

4.3 BIOLOGICAL RESOURCES

This section of the EIR analyzes the potential environmental effects on biological resources from implementation of the proposed plan. No comment letters addressing biological resources were received in response to the Notice of Preparation (NOP) circulated for the proposed plan.

Data for this section were taken from The City of Los Angeles General Plan, Citywide General Plan Framework, Los Angeles Municipal Code, California Department of Fish and Game, U.S. Fish and Wildlife Service, and California Native Plant Society. Full reference-list entries for all cited materials are provided in Section 4.3.5 (References).

This section of the Draft EIR provides a description of the existing biological resources within the San Pedro Community Plan Area (CPA) and analyzes the potential physical environmental impacts related to biological resources associated with implementation of the San Pedro New Community Plan (proposed plan). The Draft EIR evaluates the environmental impacts related to biological resources using information from a variety of sources including, the California Department of Fish and Game's (CDFG) California Natural Diversity Database (CNDDDB), the California Native Plant Society's (CNPS) Electronic Inventory, the U.S. Fish and Wildlife Service's (USFWS) list of Federal Endangered and Threatened Species, as well a variety of other environmental resources. A regulatory framework is also provided in this section describing applicable agencies and regulations related to biological resources.

As set forth in CEQA Guidelines Section 15125(a), the following Environmental Setting discussion describes the physical environmental conditions in the CPA at the time the environmental analysis commenced. It constitutes the baseline physical conditions by which the City of Los Angeles (City) would determine whether a biological resources impact is significant. Special emphasis is placed on environmental resources that are rare or unique to the CPA and could be affected by the adoption and implementation of the CPA and implementing ordinances.

4.3.1 Environmental Setting

The following sections identify major plant and animal resources within the CPA. Sensitive biological resources include habitats or natural communities that are either unique, of relatively limited distribution in the region, or of particularly high value for wildlife; however, these habitats may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in regional or local plans, policies, or regulations, or by the USFWS or CDFG. Additionally, sensitive biological resources include plant and wildlife species that are endangered or threatened and could be eligible for listing as rare, threatened, or endangered by federal or state resource agencies, as well as species that are identified as candidate, sensitive, or special-status in regional or local plans, regulations or policies, or by the USFWS or CDFG.

A majority of the natural habitats are located within the open space areas (broadly classified as publicly owned and privately owned land) in the CPA. Open space areas in the CPA generally include some level of developed and maintained recreation facilities, oriented towards various types of active and passive use and enjoyment. The CPA contains thirteen locally operated public parks, two public recreation facilities,

including the Palos Verdes Shores Golf Course and Anderson Memorial Playground, as well as a cemetery (Harbor View Memorial Cemetery), a former Army base (Fort MacArthur), and a residential community for personnel of the Air Force Space Division based at El Segundo. Several of the parks, including Harbor Highlands, Alma, John Gibson Junior Park, and Fort MacArthur are entirely developed with recreational facilities, parking lots, large turf areas, and landscaping, therefore providing low to no biological resource value. In the northern portion of the CPA, Peck's Park, Rena Park, and Leland Park form a continuous corridor of adjacent open space areas that support a mix of ornamental trees and shrubs, with patches of annual grassland, coyote brush scrub, and coastal sagebrush scrub in the less disturbed areas. The southwestern portion of the CPA contains three open space areas that contain undeveloped lands: Friendship Park, Bogdanovich Park, and Averill Park. Friendship Park and Bogdanovich Park are located just to the west of South Western Avenue; these adjacent City-owned parks provide picnic areas, playground, hiking trails, ball fields and large turf areas for recreational activities. The topography of these two parks is characterized by gently rolling hills that support predominantly annual grassland; however, scattered oaks, coastal sagebrush scrub and chaparral shrub species are interspersed throughout the parks.

From a biological perspective, undeveloped coastal bluffs and rocky intertidal zones along the shoreline of the Pacific Ocean are the most significant biological resources of the CPA. Although many special-status species have been documented to occur historically in this region, many occurrences are known to be extirpated due to habitat loss and fragmentation. The Pacific Shoreline portion of the CPA contains five parks and other open space areas, listed from west to east: White Point Park, Royal Palms State Beach, Angels Gate Park, Point Fermin Park, and Cabrillo Beach Park.

Information contained in the sections that follow is primarily based on review of available background information pertaining to the biological resources within the CPA. This information was supplemented by a one-day reconnaissance-level field survey of lands in the CPA. The field survey was completed by the Principal Biologist, Shannon Lucas, from Christopher A. Joseph & Associates (CAJA) on August 28, 2008. Prior to conducting the field survey, the EIR consultant's biologist reviewed the CDFG CNDDDB,¹⁴ the CNPS Electronic Inventory,¹⁵ the USFWS list of Federal Endangered and Threatened Species,¹⁶ and a variety of other environmental resources including (but not limited to) the California Gap Analysis Project,¹⁷ the California Wildlife Habitat Relationships (CWHR),¹⁸ the San Pedro New

¹⁴ California Department of Fish and Game, California Natural Diversity Database Rarefind [CD-ROM], Wildlife Habitat Data Analysis Branch (Sacramento, CA, 2010).

¹⁵ California Native Plant Society, *Inventory of Rare and Endangered Plants* (online edition) (Sacramento, CA, 2010), <http://cnps.org/inventory>.

¹⁶ U.S. Fish and Wildlife Service, *List of Federal Endangered and Threatened Species that Occur in or May Be Affected by Projects in the San Pedro, Long Beach, Torrance, and Redondo Beach USGS 7.5-Minute Quadrangles* (Sacramento, CA: Sacramento Fish and Wildlife Field Office, 2010), http://www.fws.gov/sacramento/es/spp_lists/QuadNameLookup_Search.cfm.

¹⁷ F.W. Davis, D.M. Stoms, A.D. Hollander, K.A. Thomas, P.A. Stine, D. Odion, M.I. Borchert, J.H. Thorne, M.V. Gray, R.E. Walker, K. Warner, and J. Graae, *The California Gap Analysis Project—Final Report* (University of California, Santa Barbara, 1998), http://www.biogeog.ucsb.edu/projects/gap/gap_rep.html.

¹⁸ California Department of Fish and Game, California Interagency Wildlife Task Group, CWHR version 8.1 personal computer program (Sacramento, CA, 2005).

Community Plan,¹⁹ and the Framework Element of the Los Angeles General Plan.²⁰ The date queries for CNPS and state and federal species lists were updated in January 2011.

■ Habitat Types

As previously described in Chapter 3 (Project Description) of this DEIR, the CPA contains approximately 3,674 acres of land situated within the southern portion of the City of Los Angeles. The CPA is geographically located on the Palos Verdes Peninsula at the southern terminus of the Harbor Freeway (I-110). Historically, natural habitats occupying lands within the CPA included habitats such as perennial native grasslands, oak woodlands, riparian woodlands, coastal sagebrush scrub, and a variety of wetlands (including vernal pool, seasonal wetland, freshwater marsh, and coastal salt marsh) and waters (including ponds, streams, and creeks). Over the last 200 years, land alteration from agriculture, water supply systems, and urbanization has resulted in the loss or alteration of much of the natural habitat within the CPA. Nonnative annual grasses and weedy, ruderal vegetation have replaced the native grasslands; many of the natural streams have been channelized, filled, or re-routed into culverts; riparian and oak woodlands have been cleared for development; and most of the marshes have been drained, filled, and converted to industrial and urban uses.

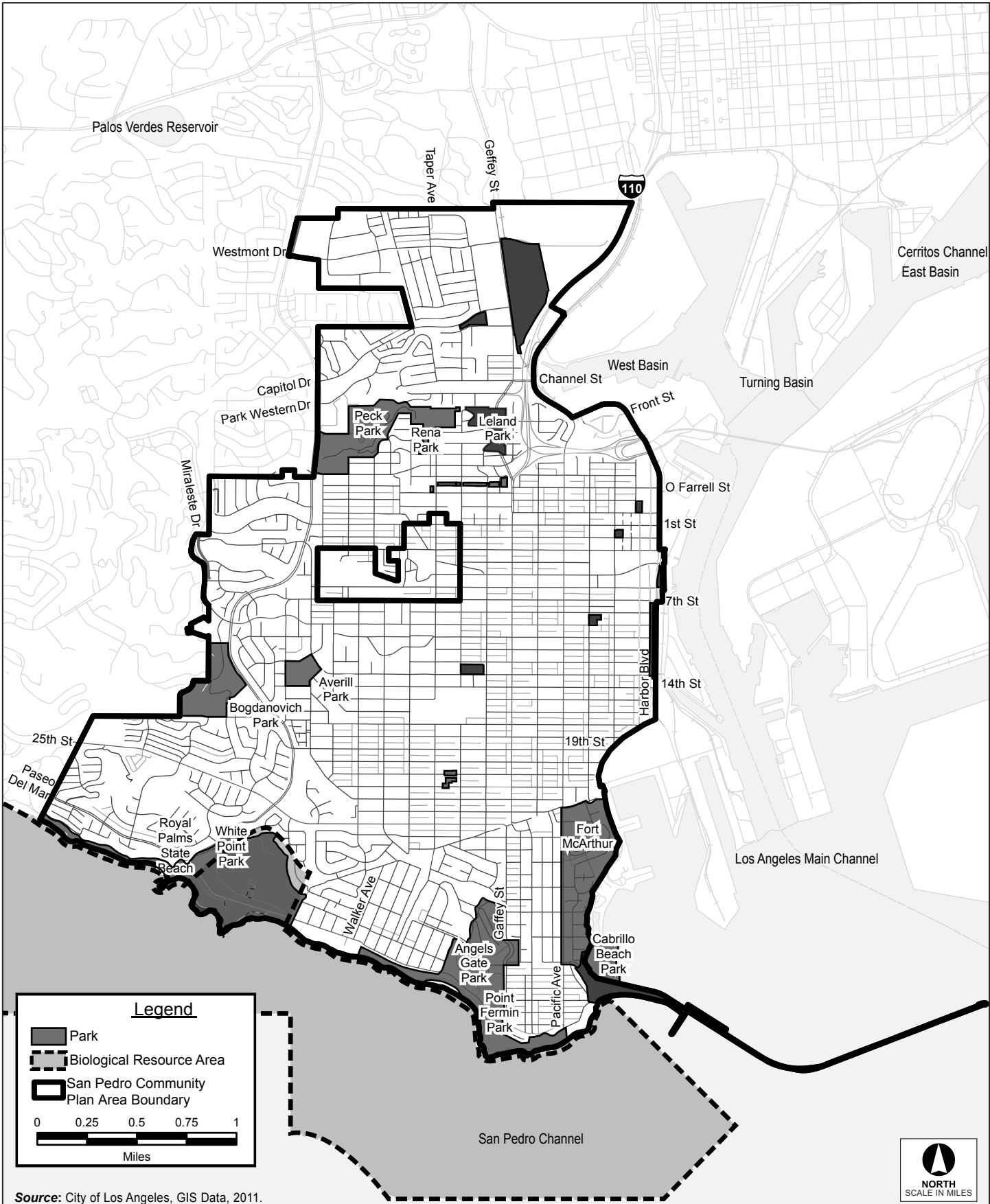
Though the majority of the CPA currently encompasses residential, commercial, industrial, and other urban development, valuable plant and animal habitat still exists. These habitats are confined to open space areas of the CPA that are generally surrounded by urban development (refer to Figure 4.3-1 [Biological Resource Areas]). Natural habitats that dominate much of these open space areas include primarily annual grassland, coastal sagebrush scrub, coastal seabluff scrub, and seasonal and perennial waters. In addition to these natural habitats, ruderal vegetation and ornamental vegetation types are present within the existing limits of development in the CPA. These habitats are described in more detail below.

Annual Grassland

Annual grassland habitat occurs primarily on ridge tops and low saddle areas within the open spaces areas of the southern and southwestern portions of the CPA, including (but not limited to) Bogdanovich Park, White Point Nature Preserve, and Angels Gate Park. This habitat is generally comprised of nonnative annual grass species interspersed with native and exotic forbs that thrive in areas surrounded by urban development, along roadsides, and similar disturbed areas. Common grass species include ryegrass (*Lolium multiflorum*), foxtail barley (*Hordeum murinum*), wild oats (*Avena* spp.), brome grasses (*Bromus* spp.), and bristly ox-tongue (*Pieris echinoides*). Herbaceous annual and perennial forb species typically include California poppy (*Eschscholzia californica*), lupine (*Lupinus* spp.), filaree (*Erodium* spp.), mustards (*Brassica* spp.), and wild radish (*Raphanus sativus*). Because this community is relatively isolated

¹⁹ Los Angeles City Planning Department, *San Pedro New Community Plan* (2009).

²⁰ Los Angeles City Planning Department, *The Citywide General Plan Framework, An Element of the City of Los Angeles General Plan* (July 27, 1995), prepared by Envicom Corporation in association with: Anil Verma Associates, Barton Aschman Associates, Cordoba Corporation, Delon-Hampton Associates, DKS Associates, ESRI, McCutchen, Doyle, Brown & Enseren, Moore-Iacafano-Goltsman, The Natelson Company, Sedway Cooke Associates, Terry A. Hayes Associates, Tierra Concepts, and Wiltec.



100018607 | San Pedro NCP EIR

Figure 4.3-1
Biological Resource Areas

and subject to regular disturbance, it provides low to marginal habitat value for wildlife species to forage, nest, and seek refuge.

Coastal Sagebrush Scrub

Coastal sagebrush scrub habitat occupies open space areas in the southern portion of the CPA along the Pacific Ocean shoreline, primarily within White Point Park and Angels Gate Park. This habitat is found on a variety of substrates, generally on soils with moisture available in the upper horizons during the winter-spring growing season. Growing on moderate to steep slopes of low elevation, coastal sagebrush scrub is tolerant of drought conditions and adapted to periodic fire events. Plant species of this habitat are adapted to these conditions, and generally consist of a mixture of perennial, herbaceous, and shrubby species. Coastal sagebrush scrub typically includes species such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), sawtooth goldenbush (*Hazardia squarrosa*), California sunflower (*Encelia californica*), coyote brush (*Baccharis pilularis*), and laurel sumac (*Malosma laurina*). This habitat is threatened by urban development throughout Southern California, and is the focus of many conservation efforts. Within the CPA, coastal sagebrush scrub habitat occurs as small, remnant patches mixed with nonnative ruderal vegetation; this habitat fragmentation and degradation can be attributed to urban development and incursion of invasive, nonnative species.

Coastal Seabluff Scrub

Coastal seabluff scrub habitat is dominated by perennial low-growing woody shrubs, sometimes succulent, species found on steep, exposed bluffs above bays and the ocean. Vegetation cover varies from moderately dense to sparse depending on slope steepness and habitat quality (e.g. cover of -, invasive species). This habitat grows on sandy soils within the southern portion of the CPA, occurring in patches along the bluffs of Royal Palms State Beach and Point Fermin Park. A majority of coastal seabluff scrub within the CPA is disturbed and tends to support a predominance of nonnative species such as saltbush (*Atriplex suberecta*) and ice plant (*Mesembryanthemum crystallinum*), with a minor native component comprised of seaside daisy (*Erigeron glaucus*) and dudleya (*Dudleya* sp.) on steep slopes exposed to wind and salt spray.

Ruderal Vegetation

Ruderal vegetation within the CPA is characterized by sparsely vegetated areas that support plant species adapted to continued disturbance (e.g., mowing, discing, spraying, vehicular traffic) and are largely composed of weedy, nonnative annual species. Ruderal assemblages of species are found throughout the CPA, along the boundaries of developed areas and roadways, and on vacant and undeveloped parcels. Nonnative species typically observed within these disturbed areas include wild radish, mustard, iceplant, pampas grass, Peruvian pepper tree (*Schinus molle*), oleander (*Nerium oleander*), Russian thistle (*Salsola kali*), and fennel (*Foeniculum vulgare*). Due to the high level of habitat degradation, continued disturbance, and lack of native species cover, this habitat offers limited opportunities for common wildlife species to forage, nest, and seek cover.

Ornamental Vegetation

Ornamental landscaping consists of areas supporting introduced or nonnative trees, shrubs, flowers, and turf grass. Ornamental landscaping occurs in green belts, parks, and horticultural plantings throughout the CPA. Typical ornamental tree species include ginkgo (*Ginkgo biloba*), blue gum (*Eucalyptus* spp.), Peruvian pepper trees, various palm trees (such as *Washingtonia* spp. and *Phoenix* spp.), and pine trees (*Pinus* spp.). Despite a highly manicured and intensively maintained appearance, urban landscapes can offer locally common wildlife populations limited opportunities for foraging and nesting.

Seasonal and Perennial Waters

The CPA contains several drainages that may be under the regulatory authority of the U.S. Army Corps of Engineers (USACE), State Water Resources Control Board (State Water Board), and CDFG. The majority of these drainages are located in open space areas within the CPA; in addition, potentially jurisdictional drainages and other waters could be present within the existing limits of urban development. In the northern portion of the CPA, a potentially jurisdictional drainage flows from northeast to southwest across the Peck's Park, Rena Park, and Leland Park. This drainage flows into a relatively steep, vegetated drainage with a natural, unlined streambed, eventually discharging into a culvert that flows under Leland Avenue. In the southwestern portion of the CPA, Friendship Park (located in the County), Bogdanovich Park, and Averill Park contain open space areas that could support potentially jurisdictional ephemeral drainages. Additionally, a potentially jurisdictional concrete-lined drainage flows from west to east, discharging into culverts under South Averill Avenue, South Patton Avenue, and South Walker Avenue, eventually terminating at Leland Road.

According to U.S. Geological Survey (USGS) maps, drainages in the CPA could have historically conveyed natural and uninterrupted stream flows across the landscape and supported wetland and or riparian vegetation along their beds and banks. The natural topography, vegetation, and flow characteristics of a majority of these features have been significantly altered through partial filling, bank stabilization, and incursion of nonnative invasive and ornamental plant species that displaced a majority of natural wetland and/or riparian vegetation. In addition, many of these drainages have been re-routed through the City's storm water drainage system to accommodate nearby roadways and protect residential developments.

■ Sensitive Biological Resources

As previously discussed, sensitive biological resources include those habitats or natural communities, plants and wildlife, and other sensitive resources that are governed under federal, state, and local laws and policies. The following section identifies which sensitive biological resources have the potential or are known to occur within the CPA. Such sensitive biological resources are generally associated with the open space areas within the northern, southwestern, and southern portions of the CPA.

Communities and Species of Concern

Sensitive plants and communities that could occur within the CPA are listed in Table 4.3-1 (Sensitive Plants and Communities with Potential for Occurrence in the San Pedro CPA). Table 4.3-2 (Sensitive Animals with Potential for Occurrence in the San Pedro CPA) lists sensitive animals that could occur

Table 4.3-1 Sensitive Plants and Communities with Potential for Occurrence in the San Pedro CPA

Species/Communities	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CNDDDB	CNPS	
<i>Aphanisma blitoides</i> aphanisma	—	—	G2/S1.1	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub/sandy. On bluffs and slopes near the ocean in sandy or clay soils. In steep decline on the islands and the mainland. 1–305m. Blooms Mar–Jun. One CNDDDB occurrence recorded in 1995, consisting of scattered colonies along bluffs of Palos Verdes peninsula in San Pedro, from near Portuguese Bend southward to near Royal Palms Beach Park.
<i>Astragalus brauntonii</i> Braunton's milk-vetch	FE		G2/S2	1B.1	Found in chaparral, coastal scrub, valley and foothill grassland, recent burned or disturbed areas with sandstone and carbonate layers. 4–640 m. Blooms Jan–Aug. No recorded occurrences have been reported to the CNDDDB; however, this species is known to occur in the Los Angeles County area.
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i> Ventural marsh milk-vetch	FE	SE	G2T1/S1	1B.1	Found in coastal dunes, coastal scrub, marshes and swamps edges (coastal salt or brackish) at elevations ranging from 1–35m. Blooms Jun–Oct. No recorded occurrences have been reported to the CNDDDB; however, this species is known to occur in the Los Angeles County area.
<i>Astragalus tener</i> var. <i>titi</i> coastal dunes milk-vetch	FE	SE	G1T1/S1.1	1B.1	Annual herb found in coastal bluff scrub, coastal dunes, prairies, often in vernal mesic areas at elevations ranging from 1–50 m. Blooms Mar–May. No recorded occurrences have been reported to the CNDDDB, this species is believed to have been extirpated in the Los Angeles County area.
<i>Atriplex pacifica</i> South Coast saltscale	—	—	G3G4/S2.2	1B.1	Coastal scrub, coastal bluff scrub, playas, chenopod scrub. Alkali soils. 1–500m. Blooms Mar–Oct. Two CNDDDB occurrences in San Pedro CPA: 1) San Pedro Hill and surroundings (recorded in 1934) and 2) in the vicinity of the Post Office (recorded in 1903).
<i>Atriplex coulteri</i> Coulter's saltbush			G2/S2.2	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, and Valley and foothill grassland with alkaline or clay soils. 3–460 m. Blooms Mar–Oct.
<i>Atriplex parishii</i> Parish's brittle-scale	—	—	G1G2/S1.1	1B.1	Alkali meadows, vernal pools, chenopod scrub, playas. Usually on drying alkali flats with fine soils. 4–140m. Blooms Jun–Oct. Parish's brittle-scale is presumed extirpated in Los Angeles County.
<i>Atriplex serenana</i> var. <i> davidsonii</i> Davidson's saltscale	—	—	G5T2/S2	1B.2	Coastal bluff scrub, coastal scrub. Alkaline soil. 3–250m. Blooms Apr–Oct. One occurrence recorded from unspecified location in San Pedro (documented in 1906).
<i>Brodia filifolia</i> thread-leaved brodiaea	FT	SE	G2/S2.1	1B.1	A bulbiferous herb found in chaparral, cismontane woodland, coastal scrub, playas, valley and foothill grassland, vernal pools with clay deposits at elevations ranging from 25–1219m. Blooms Mar–Jun. No recorded occurrences have been reported to the CNDDDB; however, this species is known to occur in the Los Angeles County area.
<i>Camissonia lewisii</i> Lewis' evening-primrose		—	G2G3/S	3	Coastal bluff scrub, Cismontane woodland, Coastal dunes, Coastal scrub, Valley and foothill grassland/sandy or clay. 0–300m. Blooms Mar–May (Jun).

Table 4.3-1 Sensitive Plants and Communities with Potential for Occurrence in the San Pedro CPA

Species/Communities	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CNDDB	CNPS	
<i>Centromadia parryi</i> ssp. <i>australis</i> Southern tarplant	—	—	G4T2/S2.1	1B.1	Marshes and swamps (margins), valley and foothill grassland, vernal pools. Often in disturbed sites near the coast; also in alkaline soils sometimes with saltgrass; also vernal pools. 0–425m. Blooms May–Nov. One extant CNDDB occurrence recorded in 2001 from the northern San Pedro CPA boundary, consisting of 2 populations at Harbor Lake Regional Park & at the Naval Defense Fuel Support Point.
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's pincushion	—	—	G5T3/S2.1	1B.1	Coastal bluff scrub, coastal dunes. Sandy sites. 3–100m. Blooms Jan–Aug.
<i>Chloropyron maritimum</i> (= <i>Cordylanthus maritimus</i>) ssp. <i>maritimus</i> salt marsh bird's-beak	FE	SE	G4?T2/S2.1	1B.2	Coastal salt marsh, coastal dunes. Limited to the higher zones of the salt marsh habitat. 0–30m. Blooms May–Oct. One possibly extirpated occurrence is documented in northern portion of CPA.
<i>Chorizanthe parryi</i> var. <i>fernandina</i>	FC	SE	G2T1/S1.1	1B.1	Annual herb found in costal scrub, valley and foothill grassland at elevations ranging from 150–1220 m. Blooms from Apr–Jul. No recorded occurrences have been reported to the CNDDB; however, this species is known to occur in the Los Angeles County area.
<i>Crossosoma californicum</i> Catalina crossosoma	—	—	G3/S3.2	1B.2	Chaparral, coastal scrub. On rocky sea bluffs, wooded canyons, and dry, open sunny spots on rocky clay. 0–500m. Blooms Feb–May. One occurrence documented outside of the CPA in Klondike Canyon.
<i>Dithyrea maritima</i> beach spectaclepod	—	ST	G2/S2.1	1B.1	Coastal dunes, coastal scrub. Formerly more widespread in coastal habitats in So. Calif. Sea shores, on sand dunes, and sandy places near the shore. 3–50m. Blooms Mar–May
<i>Dodecahema</i> (= <i>Centrostegia</i>) <i>leptoceras</i> slender-horned spineflower	FE	SE	G1/S1	1B.1	Annual herb found in chaparral, cismontane woodland, and coastal scrub with sandy soils at elevations ranging from 200–760m. Blooms from Apr–Jun. No recorded occurrences have been reported to the CNDDB; however, this species is known to occur in the Los Angeles County area.
<i>Dudleya cymosa</i> subsp. <i>Ovatifolia</i> Santa Monica Mountains dudleya	FT		G5T2/S2.2	1B.2	Perennial herb found in chaparral, coastal scrub with volcanic, sedimentary or rocky soils at elevations ranging from 150–1675m. Blooms from Mar–Jun. No recorded occurrences have been reported to the CNDDB; however, this species is known to occur in the Los Angeles County area.
<i>Dudleya virens</i> ssp. <i>insularis</i> island green dudleya	—	—	G2T2/S2.2	1B.2	Coastal bluff scrub, coastal scrub. Occurs on rocky soils and outcrops on bluffs facing the ocean with <i>Aphanisma blitoides</i> , <i>Calandrinia maritima</i> , <i>Rhus integrifolia</i> , <i>Encelia californica</i> , <i>Opuntia littoralis</i> , and <i>Isocoma/ericameria</i> . 5–300m. Blooms Apr–Jun. Two CNDDB occurrences recorded from Whites Point, west of Point Fermin (documented in 1934 and 1946) and one occurrence recorded from rocky outcrops along bluffs facing the ocean on Palos Verdes peninsula, near Portuguese Bend southward to near Royal Palms Beach Park (documented in 1992).

Table 4.3-1 Sensitive Plants and Communities with Potential for Occurrence in the San Pedro CPA

Species/Communities	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CNDDDB	CNPS	
<i>Lasthenia glabrata</i> ssp. <i>Coulteri</i> Coulter's goldfields		—	G4T3/S2.1	1B.1	Marshes and swamps (coastal salt), playas, vernal pools. 1–1220m. Blooms Feb–Jun
<i>Lycium brevipes</i> var. <i>hassei</i> Santa Catalina Island desert-thorn	—	—	G1Q/S1.1	1B.1	Coastal bluff scrub, coastal scrub. Coastal bluffs and slopes. 10–300m. Blooms in June.
<i>Nama stenocarpum</i> mud nama			G4G5/S1S2	2.2	Marshes and swamps (lake margins, riverbanks). 5–500 m. Blooms Jan–Jul. Believed to have been extirpated in Los Angeles County.
<i>Navarretia prostrate</i> prostrate navarretia	—	—	G2/S2.1	1B.1	Coastal scrub, valley and foothill grassland, vernal pools. Alkaline soils in grassland, or in vernal pools. 15–700m. Blooms Apr–Jul.
<i>Nemacaulis denudata</i> var. <i>denudata</i> coast woolly-heads	—	—	G3G4T3/S2.2	1B.2	Coastal dunes. 0–100M. Blooms Apr–Sept.
<i>Orcuttia californica</i> California orcutt grass	FE	SE	G2/S2.1	1B.1	Vernal pools. 15–660M. Blooms Apr–Jul.
<i>Pentachaeta lyonii</i> Lyon's pentachaeta	FE	SE	G1/S1.1	1B.1	Chaparral, valley and foothill grassland. Edges of clearings in chaparral, usually at the ecotone between grassland and chaparral or edges of firebreaks. 30–630M. Blooms Mar–Aug. Three extirpated CNDDDB occurrences mapped in the San Pedro CPA: (1) Point Fermin Park (recorded in 2002), (2) San Pedro Hill (recorded in 1910), and (3) unspecified location in San Pedro (recorded in 1889).
<i>Phacelia stellaris</i> Brand's star phacelia	FC	—	G1G2/S1.1	1B.1	Coastal scrub, coastal dunes. Open areas. 5–1,515 m. Blooms Mar–Jun.
<i>Suaeda esteroa</i> estuary seablight	—	—	G4/S3.2	1B.2	Marshes and swamps. Coastal salt marshes in clay, silt, and sand substrates. 0–5m. Blooms May–Oct (Jan). Exact location unknown, recorded in 1904 from general vicinity of San Pedro
<i>Symphyotrichum defoliatum</i> San Bernardino aster			G3/S3.2	1B.2	Cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic)/near ditches, streams and springs. 2–2,040 m. Blooms Jul–Nov
Southern Coastal bluff scrub	—	—	G1/S1.1	—	Community mapped in 1990 along bluffs of Palos Verdes Peninsula From Malaga Cove to Cabrillo Beach.

Table 4.3-1 Sensitive Plants and Communities with Potential for Occurrence in the San Pedro CPA

Species/Communities	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CNDDDB	CNPS	

SOURCES: California Department of Fish and Game, California Natural Diversity Database Rarefind [San Pedro, Long Beach, Redondo Beach, and Torrance USGS 7.5-Minute Quadrangles], Wildlife Habitat Data Analysis Branch, (Sacramento: California Department of Fish and Game, 2010); California Native Plant Society, *Inventory of Rare And Endangered Plants of California* (Sacramento: California Native Plant Society, December 2010), <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>; City of Los Angeles, *Los Angeles Citywide General Plan Framework Draft Environmental Impact Report* (January 19, 1995), State Clearing House No.: 94071030, http://www.fws.gov/sacramento/es/spp_lists/QuadNameLookup_Search.cfm; U.S. Fish and Wildlife Service, *List of Federal Endangered and Threatened Species that Occur in or May Be Affected by Projects in the San Pedro, Long Beach, Redondo Beach, and Torrance USGS 7.5-Minute Quadrangle* (Carlsbad, CA: Carlsbad Fish and Wildlife Office, 2010), http://www.fws.gov/carlsbad/TEspecies/CFWO_Species_List.htm.

a. Status Codes:

FESA: Federal Endangered Species Act of 1972 (as amended)

FE = Federally listed as Endangered

FT = Federally listed as Threatened

FD = Federally delisted (monitored for 5 years)

CESA: California Endangered Species Act

CE = State listed as Endangered

CT = State listed as Threatened

CR = State listed as Rare

CNDDDB: California Natural Diversity Database

G, T, S-rank

CNDDDB element rankings. The global rank (G-rank) is a reflection of the overall condition of an element throughout its global range, with G1 being the most rare and G5 being the least rare. Subspecies receive a T-rank attached to the G-rank. The state rank (S-rank) is a reflection of the overall condition of an element throughout California, sometimes with threat designation attached.

CNPS: California Native Plant Society

List 1A = Plants presumed extinct in California

List 1B = Plants Rare, Threatened, or Endangered in California and elsewhere

List 2 = Plants Rare, Threatened, or Endangered in California, but more common elsewhere

List 3 = Plants about which we need more information—a review list

List 4 = Plants of limited distribution—a watch list

Threat Ranks: CNPS threat rank. These ranks are an extension added onto the CNPS List and designate the level of endangerment by a 1 to 3 ranking, with 1 being the most endangered and 3 being the least endangered.

Table 4.3-2 Sensitive Animals with Potential for Occurrence in the San Pedro CPA Vicinity					
Species	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CDFG	CNDDDB	
Invertebrates					
<i>Cicindela hirticollis gravida</i> sandy beach tiger beetle	—	—	—	G5T2/S1	Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco bay to northern Mexico. Local historical occurrence in Redondo Beach is known to be extirpated. Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.
<i>Cicindela latesignata latesignata</i> western beach tiger beetle	—	—	—	G4T1T2/S1	Mudflats and beaches in Coastal Southern California. One occurrence mapped along beaches of CPA is presumed extirpated.
<i>Danaus plexippus</i> monarch butterfly	—	—	—	G5/S3	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby. One possibly extirpated occurrence recorded in 1985 from south tip of Palos Verdes Peninsula; Point Fermin to approximately 0.35 miles NW along Point Fermin Beach.
<i>Euphilotes battoides allyni</i> El Segundo blue butterfly	FE	—	—	G5T1/S1	Restricted to remnant coastal dune habitat in Southern California. Host plant is <i>Eriogonum parvifolium</i> ; larvae feed only on the flowers and seeds; used by adults as major nectar source.
<i>Glaucopteryx lygdamus palosverdesensis</i> Palos Verdes blue butterfly	FE	—	—	G5T1	Restricted to the cool, fog-shrouded, seaward side of Palos Verdes Hills, Los Angeles County. Host plants are locoweed (<i>Astragalus trichopodus</i> var. <i>lonchus</i>) and deerweed (<i>Lotus scoparius</i>). Three possibly extirpated occurrences from Friendship Park (recorded in 1988), White Point Park (1986), and Fort McArthur (1986).
<i>Rhaphiomidas terminates terminates</i> El Segundo flower-loving fly				G1T1/S1	Current Distribution restricted to Malaga Dunes, Malaga Cove. A perched dune formation in upper Malaga Canyon, that is disjunct from the blow sand dune formation against the Coastal Bluffs extending along Torrance Beach to the north of Malaga Canyon Discharge. Historically found at El Segundo Dunes, was considered extinct, a small colony was found in 2001.

Table 4.3-2 Sensitive Animals with Potential for Occurrence in the San Pedro CPA Vicinity					
Species	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CDFG	CNDDDB	
<i>Tryonia imitator</i> mimic tryonia (=California brackishwater snail)		—	—	G2G3/S2S3	Inhabits coastal lagoons, estuaries and salt marshes, from Sonoma County south to San Diego County. Found only in permanently submerged areas in a variety of sediment types; able to withstand a wide range of salinities. Possibly extirpated; last known collection from the San Pedro Bluffs in 1870–1890 and no recent collections have been made.
Fish					
<i>Eucyclogobius newberryi</i> tidewater goby	FE	—	CSC	G3/S2S3	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.
<i>Gasterosteus aculeatus williamsoni</i> unarmored threespine stickleback	FE	SE	FP	G5T1/S1	Weedy pools, backwaters, and among emergent vegetation at the stream edge in small southern California streams. Cool (<24 C), clear water with abundant vegetation.
<i>Oncorhynchus mykiss</i> Southern steelhead - Southern California ESU	FT	—	CSC	G5T2Q/S2	Santa Maria River south to southern extent of the species range (San Mateo Creek in San Diego County). Likely have greater physiological tolerances to warmer water and more variable conditions.
Reptiles					
<i>Actinemys marmorata pallid</i> Southwestern pond turtle	—	—	—	G3G4T2T3Q/S2	Inhabits permanent or nearly permanent bodies of water in many habitat types; below 6000 ft elev. Require basking sites such as partially submerged logs, vegetation mats, or open mud banks. Need suitable nesting sites, food sources (plants, aquatic invertebrates, and carrion), and few predators (raccoons, introduced fishes, and bullfrogs).
<i>Anniella pulchra pulchra</i> silvery legless lizard			CSC	G3G4T3T4Q/S3	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential; they prefer soils with high moisture content. Last observation was in 2009 in Torrance, habitat consisted of thick decaying leaves and mulch.
<i>Phrynosoma blainvillii</i> cost horned lizard			CSC	G4G5/S3S4	Frequents a wide variety of habitat, most common in lowlands along sandy washes with scattered low bushes and open areas for sunning, bushes for cover, patches of loose soil for burial and abundant supply and other insects. CNDDDB occurrences date back to 1950s, presume extinct locally.

Table 4.3-2 Sensitive Animals with Potential for Occurrence in the San Pedro CPA Vicinity

Species	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CDFG	CNDDDB	
Birds					
<i>Agelaius tricolor</i> tricolored blackbird	—	—	CSC	G2G3/S2S3	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California.
<i>Charadrius alexandrinus nivosus</i> Western snowy plover	FT (nesting)	—	CSC (nesting)	G4T3/S2	Sandy beaches, salt ponds levees & shores or large alkali lakes. Needs sandy, gravelly or friable soils for nesting.
<i>Empidonax traillii extimus</i> Southwestern willow flycatcher	FE (nesting)	SE (nesting)	—	G5T1T2/S1	Breeds in riparian woodlands, particularly those dominated by willows and cottonwoods.
<i>Falco mexicanus</i> prairie falcon	—	—	CSC (wintering)	G5/S3	Inhabits dry, open terrain, either level or hilly. Breeding sites located on cliffs. Forages far afield, even to marshlands and ocean shores.
<i>Falco peregrinus anatum</i> American peregrine falcon	DL (nesting)	SE (nesting)	—	G4T3/S2	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Point Fermin Park represents potential nesting habitat for peregrines.
<i>Larus californicus</i> California gull	—	—	CSC (nesting colony)	G5/S2	Littoral waters, sandy beaches, waters & shorelines of bays, tidal mud-flats, marshes, lakes, etc. Colonial nester on islets in large interior lakes, either fresh or strongly alkaline.
<i>Pelecanus occidentalis californicus</i> California brown pelican	FE (nesting colony and communal roosts)	SE (nesting colony and communal roosts)	—	G4T3/S1S2	Colonial nester on coastal islands just outside the surf line. Nests on coastal islands of small to moderate size which afford immunity from attack by ground-dwelling predators.
<i>Polioptila californica californica</i> coastal California gnatcatcher	FT	—	CSC	G3T2/S2	Obligate, permanent resident of coastal sage scrub below 2500 ft in southern California. Low, coastal sage scrub in arid washes, on mesas & slopes. Not all areas classified as coastal sage scrub are occupied. One extant occurrence documented in 2006 from Palos Verdes Peninsula in Shoreline Park.
<i>Sternula (=Sterna) antillarum browni</i> California least tern	FE (nesting colony)	SE (nesting colony)	FP	G4T2T3Q/S2S3	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas.

Table 4.3-2 Sensitive Animals with Potential for Occurrence in the San Pedro CPA Vicinity					
Species	Status ^a				Habitat Associations & Occurrence Information
	FESA	CESA	CDFG	CNDDDB	
Mammals					
<i>Lasionycteris noctivagans</i> silver-haired bat	—	—	—	G5/S3S4	Primarily a coastal & montane forest dweller feeding over streams, ponds & open brushy areas. Roosts in hollow trees, beneath exfoliating bark, abandoned woodpecker holes & rarely under rocks. Needs drinking water.
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	—	—	CSC	G5T3/S3	Coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops & rocky cliffs & slopes
<i>Nyctinomops femorosaccus</i> pocketed free-tailed bat	—	—	CSC	G4/S2S3	Variety of arid areas in Southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian. Rocky areas with high cliffs.
<i>Perognathus longimembris pacificus</i> Pacific pocket mouse	FE	—	CSC	G5T1/S1	Inhabits the narrow coastal plains from the Mexican border north to El Segundo, Los Angeles Co. Seems to prefer soils of fine alluvial sands near the ocean, but much remains to be learned.

SOURCES: California Department of Fish and Game, California Natural Diversity Database Rarefind [San Pedro, Long Beach, Torrance, and Redondo Beach USGS 7.5-Minute Quadrangles], Wildlife Habitat Data Analysis Branch (Sacramento, CA: California Department of Fish and Game, 2010); City of Los Angeles, *Los Angeles Citywide General Plan Framework Draft Environmental Impact Report* (January 19, 1995), State Clearing House No.: 94071030; U.S. Fish and Wildlife Service, *List of Federal Endangered and Threatened Species that Occur in or May Be Affected by Projects in the San Pedro, Long Beach, Torrance, and Redondo Beach USGS 7.5-Minute Quadrangle* (Sacramento, CA: Carlsbad Fish and Wildlife Field Office, 2010), http://www.fws.gov/carlsbad/TEspecies/CFWO_Species_List.htm.

a. **Status Codes:**

FESA: Federal Endangered Species Act of 1972 (as amended)

FE = Federally listed as Endangered
FT = Federally listed as Threatened
FC = Federally designated as Candidate
FD = Federally delisted (monitored for 5 years)

CESA: California Endangered Species Act

CE = State listed as Endangered
CT = State listed as Threatened
CR = State listed as Rare

CDFG: California Department of Fish and Game

CSC = Species of Special Concern
FP = Fully Protected

WL = Watch List

CNDDDB: California Natural Diversity Database

G, T, S-rank

CNDDDB element rankings. The global rank (G-rank) is a reflection of the overall condition of an element throughout its global range, with G1 being the most rare and G5 being the least rare. Subspecies receive a T-rank attached to the G-rank. The state rank (S-rank) is a reflection of the overall condition of an element throughout California, sometimes with threat designation attached.

within the CPA. The location of these sensitive biological resources is also shown in Figure 4.3-2 (CNDDDB Special-Status Species). These lists of sensitive species and communities were developed based on a search of the current database records (e.g., CNDDDB and CNPS Electronic Inventory records for the San Pedro, Long Beach, Redondo Beach, and Torrance USGS 7.5-Minute Quadrangle maps, review of the Framework Element of the Los Angeles General Plan, and USFWS list of Federal Endangered and Threatened Species for the San Pedro, Long Beach, Redondo Beach, and Torrance USGS 7.5-Minute Quadrangle maps.

There are several recently documented occurrences of the federally threatened Coastal California Gnatcatcher (*Poliophtila californica californica*) from coastal scrub habitats within the CPA vicinity, including one occurrence located in Palos Verdes Shoreline Park and one located just north of the CPA boundary on the U.S. Navy's Fuel Defense Support Point. All other special-status wildlife occurrences documented from the CPA are believed to be extirpated, including the western beach tiger beetle (*Cicindela hirticollis gravida*) from the White Point Beach area; monarch butterfly (*Danaus plexippus*) from a grove of eucalyptus trees at Point Fermin; Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*) from coastal sagebrush scrub habitats of the Palos Verdes Peninsula, and the California brackishwater snail (*Tryonia imitator*) from Pleistocene deposits on the seabluffs.

Four special-status plant species have been documented from coastal sea bluff scrub and coastal sagebrush scrub habitats along the Palos Verdes Peninsula, including aphanisma (*Aphanisma blitoides*), South Coast saltscale (*Atriplex pacifica*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), and island green dudleya (*Dudleya virens* ssp. *insularis*). One occurrence of estuary seablight (*Suaeda esteroa*) was recorded in 1904 from coastal salt marsh habitat in northeastern San Pedro.

In addition to the sensitive habitats or communities listed in Table 4.3-1 above by the CNDDDB, regulatory and resource agencies consider riparian habitats and seasonal and perennial waters and wetlands sensitive. As previously discussed, these resources potentially occur within the CPA.

According to CNDDDB, one sensitive plant community, Coastal Seabluff Scrub, has been recorded from the southern portion of the CPA. This community occurs in a narrow band along the bluffs of the Palos Verdes Peninsula coastline. The value of this habitat in the CPA is significantly degraded in comparison to occurrences of this community west of the CPA, due its lack of plant species diversity, incursion of exotic plant species, and disturbed habitat conditions.

■ Wildlife Movement

The movement and migration of wildlife species has been substantially altered due to habitat fragmentation over the past century. This fragmentation has most commonly been caused by development, which can result in large patches of land becoming inaccessible and forming a virtual barrier between undeveloped areas, or resulting from the development of additional roads, although narrow, could result in barriers to smaller or less mobile wildlife species. Habitat fragmentation results in isolated islands of habitat, which affects wildlife behavior, foraging activity, reproductive patterns, immigration and emigration or dispersal capabilities, and survivability.

Wildlife corridors play an important role in countering habitat fragmentation. A wildlife corridor is a linear landscape element which serves as a linkage between historically connected habitats or landscapes that are otherwise separated²¹ and is meant to provide avenues along which wildlife can travel, migrate, and meet mates; plants can propagate; genetic interchange can occur; populations can move in response to environmental changes and natural disasters; and individuals can re-colonize habitats from which populations have been locally extirpated.²² Corridors can consist of a sequence of stepping-stones across the landscape (i.e., discontinuous areas of habitat such as isolated wetlands and roadside vegetation), continuous linear strips of vegetation and habitat (e.g., riparian strips and ridgelines), or they could be parts of larger habitat areas selected for its known or likely importance to local wildlife.

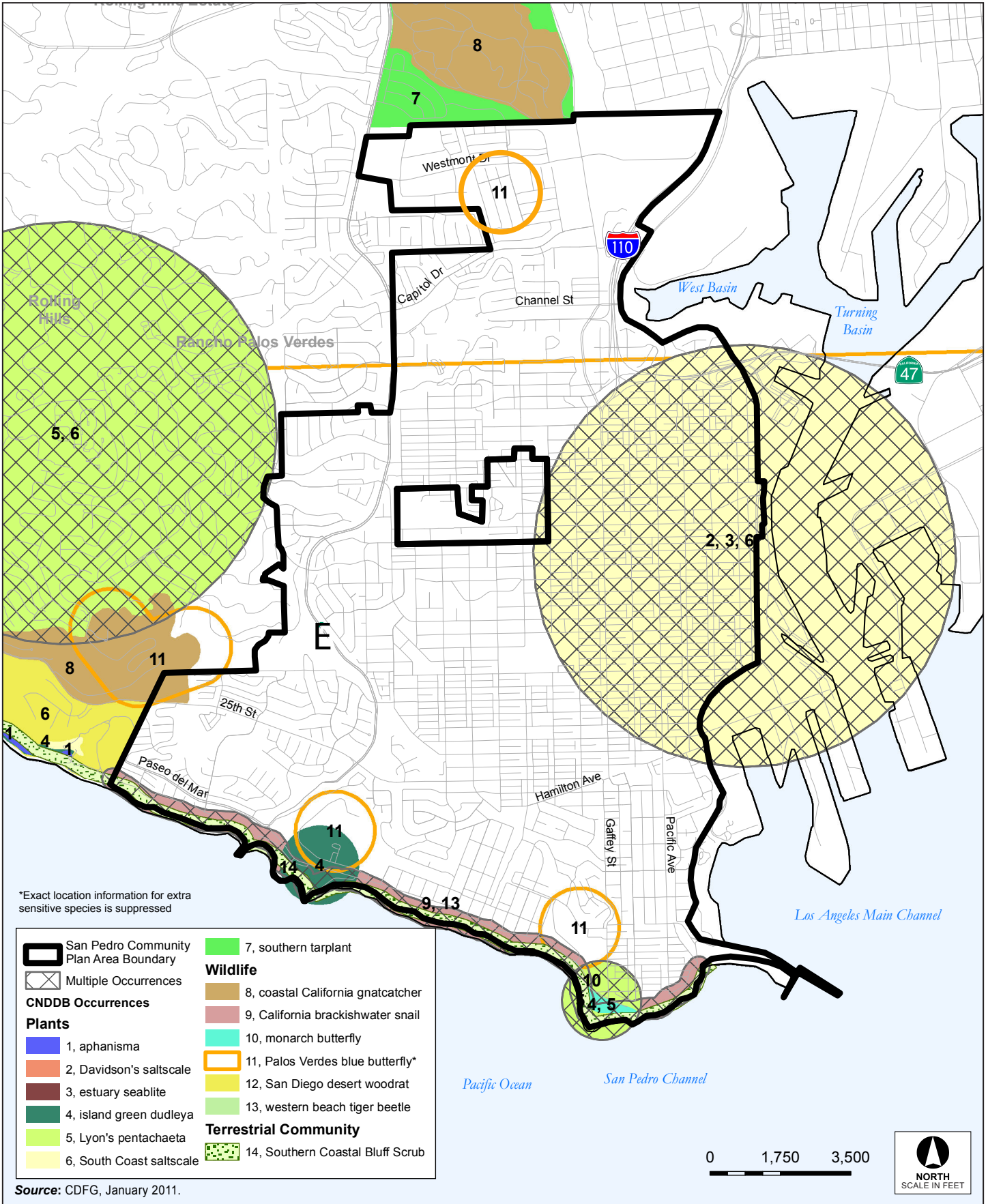
Due to considerable residential and industrial development within and surrounding the CPA and vicinity, including a vast network of busy roads, the CPA does not provide viable linkages or migration corridors between habitat areas. To the extent that small and fragmented patches of remnant habitats occur within the CPA, they have become virtual islands of habitat and provide limited opportunity for wildlife movement and exchange of genetic material. Wildlife movement between the CPA and regional open space lands is likely to be very restricted (except for bird species) due to the lack of physical linkages and existing barriers (e.g., roads). Such movement is sporadic and very unlikely to result in a significant exchange in genetic material or linkage of the CPA to core habitat areas beyond the CPA limits. Therefore, the CPA does not act as a true wildlife corridor, movement pathway, or linkage between larger habitat areas for terrestrial wildlife.

Light and Glare

As part of the proposed plan, the commercial area just north of the intersection of Western Avenue and 25th Street is slated for up-zoning to a building height limit of 75 feet. This area is just north of the White Point Park open space area; the park supports passive recreation use. The area slated for up-zoning currently supports shopping areas, two large markets and office/retail space with associated parking areas. It is assumed that there are existing parking lot lights, building security lights, and streetlights in the area. It is expected that the future lighting would be compatible with the existing lighting in the area and would be compatible with the surrounding urban area and typical of business and street lighting in the vicinity. Also, there is approximately three blocks of residential areas between the shopping area and White Point Park. Therefore, no adverse impacts associated with lighting and glare from the future development of the open space area of White Point Park are anticipated.

²¹ A. McEuen, *The Wildlife Corridor Controversy: A Review. Endangered Species Update* Vol. 10, Nos. 11 and 12 (September/October 1993).

²² P. Beir and S. Loe, In My Experience: A Checklist for Evaluating Impacts to Wildlife Movement Corridors, *Wildlife Society Bulletin* 20(4): 434–440 (winter 1992).



100018607 | San Pedro NCP EIR

Figure 4.3-2
CNDDB Special Status Species

4.3.2 Regulatory Framework

■ Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973, as amended, provides the regulatory framework for the protection of plant and animal species (and their associated critical habitats), which are formally listed, proposed for listing, or candidates for listing as endangered or threatened under the FESA. The FESA has the following four major components: provisions for listing species, requirements for consultation with the USFWS and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service), prohibitions against "taking" (meaning harassing, harming, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or attempting to engage in any such conduct) of listed species, and provisions for permits that allow incidental "take." The FESA also discusses recovery plans and the designation of critical habitat for listed species. Both the USFWS and the NOAA Fisheries Service share the responsibility for administration of the FESA. During the CEQA review process, each agency is given the opportunity to comment on the potential of the proposed plan to affect plants and animals listed, proposed for listing, or candidate for listing.

Clean Water Act Section 404 and 401

The USACE and the U.S. Environmental Protection Agency (USEPA) regulate the discharge of dredged or fill material into waters of the United States, including wetlands, under Section 404 of the Clean Water Act (CWA) (33 USC 1344). Waters of the United States are defined in Title 33 CFR Part 328.3(a) and include a range of wet environments such as lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds. The lateral limits of jurisdiction in those waters may be divided into three categories—territorial seas, tidal waters, and nontidal waters—and is determined depending on which type of waters is present (Title 33 CFR Part 328.4(a), (b), (c)). Activities in waters of the United States regulated under Section 404 include fill for development, water resource projects (e.g., dams and levees), infrastructure developments (e.g., highways and airports), and mining projects. Section 404 of the CWA requires a federal license or permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

Section 401 of the CWA (33 USC 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States to obtain a certification from the state in which the discharge originates or would originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the affected waters at the point where the discharge originates or would originate. The discharge would be required to comply with the applicable effluent limitations and water quality standards. A certification obtained for the construction of any facility must also pertain to the subsequent operation of the facility. The responsibility for the protection of water quality in California rests with the State Water Resources Control Board (State Water Board) and its nine Regional Water Quality Control Boards (Water Boards).

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (16 USC Sections 661-667e, March 10, 1994, as amended 1946, 1958, 1978, and 1995) requires that whenever waters or the channel of a stream or other body of water are proposed or authorized to be modified by a public or private agency under a federal license or permit, the federal agency must first consult with the USFWS and/or NOAA Fisheries Service and with the head of the agency exercising administration over the wildlife resources of the state where construction would occur (in this case the CDFG), with a view to conservation of birds, fish, mammals and all other classes of wild animals and all types of aquatic and land vegetation upon which wildlife is dependent.

The Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (16 USC 703 et seq.), Title 50 Code of Federal Regulations (CFR) Part 10, prohibits taking, killing, possessing, transporting, and importing of migratory birds, parts of migratory birds, and their eggs and nests, except when specifically authorized by the Department of the Interior. As used in the act, the term “take” is defined as meaning, “to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires.” With a few exceptions, most birds are considered migratory under the MBTA. Disturbances that causes nest abandonment and/or loss of reproductive effort or loss of habitat upon which these birds depend would be in violation of the MBTA.

■ State

California Endangered Species Act

The State of California enacted similar laws to the FESA, the California Native Plant Protection Act (NPPA) in 1977, and the California Endangered Species Act (CESA) in 1984. The CESA expanded upon the original NPPA and enhanced legal protection for plants, but the NPPA remains part of the California Fish and Game Code. To align with the FESA, CESA created the categories of “threatened” and “endangered” species. It converted all “rare” animals into the CESA as threatened species, but did not do so for rare plants. Thus, these laws provide the legal framework for protection of California-listed rare, threatened, and endangered plant and animal species. The CDFG implements NPPA and CESA, and its Wildlife and Habitat Data Analysis Branch maintains the CNDDDB, a computerized inventory of information on the general location and status of California’s rarest plants, animals, and natural communities. During the CEQA review process, the CDFG is given the opportunity to comment on the potential of the proposed plan to affect listed plants and animals.

Fully Protected Species and Species of Special Concern

The classification of “fully protected” was the CDFG’s initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibian and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (fish at section 5515, amphibian and reptiles at section 5050, birds at section 3511, and mammals at section 4700) dealing with “fully protected” species states that these species “...may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses

to take any fully protected species,”²³ although take may be authorized for necessary scientific research. This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with fully protected species were amended to allow the CDFG to authorize take resulting from recovery activities for state-listed species.

Species of special concern are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFG because they are declining at a rate that could result in listing or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFG, land managers, consulting biologist, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

California Fish and Game Code Sections 3503 and 3513

According to Section 3503 of the California Fish and Game Code it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird (except English sparrows [*Passer domesticus*] and European starlings [*Sturnus vulgaris*]). Section 3503.5 specifically protects birds in the orders Falconiformes and Strigiformes (birds-of-prey). Section 3513 essentially overlaps with the MTBA, prohibiting the take or possession of any migratory nongame bird. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by the CDFG.

Other Sensitive Plants—California Native Plant Society

The CNPS, a nonprofit plant conservation organization, publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California in both hard copy and electronic version (www.cnps.org/rareplants/inventory/6thedition.htm). The Inventory assigns plants to the following categories:

- 1A: Presumed extinct in California
- 1B: Rare, threatened, or endangered in California and elsewhere
- 2: Rare, threatened, or endangered in California, but more common elsewhere
- 3: Plants for which more information is needed—a review list
- 4: Plants of limited distribution—a watch list

Additional endangerment codes are assigned to each group as follows:

- x.1: Seriously endangered in California (over 80% of occurrences threatened/high degree of immediacy of threat)
- x.2: Fairly endangered in California (20-80% occurrences threatened)

²³ California Department of Fish and Game, Fish and Game Commission, *California Fish and Game Code* (January 1, 1998).

- x.3: Not very endangered in California (<20% of occurrences threatened or no current threats known)

Plants on Lists 1A, 1B, and 2 of the CNPS Inventory consist of plants that could qualify for listing, by the CDFG, as well as other state agencies. Also, the CNPS recommends these plants be given special consideration under CEQA during project review.

Porter-Cologne Water Quality Control Act

Waters of the State are defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The State Water Board protects all waters in its regulatory scope, but has special responsibility for isolated wetlands and headwaters. These waterbodies have high resource value, are vulnerable to filling, and may not be regulated by other programs, such as Section 404 of the CWA. Waters of the State are regulated by the Water Boards under the State Water Quality Certification Program, which regulates discharges of dredged and fill material under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, but does involve activities that may result in a discharge of harmful substances to Waters of the State, the Water Boards have the option to regulate such activities under its state authority in the form of Waste Discharge Requirements or Certification of Waste Discharge Requirements.

California Fish and Game Code Section 1600

Streams, lakes, and riparian vegetation as habitat for fish and other wildlife species, are subject to jurisdiction by the CDFG under Sections 1600 through 1616 of the California Fish and Game Code. Any activity that would do one or more of the following: substantially obstruct or divert the natural flow of a river, stream, or lake; substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake generally require a 1602 Lake and Streambed Alteration Agreement. The term “stream,” which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as follows: “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life.” This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR 1.72). In addition, the term stream can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife.²⁴ Riparian is defined as “on or pertaining to, the banks of a stream”; therefore, riparian vegetation is defined as, “vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs

²⁴ California Department of Fish and Game, Environmental Services Division, *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600–1607, California Fish and Game Code* (1994).

because of, the stream itself.”²⁵ Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from the CDFG.

Sensitive Plant Communities

Sensitive plant communities are natural communities and habitats that are either unique, of relatively limited distribution in the region, or of particularly high wildlife value. However, these communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies or regulations, or by the CDFG (i.e., CNDDDB) or the USFWS. Impacts to sensitive natural communities and habitats must be considered and evaluated under the CEQA (CCR Title 14, Division 6, Chapter 3, Appendix G).

■ Local

City of Los Angeles General Plan

The City of Los Angeles General Plan (General Plan) addresses community development goals and policies relative to the distribution of land use, both public and private, and acts to protect large tracts of open space for habitat conservation, species protection, watershed maintenance, and other purposes. The General Plan integrates the citywide elements and community plans, and gives policy direction to the planning regulatory and implementation programs.

The General Plan Framework (GPF), a special element of the General Plan, adopted December 1996 and amended most recently in August 2001, is a more general, long-term, programmatic document, implemented by the various individual elements of the General Plan. Policies related to open space conservation and protecting the City’s natural resources including biological resources, such as sensitive species and habitats and wildlife movement corridors, are found in the GPF.

The state requires that conservation and open space elements are included in city and county general plans. City and County general plans need to address conservation, protection, development, utilization, and reclamation of natural resources. In addition they should address natural and other open space resources. Policies related to the protection and conservation of natural resources including biological resources are found in the Conservation Element of the City’s General Plan.

Conservation Element

The intent of the Conservation Element is the conservation and preservation of natural resources, including (but not limited to) biological resources, such as endangered species and habitats. The Conservation Element contains policies for avoidance and minimization of significant impacts to sensitive resources, protection and conservation of habitats, and the establishment of habitat restoration and enhancement programs.

Policies from the Conservation Element and General Plan Framework pertaining to biological resources are listed on Table 4.3-3 (General Plan Policies Relevant to Biological Resources).

²⁵ California Department of Fish and Game, Environmental Services Division, *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600–1607, California Fish and Game Code* (1994).

Table 4.3-3 General Plan Policies Relevant to Biological Resources

No.	Policy
FRAMEWORK ELEMENT	
Open Space and Conservation	
Goal 6A	An integrated citywide/regional public and private open space system that serves and is accessible by the City's population and is unthreatened by encroachment from other land uses.
Objective 6.1	Protect the City's natural settings from the encroachment of urban development, allowing for the development, use, management, and maintenance of each component of the City's natural resources to contribute to the sustainability of the region.
Policy 6.1.1	Consider appropriate methodologies to protect significant remaining open spaces for resource protection and mitigation of environmental hazards, such as flooding, in and on the periphery of the City, such as the use of tax incentives for landowners to preserve their lands, development rights exchanges in the local area, participation in land banking, public acquisition, land exchanges, and Williamson Act contracts.
Policy 6.1.2	Coordinate City operations and development policies for the protection and conservation of open space resources, by: <ol style="list-style-type: none"> a. Encouraging City departments to take the lead in utilizing water re-use technology, including graywater and reclaimed water for public landscape maintenance purposes and such other purposes as may be feasible; b. Preserving habitat linkages, where feasible, to provide wildlife corridors and to protect natural animal ranges; and c. Preserving natural viewsheds, whenever possible, in hillside and coastal areas.
Policy 6.1.3	Reassess the environmental importance of the County of Los Angeles designated Significant Ecological Areas (SEAs) that occur within the City of Los Angeles and evaluate the appropriateness of the inclusion of other areas that may exhibit equivalent environmental value.
Policy 6.1.4	Conserve, and manage the undeveloped portions of the City's watersheds, where feasible, as open spaces which protect, conserve, and enhance natural resources.
Policy 6.1.5	Provide for an on-site evaluation of sites located outside of targeted growth areas, as specified in amendments to the community plans, for the identification of sensitive habitats, sensitive species, and an analysis of wildlife movement, with specific emphasis on the evaluation of areas identified on the Biological Resource Maps contained in the Framework Element's Technical Background Report and Environmental Impact Report.
Policy 6.1.6	Consider preservation of private land open space to the maximum extent feasible. In areas where open space values determine the character of the community, development should occur with special consideration of these characteristics.
Policy 6.1.7	Encourage an increase of open space where opportunities exist throughout the City to protect wild areas such as the Sepulveda Basin and Chatsworth Reservoir.
CONSERVATION ELEMENT	
Endangered Species	
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.
Policy 2	Continue to administer city-owned and managed properties so as to protect and/or enhance the survival of sensitive plant and animal species to the greatest practical extent.
Policy 3	Continue to support legislation that encourages and facilitates protection of endangered, threatened, sensitive, and rare species and their habitats and habitat corridors.
Fisheries	
Policy 1	Continue to implement and to cooperate with lake fish stocking or enhancement programs.
Policy 2	Continue to consider and implement measures that will mitigate potential damage to and will encourage maintenance or restoration of fisheries.
Habitats	
Policy 1	Continue to identify significant habitat areas, corridors, and buffers and to take measures to protect, enhance, and/or restore them.

Table 4.3-3 General Plan Policies Relevant to Biological Resources	
No.	Policy
Policy 2	Continue to protect, restore, and/or enhance habitat areas, linkages and corridor segments, to the greatest extent practical, within city-owned or managed sites.
Policy 3	Continue to work cooperatively with other agencies and entities in protecting local habitats and endangered, threatened, sensitive, and rare species.
Policy 4	Continue to support legislation that encourages and facilitates protection of local native plant and animal habitats.
Ocean	
Policy 2	Continue to support legislation and to seek funding and legislation intended for bay and coastal protection, enhancement, and habitat restoration.
SOURCE: Los Angeles Department of City Planning, <i>The Citywide General Plan Framework: An Element of the City of Los Angeles General Plan</i> (adopted August 8, 2001), CPC 94-0354 GPF CF 95-2259 CF 01-1162, http://cityplanning.lacity.org ; Los Angeles Department of City Planning, <i>General Plan of the City of Los Angeles, Conservation Element</i> (adopted September 26, 2001)	

City of Los Angeles Municipal Code

The City of Los Angeles Protected Tree Ordinance No. 177,404 (effective April 23, 2006) defines “Protected Trees” as any of the following Southern California native tree species, which measures 4 inches or more in cumulative diameter, 4.5 feet above the ground level at the base of the tree (i.e. diameter at breast height [DBH]): any native species of oak (*Quercus* sp., with the exception of scrub oak [*Q. berberidifolius*]), southern California black walnut (*Juglans californica* var. *californica*), California bay laurel (*Umbellularia californica*), and western sycamore (*Platanus racemosa*).” Any of these protected native tree species removed must be replaced at a minimum two-to-one (2:1) ratio with a minimum of 48-inch-box-size (if available) tree and sufficient trees of that size to replace the crown of the removed tree. In addition, the Los Angeles Department of City Planning considers any nonnative tree at least 12 inches in diameter a significant biological resource and every tree of this size and above removed must be replaced at a one-for-one (1:1) ratio with a minimum of 24-inch-box-size tree. Further, under City of Los Angeles standard mitigation measures, a bond must be posted to guarantee the survival of the newly planted trees to assure the existence of continuously living trees for a minimum of three years from the date the bond was posted or the trees were replaced, planted or relocated.

City of Los Angeles Tentative Map Requirements

The Tentative Tract Map filing guidelines issued by the Los Angeles Department of City Planning state that, in addition to protected trees (addressed above), other trees (generally nonnative) with a DBH of 12 inches or greater that are located within the proposed limits of disturbance be identified and mapped on a site plan, and that desirable “mature” trees be replaced at a 1:1 ratio.

Special Boundaries

San Pedro Local Coastal Program Specific Plan

The San Pedro Specific Plan and the San Pedro Coastal Land Use Plan (LUP) are components of the Local Coastal Program. Development in the coastal zone is subject to provisions of the 1976 California Coastal Act. The Specific Plan and the LUP protect, maintain, enhance, and restore the overall quality of the Coastal Zone environment while meeting a portion of the California Coastal Act. Public access,

recreational opportunities, and visual qualities are to be maximized. The primary objectives of LUP are: (1) ensure the preservation of sufficient open space lands to serve the recreational, environmental, educational, aesthetic, and psychological needs of the Community; (2) establish a system of open space buffers around the periphery of San Pedro which will provide a framework for the unique form and identity of the Community; and (3) identify and preserve ecologically important areas that will provide scientific and educational opportunities to study the coastal offshore environment of San Pedro. The boundaries are generally the western City boundary, 25th Street, Anchovy Avenue, Paseo Del Mar, Western Avenue, 25th Street, Pacific Avenue, 9th Street, Harbor Boulevard, and Crescent Avenue. The specific polices relating to open space and conservation are listed below in Table 4.3-4 (San Pedro Coastal Land Use Plan Open Space and Resource Conservation Policies Related to Biological Resources).

Table 4.3-4 Relevant San Pedro Coastal Land Use Plan Open Space and Resource Conservation Policies	
No.	Policy
Policy 1	Designated open space areas to be developed and maintained in accordance with the recreation and visual impact policies of the LUP.
Policy 2	The grading of natural terrain to permit development in hillside areas be minimized commensurate with densities designated by the LUP, the geological stability of the areas, and compatibility with adjoining land uses, the preservation of natural landforms and to ensure that the potential negative effects of runoff and erosion on environmentally sensitive marine resources are minimized.
Policy 3	The alteration of natural drainage patterns, canyons and water courses shall be minimized. When improvements are necessary to protect life and existing habitable structures, alteration of drainage courses shall use the least amount of landform alterations to protect the existing structures while maintain and riparian habitat.
Policy 4	Development be restricted on areas of known geologic hazard, unstable soil conditions or landslides.
Policy 5	Off shore oil drilling be strictly controlled in the immediate area off San Pedro so as to safeguard against oil spillage, prevent interference with shipping lanes, preserve the scenic value of the coastline, and protect ecologically important areas and designated wildlife refuges.
Policy 6	Regarding State Ecologically Important Areas, the LUP recognizes San Pedro's ecologically important areas as designated in the LUP. These areas, along with those identified in the Community Plan Map, and other areas that may be subsequently designated by the state Department of Fish and Game are considered Environmentally Sensitive Areas under Section 30107.5 of the Coastal Act and shall be preserved and protected from any significant degradation consistent with Sections 30230, 30231 and 30240 of the Coastal Act. The City shall seek protection and preservation of these resources through designation as state reserves, preserves, parks, or natural wildlife refuges.
Policy 7	Any new storm drain system shall not discharge in any way that could cause erosion of coastal bluffs. Any new storm drain system shall minimize impacts on tide pools and any other ecologically important areas identified between the projection of the terminus of 40 th Street and the City of Los Angeles-City of Rancho Palos Verdes border. The discharge from any new storm drain system shall be consistent with the National Pollutant Discharge Elimination System (NPDES) permit requirements for storm water discharges as set forth in Section 402 of the Clean Water Act.

SOURCE: Los Angeles Department of City Planning, *San Pedro Coastal Land Use Plan* (June 1991).

■ Proposed Plan Policies

The proposed plan includes several policies that are directly and indirectly related to biological resources and habitat conservation. These proposed plan policies are listed below in Table 4.4-5 (Proposed San Pedro Community Plan Policies).

Table 4.3-5 Proposed San Pedro Community Plan Policies	
<i>No.</i>	<i>Policy</i>
Policy CF6.1	Protect wildlife habitat. Preserve passive and visual open space that provides wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas, and a balance to the urban development of the community.
Policy CF6.2	Protect open space. Protect significant open space resources from environmental hazards.
Policy CF6.7	Regional coordination. The City and County should identify significant ecological areas and coastal areas containing ecological or scenic resources that should be preserved and protected within state reserves, preserves, parks, or natural wildlife refuges.

Consistency Analysis

The proposed plan and implementing ordinances would allocate land for the range of uses that the CPA will need through 2030, including land for housing, jobs, and recreation as well as improve the link between land use and transportation in a manner that is consistent with the City of Los Angeles GPF citywide growth strategy. The GPF is a long range, citywide, comprehensive growth strategy and a special element of the General Plan which plans for the future. Therefore, the GPF looks at the City as a whole and provides a citywide context within which community planning takes place. The GPF element neither overrides nor supersedes the Community Plans it guides the City’s long-range growth and development policy, establishing citywide standards, goals, policies and objectives for citywide elements and community plans. In addition to the City’s GPF elements, the proposed plan will also be consistent with the San Pedro Coastal Land Use Plan (LUP) and the San Pedro Specific Plan. Both of these document’s purposes and long-range policy direction are similar with the City’s GPF elements and policies in regards to open space and conservation. The Citywide elements provide long-range policy direction which takes into account citywide goals and needs which guide more detailed planning efforts including Specific Plans and Community and Neighborhood Plans.

The proposed plan and implementing ordinances’ contain goals, objectives, policies, and programs which the City would promote during the life span of the proposed plan and implementing ordinances. Open Space and Conservation goals of the GPF, LUP, and San Pedro Specific Plan are intended to promote and enhance the conservation and protection of natural resources and open space of neighborhoods by upgrading the quality of development and improving the quality of the public realm. The proposed plan and implementing ordinances would be consistent with the policies set forth in the Open Space and Conservation section of the City’s GPF document, the LUP, and the San Pedro Specific Plan. Therefore, the proposed plan would be consistent with applicable guidelines and regulations.

4.3.3 Project Impacts and Mitigation

■ Analytic Method

The criteria for determining significant impacts on biological resources were developed in accordance with CEQA Guidelines. CEQA Guidelines Section 15065(a) states that a project may have a significant effect on the environment if “the project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

reduce the number or restrict the range of an endangered, rare, or threatened species.” An evaluation of whether an impact on biological resources would be significant must consider both the resource itself and how that resource fits into a regional or local context. Significant impacts would be those that would diminish, or result in the loss of, an important biological resource or those that would obviously conflict with local, state, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally adverse, but not significant, because they would result in an adverse alteration of existing conditions, but they would not substantially diminish or result in the permanent loss of an important resource on a population- or region-wide basis.

The Los Angeles CEQA Thresholds Guide (2006) sets forth guidance for the determination of significance of aesthetic impacts. This guidance is based on Appendix G of the CEQA Guidelines and provides specific criteria to be considered when making a significance determination. In some cases, the Thresholds Guide includes quantitative thresholds. For purposes of this analysis, Thresholds Guide criteria are used, supplemented by the thresholds identified in Appendix G, where appropriate.

■ Thresholds of Significance

Implementation of the proposed plan may have a significant adverse impact on biological resources if it would:

- 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 Game or U.S. Fish and Wildlife Service
- Have 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 California Department of Fish and Game or U.S. Fish and Wildlife Service
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors such that chances for long-term survival of a sensitive species is adversely affect, or impede the use of native wildlife nursery sites
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan
- 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.

■ Effects Not Found to Be Significant

The proposed plan and implementing ordinances primarily propose changes to General Plan land use designations to create consistency between land use designations and existing development and would

not result in the significant addition of infrastructure. The proposed plan and implementing ordinances would primarily result in minor infrastructure improvements, development of vacant and undeveloped lands surrounded by existing development, and redevelopment of areas currently developed. Most sensitive biological resources and areas of potential habitat for sensitive species (e.g., coastal seabluft scrub) are located in the portions of the CPA that would not be impacted by projects under the proposed plan and implementing ordinances.

However, the proposed plan could result in an increase in residential density in urbanized portions of the CPA due to proposed zone changes that would accommodate a projected increase in population to 2030. There would also be an increase in commercial and industrial uses with full implementation of the proposed plan compared to existing conditions. The intensification of land use within urbanized areas could increase recreational use of open space areas and result in indirect impacts to sensitive biological resources. Potential biological impacts resulting from such projects would be addressed on a project-by-project basis through environmental review and compliance with existing local policies, and federal and state environmental regulations. As part of this review process, projects must be designed to minimize impacts to biological resources, such as increased noise, light, and the potential introduction of exotic plant species.

Some areas within the CPA have the potential or are known to support sensitive plant and animal species and sensitive habitats that are protected under the Conservation Element and Framework Element of the General Plan. Projects resulting from the proposed plan and implementing ordinances could result in impacts to sensitive resources protected by local policies and ordinances. Specifically, development and infrastructure projects could result in the loss of protected trees within the CPA, including any native species of oak (with the exception of scrub oak), Southern California black walnut, California bay laurel, and western sycamore.

All projects subject to discretionary approval would be required to undergo environmental review. This review would include evaluation of sensitive resources pursuant to General Plan policies protecting biological resources. All trees over 12" DBH are protected by City ordinance (whether native or nonnative) and under the City's standard mitigation measures (as of March 26, 2009), a bond must be posted to guarantee the survival of the newly planted trees to assure the existence of continuously living trees for a minimum of three years from the date the bond was posted or the trees were replaced, planted or relocated. For project sites containing trees, prior to the issuance of a grading permit or building permit, the project applicant would be required to submit a tree report (arborists report) and landscape plan prepared by a Municipal Code-designated tree expert as designated by Ordinance No. 153,478, for approval by the City planning staff and the Urban Forestry Division of the Bureau of Street Services. The project applicant would be required to comply with mitigation set forth in required Conditions of Approval which would ensure that the project would not conflict with the City's Protected Tree Ordinance. Protected native tree species would be replaced at a minimum two to one (2:1) ratio with a minimum of 48-inch box size tree (if available) sufficient to replace the removed tree's crown and all trees over 12-inch DBH (whether native or nonnative) would require a 1:1 replacement ratio with a minimum of 24-inch box size tree.

Therefore, projects subject to discretionary approval that could occur under the proposed plan and implementing ordinances would require environmental review and compliance with local policies and

ordinances (such as the Conservation Element of the City's General Plan or the City's Protected Tree Ordinance). Implementation of the proposed plan and implementing ordinances would not conflict with any local polices, ordinances, or Habitat Conservation Plans protecting biological resources.

Projects under the proposed plan and implementing ordinances would be required to be consistent with the Conservation Element and GPF encouraging the protection of sensitive habitats and species and the conservation and enhancement of hillsides, open space, canyons, and natural communities. In addition, all projects would be required to comply with federal, state, and local regulatory permit terms and conditions, which would offset any impacts to biological resources. Therefore, because such projects would be in compliance with existing local policies and federal and state environmental laws and regulations, and terms and conditions of issued permits associated with implementation of the proposed plan, there is *no impact*.

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans applicable to the San Pedro CPA. There is *no impact*.

The USACE regulates the discharge of dredged or fill material into waters of the United States, including wetlands, while CDFG and State Water Board regulate impacts to Waters of the State, including riparian habitat, streambeds, and wetlands. As previously discussed, potentially jurisdictional waters of the U.S. and wetlands could be located in the CPA, particularly within the open space areas in the northern and southwestern portions of the CPA. These open space areas would not undergo any changes in land use designation as a result of the proposed plan and implementing ordinances. Furthermore, the proposed plan and implementing ordinances are not expected to result in indirect adverse impacts potentially jurisdictional waters of the U.S. and wetlands resulting from development and infrastructure projects in the vicinity of conserved open space areas (refer to Figure 3-4). However, development and infrastructure projects that could occur under the proposed plan and implementing ordinances have the potential to adversely impact federally and state-protected wetlands and waters that could be present on vacant and undeveloped lands within the targeted change areas. Furthermore, redevelopment and expansion of residential, commercial, and industrial uses within the CPA could result in indirect impacts to existing potentially jurisdictional waters of the U.S and wetlands.

General Plan Framework Policy 6.1.4 calls for the conservation and management of undeveloped portions of the City's watersheds to protect, conserve, and enhance natural resources. In addition, GPF Policy 6.1.5 provides for an on-site evaluation of sites located outside of targeted growth areas for the identification of sensitive habitats, which could include wetlands and waters of the U.S. or waters of the state. Other policies, while not specifically mentioning wetlands or jurisdictional areas, do call for the evaluation, avoidance, and protection of impacts to sensitive animal and plant species (Conservation Element Policies Endangered Species [Policies 1, 2, and 3] and Habitats [Policies 1, 2, 3, and 4]) that would also protect wetlands and waters of the U.S. or waters of the state.

In addition to the existing policies described above, environmental review would be required under CEQA for any project that could adversely impact an area that supports any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the USACE, CDFG, or State Water Board. If adverse impacts do occur, no net loss of wetland functions or

values would generally be permitted by federal and state resource agencies. Projects resulting from the proposed plan and implementing ordinances would be required to avoid adverse impacts to waters and wetlands to the greatest extent possible. Prior to project development, a delineation of jurisdictional features (i.e., Waters of the U.S. and Waters of the State) would be required. This jurisdictional delineation study would be submitted to all applicable state and federal agencies for review, approval, and verification. In addition, project applicants would also be required to seek formal authorization (i.e., permits) for impacts to federally protected wetlands as defined by CWA Section 404 and Section 401 by the USACE and State Water Board, and streambeds or riparian habitat protected by CDFG Code 1602 (Lake and Streambed Alteration Program). Impact avoidance and minimization mitigation measures would be included as regulatory permit terms and conditions. In addition, compensatory mitigation for losses of jurisdictional waters, wetlands, or riparian habitat would be required. Such mitigation could include restoration of a wetland, creek, or riparian area in the project site vicinity, purchase of mitigation credits through an approved local mitigation bank, or payment of an in-lieu fee, and must be approved by federal and state agencies. In addition, state and federal resource agencies would require that a mitigation plan be prepared that demonstrates that the proposed compensatory mitigation is equivalent or superior to existing jurisdictional features.

Because individual projects would undergo environmental review under CEQA and would be subject to the regulatory permitting process, including wetland mitigation, as required under federal and state regulations (i.e. CWA section 404 and Section 401, CDFG 1602), this compliance would eliminate impacts related to protected wetlands and waters. There is *no impact*.

■ Less-Than-Significant Impacts

Impact 4.3-1 **Implementation of the proposed plan would not 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 Game or U.S. Fish and Wildlife Service. This impact is *less than significant*.**

Though the majority of the CPA currently includes residential, industrial, commercial, and other urban development, some natural habitat areas still exist. These habitats are located primarily in open space areas located within the southern portion of the CPA (i.e., White Point Park, Royal Palms State Beach, and Point Fermin Park), and support coastal sea bluff scrub, coastal sage scrub, and annual grassland habitats. Such habitats have the potential or are known to currently or historically support sensitive plant and animal species listed in Table 4.3-1 and Table 4.3-2 and shown in Figure 4.3-1, above.

As previously discussed in Chapter 3 and shown in Figure 3-4 (Proposed Land Use Changes) of this Draft EIR, the majority of the land use changes proposed by the proposed plan and implementing ordinances consist of zone changes and General Plan amendments to create consistency with GPF Land Use designations. Targeted change areas are located primarily in the eastern portion of the CPA along North Gaffey Street, South Pacific Avenue, and South Harbor Boulevard, with smaller change areas distributed throughout the CPA. No major changes in land use patterns would occur on lands within the open space areas beyond the existing limits of urban development. Therefore, the proposed plan and

implementing ordinances would not impact sensitive species, such as the federally threatened Coastal California Gnatcatcher or special-status plants potentially occurring in coastal sagebrush or coastal seabluff scrub habitats along the Palos Verdes Peninsula.

The proposed plan and implementing ordinances could result in some development or infrastructure projects on vacant and undeveloped parcels within the existing limits of urban development. Such projects are not expected to result in adverse impacts, either directly or through habitat modifications, to sensitive plant and animal species listed in Table 4.3-1 and Table 4.3-2. However, construction activities associated with potential discretionary projects in these areas could adversely impact nonstatus nesting birds, which are protected by the MBTA and California Fish and Game Code (refer to Regulatory Framework), by removal or destruction of an active nest (defined as a nest with eggs or young being attended by one or more adults) or direct mortality or injury of individual birds. However, as required by the MBTA and California Fish and Game Code Sections 3503 and 3513, construction activities from proposed discretionary projects would either be required to take place outside of the breeding bird season (which generally runs from March 1 through August 31 [as early as February 1 for raptors]) or the Applicant would be required to retain a qualified biologist to conduct weekly bird surveys to detect any protected birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The individual developers would submit the results of the protective measures described above to the City in order to document compliance with applicable federal and state laws pertaining to the protection of nesting birds.

Any discretionary projects proposed under the CPA and implementing ordinances would be subject to environmental review under CEQA. As part of the environmental review process, surveys for sensitive plant or animal species as required by federal, state, and local regulations would be undertaken when suitable habitat for such species is present to minimize potential adverse impacts to these species. In addition, existing GPF and Conservation Element policies would also help avoid and minimize potential adverse impacts to sensitive species. Conservation Element policies related to Endangered Species (Policies 1, 2, and 3) and Habitats (Policies 3 and 4) call for the evaluation, avoidance, and protection of impacts to sensitive plant and wildlife species. GPF Policy 6.1.5 provides for an on-site evaluation of sites located outside of targeted growth areas for the identification of sensitive species, with specific emphasis on the evaluation of areas identified on the Biological Resource Maps contained in the Framework Element's Technical Background Report and Environmental Impact Report.

In addition to the environmental review process, any discretionary projects proposed under the proposed plan and implementing ordinances that are undertaken in areas containing sensitive plant and animal species would be required to coordinate project design and implementation with federal and state resource agencies in order to minimize adverse affects to special-status species. Project permitting and approval would require compliance with FESA and CESA for any plant or animal species listed, or a candidate for listing as federal or state endangered or threatened. If a federal agency is involved with a proposed action or project that could adversely impact a federally listed species, the agency must consult with the USFWS under Section 7(a)(2) of the FESA. For projects that do not require formal authorization, permitting, or funding from a federal agency but that could result in the "take" of listed species or candidate species, the project applicant would be required to apply to the USFWS for a Section 10(a) incidental take permit. Similarly, applicants for proposed projects that could have an

adverse impact on any state-listed endangered, threatened, rare, or candidate species would be required to secure a permit from CDFG before the proposed project would proceed.

Therefore, compliance with federal, state, and local regulations and compliance with any terms and conditions within those permits, issued by the state or federal resource agencies, are designed to offset impacts to sensitive plant and wildlife species and their habitats would reduce adverse effects on sensitive species. This impact is considered *less than significant*, and no mitigation is required.

Impact 4.3-2 The proposed plan would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. This impact is *less than significant*.

One sensitive natural community, Coastal Seabluff Scrub, is recorded along the southern boundary (coastal cliff areas) of the CPA. In addition, sensitive wetland and water habitats could be present in the northern portion of the CPA within Peck's Park, Rena Park, and Leland Park, and the southwestern portion of the CPA in Friendship Park, Bogdanovich Park, and Averill Park (refer to Jurisdictional Wetlands and Waters, below). As previously discussed, with the exception of some changes to land use designations to create consistency between the GPF Land Use designations and the CPA and implementing ordinances, no major changes in land use patterns would occur in these areas of the CPA. Therefore, sensitive communities and riparian habitats that have the potential or are known to occur in the CPA occur in areas where no development projects are anticipated. Furthermore, the proposed plan and implementing ordinances are not expected to result in indirect adverse impacts to sensitive communities, or special status species habitat, resulting from development and infrastructure projects in the vicinity of conserved open space areas (refer to Figure 3-4).

Under the Conservation Element, Habitat Policies 1 through 4 underline the importance of identifying sensitive habitat areas, and protecting, restoring, and enhancing these resources. GPF Objective 6.1 calls for the protection of the City's natural settings from encroachment of urban development. General Plan Framework Policy 6.1.5 provides for an on-site evaluation of sites located outside of targeted growth areas for the identification of sensitive habitats, with specific emphasis on the evaluation of areas identified on the Biological Resource Maps contained in the Framework Element's Technical Background Report and Environmental Impact Report. Environmental review would also be required under CEQA for any project that could impact an area that supports any riparian habitat, special status species habitat, or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by CDFG or USFWS.

Compliance with federal, state, and local regulations, and the existing General Plan policies and goals, are designed to protect sensitive natural communities and special status species and/or their habitat. The impact is *less than significant*.

Impact 4.3-3 The proposed plan would not 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. This impact is *less than significant*.

Considerable residential, industrial, and other urban development exists within the CPA, such that the remnant habitats on vacant and undeveloped lands within the CPA have become islands of habitat. Most

wildlife movement within the CPA is limited to the open space areas occupying lands within the City parks and along the coastal bluffs, although movement between these areas and regional open space lands is likely very restricted due to the lack of physical linkages and existing barriers. The parks and coastal bluffs would remain open space and no substantial changes in land use patterns are proposed as a result of the proposed plan and implementing ordinances.

Areas where development and infrastructure projects are likely to occur as a result of the proposed plan and implementing ordinances are primarily in the eastern portion of the CPA, with smaller change areas distributed throughout the CPA. These areas are currently developed with residential, industrial, and commercial uses and are densely populated; therefore, these portions of the CPA do not act as a major wildlife corridors or native wildlife nursery sites, movement pathways, or linkages between large habitat areas for terrestrial wildlife. Impacts to wildlife movement resulting from the proposed plan and implementing ordinances would be limited to small, fragmented areas that are isolated by urban development and would be expected to support common wildlife species that are adapted to highly urbanized areas.

Environmental review would be required under CEQA for any discretionary project that could impact movement of native resident or migratory wildlife species or impeded the use of native wildlife nursery sites. Compliance with federal and state regulations related to the protection of migratory fish and wildlife species, and compliance with General Plan policies that protect wildlife habitat linkages and corridors (Conservation Element, Habitat Policies 1 and 2 and GPF, Policies 6.1.2 and 6.1.5), would ensure this impact remains *less than significant*.

■ Significant and Unavoidable Impacts

There are no significant and unavoidable impacts with regard to biological resources.

■ Mitigation Measures

Development under the proposed plan would comply with all local, State, and federal regulations pertaining to the protection of sensitive or migratory species. In addition, all discretionary projects are subject to environmental review and standard mitigation measures are applied as part of the conditions of approval for the project.

■ Level of Significance After Mitigation

With implementation of the described conditions of approval, all impacts related to biological resources would be reduced to *less than significant*.

4.3.4 Cumulative Impacts

Unless otherwise identified below, the geographic context for the analysis of cumulative biological impacts includes the “Region” as defined by the Los Angeles Basin, including Los Angeles and Orange counties. The Los Angeles Basin is the coastal sediment-filled plain located between the Peninsular and Transverse ranges in southern California containing the central part of the city of Los Angeles as well as its southern and southeastern suburbs (both in Los Angeles and Orange counties). It is approximately

35 miles long and 15 miles wide, bounded on the north by the Santa Monica Mountains and Puente Hills, and on the east and south by the Santa Ana Mountains and San Joaquin Hills. The Palos Verdes Peninsula, marks the outer edge of the basin along the coast. The confluence of the Los Angeles and Rio Hondo rivers is the center of the basin. The analysis accounts for all anticipated cumulative growth within this geographic area as represented by full implementation of the Los Angeles General Plan for the identified areas as well as the San Pedro Community Plan.

Cumulative impacts are only addressed for those thresholds that have a project-related impact, whether it is less than significant, potentially significant, or significant and unavoidable. If “no impact” occurs, no cumulative analysis is provided for that threshold.

Past development in the Los Angeles Basin, as it has intensified, has continued to interfere with the movement of native resident wildlife species, as movement corridors have continued to shrink or be obstructed. This is a significant impact to these species. Future development in open areas could exacerbate this condition, although, since the City of Los Angeles is built-out and a dense urban area, the likelihood of additional corridor fragmentation or obstruction is remote. The proposed plan would concentrate future development as infill in established urban areas and would not encroach upon any open space. These areas are currently developed with residential, industrial, and commercial uses and are densely populated; therefore, these portions of the CPA do not act as a major wildlife corridors or native wildlife nursery sites, movement pathways, or linkages between large habitat areas for terrestrial wildlife. Impacts to wildlife movement resulting from the proposed plan and implementing ordinances would be limited to small, fragmented areas that are isolated by urban development and would be expected to support common wildlife species that are adapted to highly urbanized areas. The proposed plan would not make a cumulatively considerable contribution to interference with wildlife movement, and the cumulative impact is *less than significant*.

Over several decades in the region, past projects, mostly urbanization and development have caused the loss of native vegetation and tree removal, and the reduction of open space. As a result, there is less habitat available for nesting resident and migratory avian species and sensitive wildlife species. As development in the City of Los Angeles and the region continues, sensitive wildlife species native to the Region and their habitat, including those species listed under state and federal ESAs and those individuals identified by state and federal resource agencies as Species of Concern, Fully Protected, or Sensitive, will be lost through conversion of existing open space to urban development. Although more mobile species might be able to survive these changes in their environment by moving to new areas, less mobile species could simply be locally extirpated. With continued conversion of natural habitat to human use, the availability and accessibility of remaining foraging and natural habitats in this ecosystem would dwindle and those remaining natural areas may not be able to support additional plant or animal populations above their current carrying capacities. Thus, the conversion of plant and wildlife habitat on a regional level as a result of cumulative development would result in a regional significant cumulative impact on special status species and their habitats, including nesting resident and migratory avian species.

With respect to nesting birds, the MBTA fully protects migratory avian species, including sensitive species, during the breeding season by the establishment of a federal prohibition. Unless otherwise permitted by regulations, it is unlawful to “pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be

shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention ... for the protection of migratory birds ... or any part, nest, or egg of any such bird.” (16 U.S.C. 703). Therefore, assuming that other development complies with the law established by the MBTA, cumulative impacts to nesting migratory birds, would be considered less than significant. Further, compliance by the project proponent or developer with the MBTA, which could include mitigation measures requiring surveys for nesting MBTA species and a restriction on construction activities if nests are found during the breeding season, would ensure that the plan’s contribution to the cumulative impact would not be cumulatively considerable and would be considered *less than significant*.

The primary effects of the proposed plan, when considered with other projects in the Region (as defined above), would be the potential cumulative direct loss to nesting resident and migratory bird species. Specifically, present and probable future projects in the vicinity of the proposed plan are anticipated to permanently remove vegetation and/or tree resources that could affect nesting habitat for resident and migratory avian species, and/or local policies or ordinances protecting biological resources.

Development pursuant to the San Pedro Community Plan could contribute to a loss of regional biodiversity through the incremental conversion of habitat for plant and wildlife to human use, and thus limit the availability and accessibility of remaining natural habitats to regional wildlife. However, terrestrial plant and wildlife habitat in the project site has been highly modified and, is of relatively low quality due to its level of disturbance and low species diversity due to the highly urbanized nature of the area.

In addition, the habitat available in the project site is small from a regional perspective and, is isolated from native natural habitat by urban development. In addition, the proposed plan would implement mitigation measures specifically designed to avoid, reduce, or mitigate impacts to special status/sensitive species and/or their habitat. Implementation of mitigation measures from discretionary projects would require surveys for nesting resident and migratory birds and restrictions on construction activities if nests are found during the breeding season, mitigation measures will provide mechanisms to identify any sensitive species potentially occurring, prior to ground disturbance and require mitigation that would reduce impacts to species through impact avoidance. Therefore, implementation of discretionary project mitigation measures, in combination with compliance with state and federal ESAs and the *Fish and Game Code* of California would reduce the proposed plan’s cumulative contribution to resident and migratory bird species and sensitive species to *less-than-significant* levels.

Past cumulative development in the Los Angeles Basin has led to a diminution of riparian habitat and sensitive natural communities. Future cumulative development could further exacerbate this significant adverse effect. As previously discussed, no major changes in land use patterns would occur in these areas of the CPA. Therefore, sensitive communities and riparian habitats that have the potential or are known to occur in the CPA occur in areas where no development projects are anticipated. Furthermore, the proposed plan and implementing ordinances are not expected to result in indirect adverse impacts to sensitive communities or riparian habitat, resulting from development and infrastructure projects in the vicinity of conserved open space areas. Implementation of standard mitigation measures for discretionary projects and compliance with existing policies would reduce any adverse impact from the plan.

Therefore, the proposed plan would not make a cumulatively considerable contribution to the significant impact. The cumulative impact of the proposed plan is *less than significant*.

4.3.5 References

- Beir, P., and S. Loe. "In My Experience: A Checklist for Evaluating Impacts to Wildlife Movement Corridors." *Wildlife Society Bulletin* 20(4): 434–440, winter 1992.
- California Department of Fish and Game. California Natural Diversity Database Rarefind [CD-ROM]. Sacramento, CA: Wildlife Habitat Data Analysis Branch, 2010.
- . California Interagency Wildlife Task Group. CWHR version 8.1 personal computer program. Sacramento, CA, 2005.
- . Environmental Services Division. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600–1607, California Fish and Game Code*, 1994.
- . Fish and Game Commission. *California Fish and Game Code*, January 1, 1998.
- California Native Plant Society. *Inventory of Rare and Endangered Plants* (online edition). Sacramento, CA, 2010. <http://cnps.org/inventory>.
- Davis, F.W., D.M. Stoms, A.D. Hollander, K.A. Thomas, P.A. Stine, D. Odion, M.I. Borchert, J.H. Thorne, M.V. Gray, R.E. Walker, K. Warner, and J. Graae. *The California Gap Analysis Project—Final Report*. Santa Barbara: University of California, 1998.
http://www.biogeog.ucsb.edu/projects/gap/gap_rep.html.
- Los Angeles City Planning Department. *General Plan of the City of Los Angeles*. Conservation Element, adopted September 26, 2001.
- . *San Pedro New Community Plan*. 2009.
- . *The Citywide General Plan Framework: An Element of the City of Los Angeles General Plan*. CPC 94-0354 GPF CF 95-2259 CF 01-1162, adopted August 8, 2001. <http://cityplanning.lacity.org>.
- McEuen, A. *The Wildlife Corridor Controversy: A Review*. *Endangered Species Update* Vol. 10, Nos. 11 and 12, September/October 1993.
- U.S. Fish and Wildlife Service. *List of Federal Endangered and Threatened Species that Occur in or May Be Affected by Projects in the San Pedro, Long Beach, Torrance, and Redondo Beach USGS 7.5-Minute Quadrangles*. Sacramento, CA: Sacramento Fish and Wildlife Field Office, 2010.
http://www.fws.gov/sacramento/es/spp_lists/QuadNameLookup_Search.cfm.

