacts related to conflicts with any local policies or ordinances protecting biological resources would be less than significant.

5.3.7 CUMULATIVE IMPACTS

This cumulative impact analysis for biological resources considers development of the Proposed Project in conjunction with other development projects in the vicinity of the Project site as well as the projects identified in Table 5-1, *Cumulative Project List*, in Section 5.0, *Environmental Impact Analysis*. None of the projects identified in Table 5-1 are proposed adjacent to or near the Project site. Because of the distance between the Proposed Project and these cumulative projects, none of the biological impacts from these projects would comingle individually or collectively with the Proposed Project's biological impacts.

As described previously, the General Biological Assessment, included as EIR Appendix C, determined that the Project site does not have the potential to host special status plant or animal species and the site does not include wetlands, waters of the U.S. or any other jurisdictional features. Further, existing regulations would be implemented to ensure that impacts would not occur. As a result, biological impacts of the Proposed Project would not be cumulatively considerable.

5.3.8 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Without mitigation, the following impacts would be **potentially significant**:

- Impact BIO-1 Impacts to threatened or endangered species
- Impact BIO-4 Impacts to wildlife movement or native wildlife nursery sites.

The following would result in **less-than-significant impacts:**

- Impact BIO-5 Impacts to ordinances protecting biological resources.

The following would result in **no impacts:**

- Impact BIO-2 Impacts to riparian habitat or sensitive communities.
- Impact BIO-3 Impacts to State or federally protected wetlands.

5.3.9 MITIGATION MEASURES

Mitigation Measure BIO-1: Pre-Construction Survey and Biological Monitoring. To avoid impacts to special-status animal species, the Applicant must conduct pre-construction biological surveys prior to initiating vegetation removal/clearing. Surveys shall be conducted by a qualified biologist within three days of vegetation removal. Should the qualified biologist find any special-status species, they shall be relocated to nearby open space (i.e., Palos Verdes peninsula) or shall be allowed to leave the site on their own. In addition, the qualified biologist shall be present for initial site preparation and grading to ensure that special-status animal species do not repopulate the site.

Mitigation Measure BIO-2: Nesting Bird Survey. Vegetation removal should occur outside of the nesting bird season (generally between February 1 and September 15). If vegetation removal is required during the nesting bird season, the Applicant must conduct take avoidance surveys for nesting birds prior to initiating vegetation removal/clearing. Surveys will be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active. At a minimum, construction activities will stay outside of a 300-foot buffer around the active nests. For raptor species, the buffer is to be expanded to 500 feet. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist verifies that the nests are no longer occupied, and the juvenile birds can survive independently from the nests. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.

5.3.10 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Compliance with existing regulations and implementation of Mitigation Measure BIO-1 and Mitigation Measure BIO-2 would ensure potential impacts associated with biological resources for Impacts BIO-1 and BIO-4 would be at a level that is less than significant. Therefore, no significant, unavoidable, adverse impacts related to biological resources would occur.

5.3.11 REFERENCES

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