Section 4.2
Biological Resources

4.2.1 Introduction

This section provides an overview of biological resources within the project area and evaluates the effects of the Proposed Project on biological resources during construction and operation. The section is organized as follows:

- **Regulatory Framework** describes the applicable federal, state, and local laws and guidelines relative to biological resources.
- **Existing Setting** provides a general summary and overview of biological resources within the project area.
- **Methodology** describes the approach used to evaluate project impacts
- **Thresholds of Significance** lists the thresholds used in determining significant impacts as identified in Appendix G of the State CEQA Guidelines and the City of Los Angeles CEQA Thresholds Guidelines.
- **Impacts and Mitigation Measures** discusses the effects of the implementation of the Proposed Project on existing biological resources. Mitigation measures are identified as necessary and feasible to reduce significant impacts. The **Significance of Impacts After Mitigation** discussion identifies residual impacts after application of mitigation measures.

As discussed in the Notice of Preparation, provided in Appendix C, *Notice of Preparation/Scoping*, any potential tree removal/replacement would occur in accordance with the Los Angeles Municipal Code, including the Native Tree Protection Ordinance No. 177,404, and the recommendations of the Department of Public Works Urban Forestry Division, and thus no conflict with local policies or ordinances protecting biological resources would occur. Further, there are no County Habitat Conservation Plans (HCP) or Natural Community Conservation Plans (NCCP) within the project area. Therefore, impacts related to conflicts with local policies or ordinances protecting biological resources and adopted habitat conservation plans, natural community conservation plans or other adopted local, regional, or state habitat conservation plans do not require analysis in the EIR and are not addressed herein.

4.2.2 Regulatory Framework

4.2.2.1 Federal

Federal Endangered Species Act

The Federal Endangered Species Act (ESA) of 1973, as amended, protects species listed as endangered or threatened. The ESA also regulates actions that would modify or degrade habitat to an extent that would significantly impair essential activities of listed species (breeding, feeding, and shelter). The U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) administer the ESA. Section 7 of the ESA requires federal agencies to aid in the conservation of listed species, and to ensure that federal agencies that undertake projects or issue permits will not

jeopardize the continued existence of listed species or adversely modify designated critical habitat. The law also prohibits actions that cause a "taking" of any listed species of endangered fish or wildlife.

Federal Clean Water Act

The federal Clean Water Act (CWA) (33 United States Code [USC] Section 1344) is the primary law regulating wetlands and waters. Section 404 (b) prohibits the discharge of dredged or fill materials into the waters of the United States, including wetlands, except as permitted under separate regulations by the U. S. Army Corps of Engineers (USACE) and U. S. Environmental Protection Agency (USEPA).

Under Section 404 of the CWA, the USACE regulates discharges of dredged or fill material into "Waters of the United States," including wetlands. "Waters of the United States" includes all waters which are currently used, or were used in the past, or may be susceptible to use, in interstate or foreign commerce; all interstate waters including interstate wetlands; all other waters such as intrastate lakes, rivers, streams (including intermittent streams), the use, degradation, or destruction of which could affect interstate or foreign commerce; and impoundment of waters otherwise defined as Waters of the U. S. under the definition; and tributaries of waters defined previously.

Rivers and Harbors Act

The Rivers and Harbors Appropriation Act of 1899 (33 USC 403), commonly known as the Rivers and Harbors Act, prohibits the construction of any bridge, dam, dike, or causeway over or in navigable waterways of the United States without congressional approval. Section 10 requires authorization from the USACE for the construction of any structure in or over any navigable water of the U.S. The law applies to any dredging or disposal of dredged materials, excavation, filling, rechannelization, or any other modification of a navigable water of the U.S., and applies to all structures.

Section 14 of the Rivers and Harbors Act, codified in 33 USC 408 (commonly referred to as "Section 408") authorizes the USACE to grant permission for the alteration or occupation or use of a USACE civil works project if it is determined that the activity will not be injurious to the public interest and will not impair the usefulness of the project.

Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (16 USC Sections 703-711) protects most native bird species from destruction or harm, including the non-permitted take of migratory birds under authority of the USFWS and the California Department of Fish and Wildlife (CDFW). This protection extends to individuals as well as any part, nest, or eggs of any bird listed as "migratory." Nearly all native North American bird species are on the MBTA list. The MBTA decrees that all migratory birds and their parts (including eggs, nests and feathers) are fully protected. Under the act, taking, killing, or possessing migratory birds is unlawful. Activities that would result in an impact to migratory birds include, but are not limited to, the destruction of migratory bird nesting habitat during the nesting season when eggs or young are likely to be present. Under the Act, surveys are required to determine if nests will be disturbed and, if so, a buffer area with a specified radius around the nest must be established so that no disturbance or intrusion occurs until the young have fledged and left the nest. The size of the buffer area varies with species and local circumstances (e.g., presence of busy roads), and is based on the professional judgment of the monitoring biologist, in coordination with CDFW.

Executive Order for Wetland Protection 11990

Executive Order for Wetland Protection 11990 (EO 11990) regulates the activities of federal agencies with regard to wetlands. EO 11990 states that a federal agency, such as the Federal Highway Administration, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to the construction, and (2) the proposed project includes all practicable measures to minimize harm.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act of 1994, as amended, (16 USC Section 661-667e) requires that whenever waters or a 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 (i.e., CDFW) where construction would occur, relative 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.

4.2.2.2 State

California Endangered Species Act

Sections 2050 through 2089 of the California Fish and Game Code comprise the California Endangered Species Act (CESA). The CDFW is responsible for the administration of CESA. Unlike the federal Endangered Species Act, there are no state agency consultation procedures under the California Endangered Species Act. For projects that affect both a state- and federally-listed species, compliance with the federal ESA will satisfy the CESA if CDFW determines that the federal incidental take authorization is "consistent" with CESA. Projects that result in a take of a listed species require a take permit under CESA. CESA protection extends to species proposed for listing (i.e., candidate species) in some circumstances. The federal and/or state acts also lend protection to species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or den locations, communal roosts, and other essential habitat.

Migratory Bird Protection

Section 3500 of the California Fish and Game Code is analogous to the federal MBTA. Specifically, sections 3500 through 3705 prohibit the taking of nesting birds, their nests, eggs, or any portion thereof during the nesting season. Typically, the breeding/nesting season is from February 15 through August 30.[18] Depending on each year's seasonal factors, the breeding season can start earlier and/or end later.

Wetland Regulation

At the state level, wetlands and waters are regulated primarily by the CDFW and the Regional Water Quality Control Boards (RWQCBs). The RWQCBs were established under the Porter Cologne Water Quality Control Act to oversee water quality. The RWQCB also issues water quality certifications in compliance with Section 401 of CWA. Section 401 requires states to certify that any action subject to a permit issued by a federal agency, such as a Section 404 permit issued by the USACE, meets all state water quality standards. Sections 1600 through 1607 of the California Fish and Game Code (CFGC)

[18] The nesting season varies according to species, but is generally February 15 through August 15 for most birds and January 31 through August 31 for raptors.

require any agency that proposes a project that will substantially divert or obstruct the natural flow of, or substantially change the bed or bank of, a river, stream, or lake to notify the CDFW before beginning construction. If the CDFW determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement is required. CDFW jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the USACE may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the CDFW.

California Coastal Act

The California Coastal Act is implemented by the California Coastal Commission, which works in partnership with local governments to protect shoreline public access and recreation, terrestrial and marine habitats, views of the coast and scenic coastal areas, and other coastal resources. Development within the coastal zone is subject to permitting through issuance of a Coastal Development Permit by the California Coastal Commission and/or the Local Coastal Program.

4.2.2.3 Local

Urban Forestry Division

The City of Los Angeles Department of Public Works includes an Urban Forestry Division responsible for developing policies for a reforestation program for City parks. The Recreation and Parks Tree Preservation Policy is the primary regulatory tool that gives direction for orderly protection of specified trees, maintains their value, and avoids significant negative impact to the ecosystem.

Native Tree Protection Ordinance

The City of Los Angeles enacted an oak tree protection ordinance in 1982 to protect oak trees in the City. Although the ordinance slowed the oak tree decline, the oak population, as well as that of other native tree species, continued to decline. In an effort to further slow the decline of native tree habitat, the City passed an amended Native Tree Protection Ordinance (Ordinance No. 177,404), which became law on April 23, 2006. The Native Tree Protection Ordinance protects all native oak tree species (*Quercus spp*), California Sycamore (*Platanus racemosa*) (also known as western sycamore), California Bay (*Umbellularia californica*), and California Black Walnut (*Juglans californica*) measuring 4 inches or more in cumulative diameter, 4 1/2 feet above the ground level at the base of the tree.

The removal of protected trees requires a removal permit by the Board of Public Works. Any act that may cause the failure or death of a protected tree requires inspection by the City's Department of Public Works (DPW), Bureau of Street Services, and Urban Forestry Division. Although the law does not require a permit for the pruning of protected trees, the City recommends consultation with a registered consulting arborist or certified arborist prior to the pruning of protected trees (City of Los Angeles DPW, 2015).

Heritage Trees

The City of Los Angeles has identified a collection of trees with historical, commemorative, or horticultural significance. The list of designated Heritage trees remains open for new designations and the Department of Parks and Recreation is responsible for the maintenance and protection of these trees.

City of Los Angeles Conservation Element

The City's General Plan is a comprehensive declaration of purposes, policies, and programs for the development of the City of Los Angeles. The Citywide General Plan Framework Element (Framework Element) establishes the overall policy and direction for the General Plan (City of Los Angeles, 2001). It includes a long-range strategy to guide the comprehensive update for the General Plan's other elements. Chapter 6, Open Space and Conservation, of the Framework Element includes goals, objectives, and policies for the provision, management, and conservation of the City's open space resources, including Sensitive Ecological Areas (SEAs), as identified by the County of Los Angeles, wildlife corridors, and natural animal ranges. The Conservation Element of the General Plan addresses endangered species, habitats, wildlife corridors, and wetlands occurring in the City and identifies policies intended to protect, restore, and enhance these biological resources. Goals, objectives, and policies from the Framework and Conservation Elements related to biological resources and relevant to the Proposed Project are listed below in **Table 4.2-1**.

4.2.3 Existing Setting

The project area is a highly developed area in the western portion of the City of Los Angeles, consisting primarily of commercial, residential, office, and industrial development. The project area is also generally surrounded by dense urban development, with the exception of the northern WLA TIMP boundary located at the foothills of the Santa Monica Mountains and the western CTCSP boundary located along the Santa Monica Bay. The proposed transportation improvements would occur within this urbanized setting, primarily along existing rights-of-way (e.g., roadways and sidewalks) that have limited, if any, biological resources. However, throughout the project area, some plant and animal habitat does exist. These habitats are confined to open space areas that are generally surrounded by urban development. Examples include the Ballona Wetlands, Penmar Golf Course, Cheviot Hills Park, and several undeveloped areas on the federal property in the unincorporated area of Sawtelle, including the Los Angeles National Cemetery.

Habitats are areas that support the survival of wild animals and native plants, including native plant environments and trees that serve as stopovers and nesting places for migratory birds. Habitat types within the project area include: inland habitats, wildlife corridors, coastal wetlands, sandy beaches, and SEAs. Inland habitats are natural or artificially created refuges or water bodies that provide habitats for resident species or stopovers for migratory birds. Inland habitats include undeveloped areas, park and open space areas, and other areas with extensive natural or introduced vegetation. Wildlife corridors are land segments that connect two or more large habitat areas and provide a habitat for movement between those areas. Wetlands are transitional lands between water and land systems where the water table is usually at or near the surface, or the land is covered by shallow water. Sandy beaches are located along the Santa Monica Bay. They are relatively unstable habitats due to daily sand movement associated with waves, currents, wind, and seasonal cycles of sand movement.

Table 4.2-1 Relevant General Plan Biological Resources Goals, Objectives, and Policies

Goal/ Objective/ Policy	Goal/Objective/Policy Description
Framework Element – Chapter 6 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: 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 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.
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.
Conservation Element – Habitats	
Policy 1	Continue to identify significant habitat areas, corridors and buffers and to take measures to protect, enhance and/or restore them.
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.

Source: City of Los Angeles, 2001.

SEAs are significant habitats identified by Los Angeles County as important for the preservation and maintenance of biodiversity. Los Angeles County defines SEAs as ecologically important land and water systems that support valuable habitat for plants and animals, and are often integral to the preservation of rare, threatened, or endangered species and the conservation of biological diversity in the county. These areas are classified as one or more of the following: (1) habitats for rare and endangered species of plants and animals, (2) restricted natural communities - ecological areas that are scarce on a regional basis, (3) habitats restricted in distribution in the county, (4) breeding or nesting grounds, (5) unusual biotic communities, (6) sites with critical wildlife and fish value, and (7) relatively undisturbed habitats. As shown on **Figure 4.2-1**, there are two SEAs located within the project area boundaries - the Ballona Wetlands and the El Segundo Dunes. The Ballona Wetlands is also part of the California Audubon-designated Ballona Wetlands State Important Bird Area and the El Segundo Dunes has been designated as an ecologically significant habitat area (ESHA) pursuant to Section 30240 of the California Coastal Act.

Given that the project area is within the highly urbanized City of Los Angeles, and that the proposed transportation improvements would primarily occur within existing rights-of-way, habitat suitable to support special-status species in the vicinity of the proposed transportation improvements is limited. Habitat in the immediate vicinity of the proposed transportation improvements includes the Ballona Wetlands SEA (discussed in greater detail below), including a portion of the Ballona Creek flood control channel, and parks and other recreational facilities (such as golf courses). Parks and golf courses, located throughout the project area as shown on Figure 4.2-1, generally have ornamental landscaping, such as introduced or nonnative trees, shrubs, flowers, and turf grass, with little or no biological value. The project area also has street trees that may support migratory birds, and pockets of ornamental landscaping that occur within and adjacent to existing right-of-ways. No proposed transportation improvements would occur within 200 feet of the El Segundo Dunes or the project area's sandy beaches and, therefore, these areas are not discussed further.

4.2.3.1 Ballona Wetlands Ecological Reserve

The Ballona Wetlands Ecological Reserve (BWER) is one of only two remaining coastal wetland areas bordering Santa Monica Bay and includes native and non-native vegetation. Vegetation communities include salt and freshwater marshes and southern willow scrub. A 10-acre freshwater marsh has been restored in the BWER, which supports emergent marsh dominated by cattail and bulrush, and perimeter riparian vegetation dominated by willows and mulefat (*Baccharis salicifolia*). Additional willow woodlands are present along undeveloped areas in lower Ballona Creek, and fragmented and degraded areas of salt and brackish marsh are present in the remaining coastal marsh (City of Los Angeles DPW/ Department of Water and Power [DWP], 2006). Dominant plant species in salt marsh areas include pickleweed (Salicornia spp.) and alkali heath (Frankenia sp.) (City of Los Angeles DPW/DWP, 2006). The BWER provides high-quality habitat for a variety of wildlife species and also have the potential to support sensitive plant species. Endangered and threatened species known to occur at the BWER include the California least tern (*Sterna antillarum browni*) and Belding's savannah sparrow (*Passerculus sandwichensis beldingi*). Further, Least Bell's vireos (*Vireo bellii pusillus*), a state and federally listed endangered species, are using the restored freshwater marsh for breeding (County of Los Angeles, 2014).

The Ballona Creek flood control channel bisects the BWER from the northeast toward the southwest. The channel is trapezoidal, with bottom widths varying from 80 to 200 feet and depths varying from 19 to 23 feet from the top of the levee. The side slopes are lined with concrete, paving stones and riprap; the channel bottom is not armored (USEPA, 2012). The levees along the Ballona Creek flood

control channel have disconnected tidal exchange and freshwater input to adjacent wetland habitats. As a result, this historical wetland habitat has been converted to upland habitat in many areas.

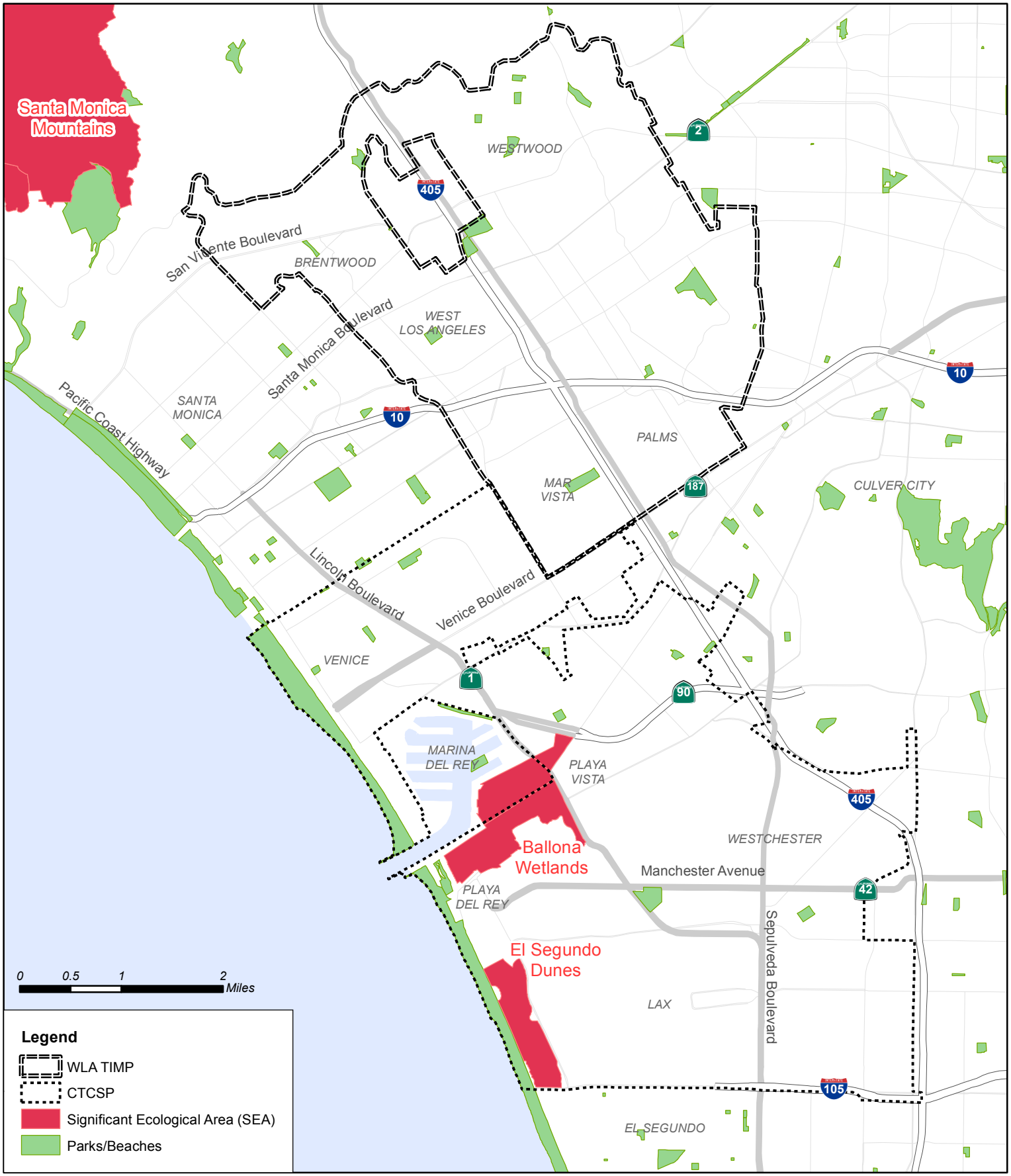
The Ballona Creek flood control channel is a water of the U.S., requiring a Section 404 permit and Section 401 Water Quality Certification under the CWA and Section 10 permit under the Rivers and Harbors Act for any dredge and fill activities within the channel and for structures in or affecting navigable waters. In addition, the Ballona Creek levees were constructed by USACE for flood risk management. As such, a Section 408 permit would be required to alter or modify the levees or other features of the Ballona Creek flood control channel. To comply with Section 1600 of the California Fish and Game Code, a Streambed Alteration Agreement would be required from CDFW. In addition, a Natural Environment Study (NES) may be required by the California Department of Transportation.

4.2.3.2 Sensitive Species

The Venice U.S. Geological Survey [USGS] 7.5 Minute Quadrangle includes most of the CTCSP project area, including the BWER, El Segundo Dunes, and sandy beaches. Based on a search of the California Natural Diversity Database (CNDDB), there are 47 bird species, 20 animals, 24 plants and 2 plant communities that are known or have the potential to occur within the Venice Quadrangle (CDFW, 2015). The two sensitive plant communities, Southern Coastal Salt Marsh and Southern Dune Scrub, are located within the BWER and El Segundo Dunes, respectively. Likewise, the sensitive animal and plant species that may occur within the quadrangle are primarily associated with the two sensitive plant communities. **Table 4.2-2** lists the sensitive plant communities, plants, and animal species that may occur within the Venice Quadrangle.

4.2.3.3 Wildlife Linkages

Due to the urbanized environment, including a heavily traveled roadway network, the project area does not provide viable linkages or migration corridors between habitat areas. The largely small and fragmented patches of habitat provide limited opportunity for wildlife movement (except for bird species) due to the lack of physical linkages and existing barriers (e.g., roads and buildings). Further, the BWER is surrounded by development and Ballona Creek is a concrete-lined channel that does not support wetland flora or fauna (City of Los Angeles Department of City Planning, 2012). Therefore, the project area does not act as a wildlife corridor, movement pathway, or linkage of note between larger habitat areas for terrestrial wildlife. However, as previously described, trees within the project area may be used by migratory birds. Further, the BWER is a stop along the Pacific Flyway, a migratory route that extends from South America to northern Alaska, used by many millions of birds. The BWER may also serve as shelter for young fishes and invertebrates (County of Los Angeles, 2014).



Source: Los Angeles County Department of Regional Planning, 2010
U.S. Census Bureau, Geography Division, 2010

Figure 4.2-1
Biological Resource Areas

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Table 4.2-2 List of CNDDB Species within Venice 7.5' Quadrangle

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Animal Species							
Bird	*Accipiter cooperii*	Cooper's hawk	None	None	WL	N/A	Nests in open forests, groves, or trees along rivers, or low scrub of treeless areas. The wooded area is often near the edge of a field or water opening.
Bird	*Aquila chrysaetos*	golden eagle	None	None	FP; WL	N/A	Inhabits open terrain in deserts, mountains, slopes, and valleys. Nest mainly on cliffs, also in large trees (such as oaks), and rarely on artificial structures or the ground.
Bird	*Buteo regalis*	ferruginous hawk	None	None	WL	N/A	Forages in agricultural and urban habitats, as well as creosote bush and saltbush scrub. Breeds in isolated trees, small groves of trees, on rocky ledges, or occasionally on the ground. Nests are adjacent to open areas such as grasslands or shrub lands. Prefers open country, where it often hunts from low perches on fence posts, utility poles, or small trees. Occurs in Los Angeles County only as a winter visitant.
Bird	*Circus cyaneus*	northern harrier	None	None	SSC	N/A	Most commonly found in large, undisturbed tracts of wetlands and grasslands with low, thick vegetation. Breeds in freshwater and brackish marshes, lightly grazed meadows, old fields, tundra, dry upland prairies, drained marshlands, high-desert shrubs, teppe, and riverside woodlands.
Bird	*Elanus leucurus*	white-tailed kite	None	None	FP	N/A	Inhabits rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Forages in open grasslands, meadows or marshes close to isolated, dense-topped trees for nesting and perching.
Bird	*Pandion haliaetus*	Osprey	None	None	WL	N/A	Found near bodies of water: saltmarshes, rivers, ponds, reservoirs, and estuaries.
Bird	*Eremophila alpestris actia*	California horned lark	None	None	WL	N/A	Inhabits coastal regions from Sonoma County to San Diego County Inhabits short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, and alkali flats.
Bird	*Aythya americana*	Redhead	None	None	SSC	N/A	Found near lakes/ponds.
Bird	*Branta bernicla*	Brant	None	None	SSC	N/A	Found in marsh habitat; breeds in the high Arctic tundra and winters along both coasts.
Bird	*Chaetura vauxi*	Vaux's swift	None	None	SSC	N/A	Nests in coniferous or mixed forest. Forages in forest openings, especially above streams.

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Bird	*Ixobrychus exilis*	least bittern	None	None	SSC	N/A	Inhabits freshwater or brackish marshes with tall emergent vegetation.
Bird	*Charadrius alexandrinus nivosus*	western snowy plover	Threatened	None	SSC	N/A	Nests, feeds, and takes cover on sandy or gravelly beaches along the coast, on estuarine salt ponds, alkali lakes, and at the Salton Sea. Requires a sandy, gravelly or friable soil substrate for nesting.
Bird	*Mycteria americana*	wood stork	None	None	SSC	N/A	Inhabits marsh habitat.
Bird	*Ammodramus savannarum*	grasshopper sparrow	None	None	SSC	N/A	Occurs in dry, dense grasslands, especially those with a variety of grasses and tall forbs and scattered shrubs for singing perches.
Bird	*Passerculus sandwichensis beldingi*	Belding's savannah sparrow	None	Endangered	-	N/A	Breeds on the southern coast from Santa Barbara to San Diego County. Nests in Salicornia on and about margins of tidal flats.
Bird	*Passerculus sandwichensis rostratus*	large-billed savannah sparrow	None	None	SSC	N/A	Inhabits grasslands with few trees and tidal saltmarshes and estuaries.
Bird	*Falco columbarius*	Merlin	None	None	WL	N/A	Inhabits seacoast, tidal estuaries, open woodlands, savannas, edges of grasslands and deserts, farms and ranches. Clumps of trees or windbreaks are required for roosting in open country.
Bird	*Falco peregrinus anatum*	American peregrine falcon	Delisted	Delisted	FP	N/A	Inhabits wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape on a depression or ledge in an open site.
Bird	*Grus canadensis tabida*	greater sandhill crane	None	Threatened	FP	N/A	Breeds and forages in open prairies, grasslands, and wetlands. Nests in marshes, bogs, wet meadows, prairies, burned-over aspen stands, and other moist habitats, preferring those with standing water. Outside of the breeding season, they often roost in deeper water of ponds or lakes, where they are safe from predators.
Bird	*Xanthocephalus xanthocephalus*	yellow-headed blackbird	None	None	SSC	N/A	Breeds and roosts in freshwater wetlands with dense, emergent vegetation such as cattails. Forages in fields, typically wintering in large, open agricultural areas.
Bird	*Lanius ludovicianus*	loggerhead shrike	None	None	SSC	N/A	Found in broken woodlands, savanna, pinyon-juniper woodland, Joshua tree woodland, riparian woodland, desert oases, scrub, and washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.
Bird	*Chlidonias niger*	black tern	None	None	SSC	N/A	Inhabits marsh habitat.

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Bird	*Larus californicus*	California gull	None	None	WL	N/A	Breeds on islands in lakes or rivers. Forages along lakes, bogs, farm fields, lawns, pastures, sagebrush, garbage dumps, feedlots, parking lots, ocean beaches, and open ocean.
Bird	*Sternula antillarum browni*	California least tern	Endangered	Endangered	FP	N/A	Nests along the coast from San Francisco Bay south to northern Baja California. Breeds on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas.
Bird	*Thalasseus elegans*	elegant tern	None	None	WL	N/A	Inhabits coastal waters, occasionally ocean far from land. Breeds on low, flat, sandy islands.
Bird	*Icteria virens*	yellow-breasted chat	None	None	SSC	N/A	Summer resident in riparian thickets of willow and other brushy tangles such as blackberry and wild grape near water courses.
Bird	*Setophaga petechia*	yellow warbler	None	None	SSC	N/A	Breeds in shrubby thickets and woods, particularly along watercourses and in wetlands. Common trees include willows, alders, and cottonwoods across North America.
Bird	*Pelecanus occidentalis californicus*	California brown pelican	Delisted	Delisted	FP	N/A	Nests on coastal islands just outside the surf line. Nests on Islands of small to moderate size which afford immunity from attack by ground dwelling predators.
Bird	*Phalacrocorax auritus*	double-crested cormorant	None	None	WL	N/A	Breeds on the coast as well as on large inland lakes. They form colonies of stick nests built high in trees on islands or in patches of flooded timber.
Bird	*Laterallus jamaicensis coturniculus*	California black rail	None	Threatened	FP	N/A	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that does not fluctuate during the year and dense vegetation for nesting habitat.
Bird	*Rallus longirostris levipes*	light-footed clapper rail	Endangered	Endangered	FP	N/A	Inhabits saltmarshes and mangrove swamps.
Bird	*Rallus longirostris obsoletus*	California clapper rail	Endangered	Endangered	FP	N/A	Inhabits saltmarshes and mangrove swamps.
Bird	*Numenius americanus*	long-billed curlew	None	None	WL	N/A	Winter resident along the coasts in wetlands, tidal estuaries, mudflats, flooded fields, and occasionally beaches.
Bird	*Athene cunicularia*	burrowing owl	None	None	SSC	N/A	Inhabits open, dry grassland and desert habitats throughout California, or scrublands characterized by low-growing, widely spaced vegetation.

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Bird	*Polioptila californica californica*	coastal California gnatcatcher	Threatened	None	SSC	N/A	Obligate permanent resident of coastal sage and alluvial scrub habitats in Southern California.
Bird	*Plegadis chihi*	white-faced ibis	None	None	WL	N/A	Feeds in fresh emergent wetland, shallow lacustrine waters, muddy ground of wet meadows, and irrigated or flooded pastures and croplands. Nests in dense, fresh emergent wetland. Roosts amidst dense, freshwater emergent vegetation such as bulrushes, cattails, reeds or low shrubs over water. Extensive marshes are required for nesting.
Bird	*Cistothorus palustris clarkae*	Clark's marsh wren	None	None	SSC	N/A	Nests in variety of marshes, especially with dense reeds.
Bird	*Empidonax traillii extimus*	southwestern willow flycatcher	Endangered	Endangered	-	N/A	Nests and roosts in dense willow thickets. Nesting site usually near languid stream, standing water, or seep. Most numerous where extensive thickets of low, dense willows edge on wet meadows, ponds, or backwaters.
Bird	*Vireo bellii pusillus*	least Bell's vireo	Endangered	Endangered	-	N/A	Resident in willows and other low, dense valley foothill riparian habitat. Thickets of willow and other low shrubs afford nesting and roosting cover. May inhabit thickets along dry, intermittent streams.
Crustaceans	*Streptocephalus woottoni*	Riverside fairy shrimp	Endangered	None	-	N/A	Found in vernal pools, ponds, and other ephemeral pool-like bodies of water. During dry periods, cysts of the species lay dormant in the soil and hatch when adequate rainfall fills the ponds and pools.
Insects	*Euphilotes battoides allyni*	El Segundo blue butterfly	Endangered	None	-	N/A	Restricted to remnant coastal dune habitat in Southern California. Host plant is Eriogonum parvifolium; larvae feed only on the flowers and seeds; used by adults as major nectar source.
Mammals	*Perognathus longimembris pacificus*	Pacific pocket mouse	Endangered	None	SSC	N/A	Inhabits the narrow coastal plains from the Mexican border north to El Segundo, Los Angeles County. Seems to prefer soils of fine alluvial sands near the ocean, but much remains to be learned.
Mammals	*Lepus californicus bennettii*	San Diego black-tailed jackrabbit	None	None	SSC	N/A	Shrub habitats and intermediate canopy stages of shrub habitats and open shrub/herbaceous and tree/herbaceous edges.
Mammals	*Microtus californicus stephensi*	south coast marsh vole	None	None	SSC	N/A	Tidal marshes in Los Angeles, Orange and southern Ventura Counties.
Mammals	*Sorex ornatus salicornicus*	southern California saltmarsh shrew	None	None	SSC	N/A	Coastal marshes in Los Angeles, Orange and Ventura Counties. Requires dense vegetation and woody debris for cover.

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Reptiles	*Anniella pulchra pulchra*	silvery legless lizard	None	None	SSC	N/A	Leaf litter associates with sandy or loose loamy soil of high moisture content under sparse vegetation
Reptiles	*Emys marmorata*	western pond turtle	None	None	SSC	N/A	Requires basking sites such as partially submerged logs, vegetation mats or open mud banks and needs suitable nesting sites in permanent or near permanent bodies of water in many habitat types below 2,000 m asl.
Plant Community							
Terrestrial	*Southern Coastal Salt Marsh*	Southern Coastal Salt Marsh	None	None	-	N/A	Develops in low, flat estuaries at the mouths of rivers and streams.
Terrestrial	*Southern Dune Scrub*	Southern Dune Scrub	None	None	-	N/A	El Segundo Dunes complex west of Los Angeles International Airport (LAX).
Plant Species							
Vascular	*Centromadia parryi ssp. Australis*	southern tarplant	None	None	-	1B.1	Vernally mesic, often alkaline, habitats in marshes and swamp margins, valley and foothill grassland, and vernal pool communities between 0 and 427 m asl.
Vascular	*Chaenactis glabriuscula var. orcuttiana*	Orcutt's pincushion	None	None	-	1B.1	Sandy habitats in coastal bluff scrub and coastal dunes communities between 3 and 100 m asl.
Vascular	*Deinandra paniculata*	paniculate tarplant	None	None	-	4.2	Usually vernally mesic, sometimes sandy habitat, such as: coastal scrub; valley and foothill grassland; vernal pools.
Vascular	*Lasthenia glabrata ssp. Coulteri*	Coulter's goldfields	None	None	-	1B.1	Alkaline soils in coastal salt marshes and swamps, playas, and vernal pools between 1 and 1,220 m asl.
Vascular	*Phacelia ramosissima var. austrolitoralis*	south coast branching phacelia	None	None	-	3.2	Sandy, sometimes rocky habitats in chaparral, coastal dune, coastal scrub, and coastal salt marsh and swamp communities between 6 and 300 m asl.
Vascular	*Phacelia stellaris*	Brand's star phacelia	None	None	-	1B.1	Coastal dune and coastal scrub communities between 1 and 400 m asl.
Vascular	*Dithyrea maritima*	beach spectaclepod	None	Threatened	-	1B.1	Sandy soils in coastal dune and scrub communities between 3 and 50 m asl.
Vascular	*Erysimum insulare*	island wallflower	None	None	-	1B.3	Grows in the sand along the coast.
Vascular	*Erysimum suffrutescens*	suffrutescent wallflower	None	None	-	4.2	Coastal bluff scrub, Chaparral (maritime), Coastal dunes, Coastal scrub 0-150 m
Vascular	*Chenopodium littoreum*	coastal goosefoot	None	None	-	1B.2	Coastal dune communities between 10 and 30 m asl.
Vascular	*Suaeda esteroa*	estuary seablite	None	None	-	1B.2	Clay, silt and sand substrates in coastal salt marshes and swamps between 0 and 5 m asl.

Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	Rare Plant Rank	Habitat
Vascular	*Suaeda taxifolia*	woolly seablite	None	None	-	4.2	Coastal bluff scrub, Coastal dunes, Marshes and swamps (margins of coastal salt) 0-50 m
Vascular	*Dichondra occidentalis*	western dichondra	None	None	-	4.2	Chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland communities between 50 and 500 m asl.
Vascular	*Astragalus pycnostachyus var. lanosissimus*	Ventura Marsh milk-vetch	Endangered	Endangered	-	1B.1	Coastal dunes, coastal scrub, and edges of coastal salt and brackish marsh and swamp communities between 1 and 35 m asl.
Vascular	*Astragalus tener var. titi*	coastal dunes milk-vetch	Endangered	Endangered	-	1B.1	Sandy, often vernally mesic habitats in coastal bluff scrub, coastal dune, and coastal prairie communities between 1 and 50 m asl.
Vascular	*Juncus acutus ssp. leopoldii*	southwestern spiny rush	None	None	-	4.2	Mesic and alkaline habitats in coastal dune, meadow, seep, marsh and swamp communities between 3 and 900 m asl.
Vascular	*Abronia maritima*	red sand-verbena	None	None	-	4.2	Coastal dunes below 100 m asl.
Vascular	*Camissoniopsis lewisii*	Lewis' evening-primrose	None	None	-	3	Sandy or clay soils in coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland communities between 0 and 300 m asl.
Vascular	*Hordeum intercedens*	vernal barley	None	None	-	3.2	Saline flats and depressions in coastal dune, coastal scrub, valley and foothill grassland and vernal pool communities between 5 and 1,000 m asl.
Vascular	*Navarretia prostrata*	prostrate vernal pool navarretia	None	None	-	1B.1	Alkaline soils, vernal pools and mesic habitats within coastal scrub, meadow, seep and valley and foothill grassland communities between 15 and 700 m asl.
Vascular	*Chorizanthe parryi var. fernandina*	San Fernando Valley spineflower	Candidate	Endangered	-	1B.1	Sandy soils in coastal scrub and valley and foothill grassland communities between 150 and 1220 m asl.
Vascular	*Potentilla multijuga*	Ballona cinquefoil	None	None	-	1A	Presumed extinct. Brackish meadows and seeps between 0 and 2 m asl.

Source: California Department of Fish and Wildlife, 2015.

- Status Codes:
- Watch list (WL); fully protected (FP); species of special concern (SSC)
- 0.1 Seriously threatened in California
- 0.2 Fairly threatened in California
- 0.3 Not very threatened in California
- 1A Plants presumed extinct in California and rare/extinct elsewhere
- 1B Plants rare, threatened, or endangered in California and elsewhere
- 3 Plants about which we need more information
- 4 Plants of limited distribution
- m- meters
- asl – above sea level

4.2.4 Methodology

This section outlines the methodology for evaluating impacts to biological resources, including sensitive natural communities and special status species. In accordance with Appendix G of the State CEQA Guidelines, as described in Section 4.2.5 below, a project would result in significant impacts if it results in a substantial adverse effect to sensitive biological resources including a sensitive natural community or special status species.

For the purpose of this analysis, sensitive natural communities are considered to be habitats or natural communities that are unique, of relatively limited distribution in the region, and/or of particularly high value for wildlife. Sensitive habitats include specific natural communities defined by CDFW as well as wetlands and riparian communities, which are considered special status natural communities due to their limited distribution in California (CDFW, 2009). Sensitive natural communities are usually identified in regional or local plans, policies, or regulations, and may or may not contain special status species. Special status species include those state- and/or federally-listed threatened, endangered, proposed and/or candidate plant or wildlife species, as well as those identified as fully protected and/or species of concern by CDFW (for wildlife), or as rare, threatened, or endangered by the California Native Plant Society (CNPS) (for plants).[19]

The following sources were reviewed to determine the potential for special status species and sensitive habitats to be present within the project area:[20]

- Los Angeles County Department of Regional Planning SEA Program (County Los of Angeles, 2011);
- CDFW CNDDB (CDFW, 2015);
- CNPS Electronic Inventory (CNPS, 2015); and
- USFWS list of federal endangered and threatened species (USFWS, 2015).

Sensitive habitats and special status species that may occur within the project area, but are not near any proposed transportation improvements, would not be physically affected by the Proposed Project; therefore, the impacts evaluation presented herein considers potential effects on species and natural communities within 200 feet of proposed transportation improvements. While there is no established standard buffer distance, a distance of 200 feet is typical for urban environments (California Coastal Commission, 2013). The evaluation considers both direct and indirect impacts. Direct impacts are effects that can occur from direct removal or disturbance of habitats. Examples of direct impacts

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19 Sensitive habitats and sensitive natural communities, collectively, are consistent with the definition of "sensitive biological resource" in the L.A. CEQA Thresholds Guide.

20 The methodology included in the L.A. CEQA Thresholds Guide for evaluating impacts to biological resources includes a field reconnaissance survey, as needed. A field survey was not necessary for determination of special status species and sensitive habitats for this EIR, as sufficient information is available from existing documentation to identify the resources likely to be affected by the Proposed Project. The Proposed Project would not entitle or enable construction of any transportation improvements. Rather, these improvements will be analyzed further at the project level through separate environmental analyses and approval processes. As the individual improvements are not proposed for construction at this time, information obtained from a field survey at this time would not be useful for determining project-level impacts at the time that individual transportation improvements are implemented. A field survey is recommended when project implementation is foreseeable, construction-level information has been determined, and project level analysis is timely. Field surveys will be conducted during project-level environmental analyses of individual transportation improvements, as required.

include effects such as mortality of individuals and permanent loss of habitat. Indirect impacts are effects that have delayed, secondary effects. Examples of indirect impacts include fragmentation, pollination interruption, increased environmental toxins, plant and wildlife dispersal interruption, increase risk of fire, and increased invasion by non-native animals and plants that out-compete natives. Indirect impacts can increase mortality, reduce productivity, and/or reduce the value and functions of natural open space for the native species that inhabit it.

4.2.5 Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Proposed Project would have a significant impact related to biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- 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 CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means; and/or
- Interfere substantially with the movement of any native resident, or migratory fish or wildlife species, or with established native residents or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The L.A. CEQA Thresholds Guide was initiated as part of the City's Development Reform efforts to streamline the City's permit and development processes, improve the level of consistency, predictability, and objectivity of the City's environmental documents, and reduce costs and time delays (City of Los Angeles, 2006). The significance thresholds from the L.A. CEQA Thresholds Guide, as provided below, offer assistance in the evaluation of environmental impacts and are not more restrictive or permissive than the significance thresholds in Appendix G of the State CEQA Guidelines, provided above.

The L.A. CEQA Thresholds Guide addresses impacts to Biological Resources under Section C. The L.A. CEQA Thresholds Guide reads that a project would normally have a significant impact on biological resources if it would result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;
- Interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species;
- The alteration of an existing wetland habitat; or

- 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.

4.2.6 Impacts and Mitigation Measures

The proposed update to the TIA fee program and the administrative and minor revisions to the Specific Plans would not result in any physical impacts that could affect biological resources. Therefore, the following analysis addresses whether implementation of the proposed updates to the lists of transportation improvements in the CTCSP and WLA TIMP would result in significant impacts on biological resources. No specific construction projects would be implemented based on this EIR; rather, the transportation improvements are identified at a conceptual level of detail.

Impact 4.2-1: The Proposed Project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. This would be a *less than significant impact* for operations and a *less than significant impact with mitigation* for construction.

Construction

Impacts would occur if construction were to directly result in the take of a special status species or if construction activities occurring within 200 feet of native habitats were to result in the modification of habitats capable of supporting special status species.

Generally, project related construction activities would take place within existing roadways, sidewalks, and right-of-ways and would not result in direct removal or modification of native habitat or otherwise directly affect a special status species. Further, most of the improvements would not require federal authorization, permitting, or funding from a federal agency. However, some of the proposed transportation improvements may require removal, trimming, or disturbance of street trees and/or landscaping that support nesting birds, or would be located adjacent to parks, golf courses, or cemeteries having vegetation that could support nesting birds. Therefore, minor construction activities associated with some of the proposed improvements could result in disturbance to nearby nesting birds. In addition, the Lincoln Boulevard Bridge Enhancement project would involve widening of the bridge over the Ballona Channel, widening of the roadway immediately north and south of the bridge, and modifications to Culver Boulevard in the vicinity of the bridge, including widening of the Culver Boulevard bridge over Lincoln Boulevard and modifications to the Culver Boulevard/Lincoln Boulevard interchange. These improvements would occur in an area that contains sensitive habitat, as described further below.

Lincoln Boulevard Bridge Enhancement

The Lincoln Boulevard Bridge Enhancement, would occur along the northern boundary of the Ballona Wetlands SEA. The Lincoln Boulevard Bridge Enhancement would entail replacing the existing Lincoln Boulevard Bridge over Ballona Creek (between Jefferson Boulevard and Fiji Way) with a wider bridge that has three lanes in each direction, center running transit lanes, and an on-street bike lane in each direction. Lincoln Boulevard would also be widened north and south of the bridge and the Culver Boulevard overcrossing of Lincoln Boulevard would be widened to allow for the wider roadway underneath. Although the Lincoln Boulevard Bridge Enhancement has not been designed, it is expected that, south of the bridge, the roadway widening would occur on the east side of

Lincoln Boulevard, away from the BWER. North of the bridge, it is also expected that the majority of the roadway widening would occur on the east side, with some widening on the west near Fiji Way and at the Culver Boulevard Bridge overcrossing. Along the portion of Lincoln Boulevard north of Ballona Channel, the BWER lies on both sides of the roadway.

These improvements have the potential to result in the removal, trimming, or disturbance of street trees and ornamental landscaping which have the potential to support nesting migratory birds that are protected by the MTBA and the California Fish and Game Code and to adversely impact special status species. It is expected that potential impacts to special status species may occur in the vicinity of the existing loop ramp connecting Culver Boulevard and Lincoln Boulevard, and in the areas southeast and southwest of the Lincoln Boulevard and Fiji Way intersection. During design, habitats that support special status species would be avoided to the greatest extent feasible. If, as expected, Lincoln Boulevard were widened toward the east, most impacts to habitat for special status species that occurs west of Lincoln Boulevard within the Ballona Wetlands SEA would be avoided. However, there is potential for destruction or alteration of habitat such that there would be an adverse effect on special status species. In addition, the temporary generation of noise, emissions of air pollutants, and discharges that could affect water quality would adversely affect special status species.

Additional project-specific environmental review of the Lincoln Boulevard Bridge Enhancement will be required following completion of project design, and prior to approval and implementation. Project permitting and approval would require compliance with the Federal ESA and CESA with regards to any listed plant or animal species, or any candidates for federal or state listing as endangered or threatened. Coordination with federal and state resource agencies would be required to minimize adverse effects to these species. Furthermore, the Ballona Creek flood control channel is a water of the U.S., therefore, any dredge and fill activities within the channel or structures in or affecting navigable waters would require a Section 404 permit and a Section 401 Water Quality Certification under the CWA as well as a Section 10 permit under the Rivers and Harbors Act. In addition, to comply with Section 1600 of the California Fish and Game Code, a Streambed Alteration Agreement would be required from CDFW. These permits are addressed in greater detail in the discussion of Impact 4.2-3 below.

As part of these review and permitting processes, potential project-specific impacts would be assessed and project-specific mitigation would applied as appropriate to reduce potential impacts. In the absence of project-specific details, it is assumed that adverse effects to special status species resulting from the Lincoln Boulevard Bridge Enhancement would result in a ***potentially significant impact.***

Other Transportation Improvements

As noted above, some of the proposed transportation improvements would likely result in the removal, trimming, or disturbance of street trees and ornamental landscaping which have the potential to support nesting migratory birds that are protected by the MTBA and the California Fish and Game Code. Moreover, some improvements would be located adjacent to parks, golf courses, or cemeteries, construction of which could result in indirect disturbance to nesting migratory birds through noise, vibration, or lighting. All of the proposed transportation improvement projects would be subject to the requirements of local tree trimming and tree removal ordinances and federal and state regulations related to the protection of migratory birds, including avoiding the direct destruction of active nests and avoiding disturbance of nesting birds due to noise, vibration, lighting, or human activity in proximity to active nests. Regardless, construction activities occurring within the nesting

season[21] have the potential to result in the removal or destruction of an active nest or direct mortality or injury of individual birds. This would be a ***potentially significant impact***.

Operation

During operation, the proposed transportation improvements would operate within existing roadways, sidewalks, and right-of-ways and would not result in direct physical effects to candidate, sensitive, or special status species. The proposed transportation improvements, including the Lincoln Bridge Enhancement, would not substantially alter the existing transportation infrastructure from its current condition in such a way that could indirectly affect special status species. Therefore, impacts from operation would be ***less than significant***.

Mitigation Measures

Mitigation Measure (MM)-BR-1: Migratory Birds. To prevent the disturbance of nesting native and/or migratory bird species during construction, the City shall require that clearing of street trees or other vegetation take place between September 1 and January 30. If construction is scheduled or ongoing during bird or raptor nesting season (January 31 to August 31), the City of Los Angeles shall require that a qualified biologist conduct two nest surveys, one 15 days and the second 72 hours prior to the commencement of construction activities. Surveys shall be conducted in accordance with CDFW protocols, as applicable. If no active nests are identified on or within 200 feet of the construction activity, no further mitigation is necessary. A copy of the preconstruction survey shall be submitted to the Department of City Planning. If an active nest is identified, construction shall be suspended within 200 feet of the nest, or an alternative distance determined to be appropriate by a qualified ornithologist of biologist, until the nesting cycle is complete, as determined by a qualified ornithologist or biologist.

MM-BR-2: Special Status Species and Habitat. For CTCSP and WLA TIMP transportation improvement projects that would be constructed within 200 feet of a Significant Ecological Area designated by the County of Los Angeles, a project-specific biological resource survey and assessment shall be conducted by a qualified biologist and prepared prior to project construction that identifies the biological resources within 200 feet and any potential impacts to special status species and habitats. If it is determined during these biological resources surveys that special status species could occur and be impacted by the Proposed Project, focused surveys shall be conducted by a qualified or permitted biologist, as required, in coordination with USFWS and/or CDFW. If potential impacts are identified that cannot be avoided through modification of project design, species- and habitat-specific mitigation measures shall be developed to avoid or reduce project-related impacts. Such measures could include seasonal restrictions on construction, monitoring by a qualified biological monitor during construction, salvage and replacement of native plants, and restoration of sensitive natural communities or habitat following construction. These measures shall be established through the permitting process under ESA and CESA, as appropriate.

Significance of Impacts After Mitigation

Construction

Lincoln Boulevard Bridge Enhancement

[21] The nesting season varies according to species, but is generally February 15 through August 15 for most birds and January 31 through August 31 for raptors.

Implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the Lincoln Boulevard Bridge Enhancement to a level that is ***less than significant***.

Implementation of MM-BR-2 would ensure that project-specific impacts to other special status species would be identified following completion of project design and would require compliance with mitigation measures set forth in permits issued under ESA and CESA, as appropriate, to avoid or reduce all significant impacts to special status species. Therefore, impacts associated with construction of the Lincoln Boulevard Bridge Enhancement would be ***less than significant.***

Other Transportation Improvements

Implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the proposed transportation improvements to a level that is ***less than significant***.

Construction of the other transportation improvements would not have any significant impacts to special status species. This impact would be ***less than significant.***

Operation

The Proposed Project would not have any significant impacts to special status species. This impact would be ***less than significant.***

Impact 4.2-2: The Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS. This would be a *less than significant impact* for operations and a *less than significant impact with mitigation* for construction.

Construction

Lincoln Boulevard Bridge Enhancement

Construction associated with the Lincoln Boulevard Bridge Enhancement has the potential to adversely impact riparian areas and sensitive natural communities, including wetlands. It is expected that potential impacts may occur in the vicinity of the existing loop ramp connecting Culver Boulevard and Lincoln Boulevard, and in the areas southeast and southwest of the Lincoln Boulevard and Fiji Way intersection. During design, sensitive natural communities and wetlands would be avoided to the greatest extent feasible. If, as expected, Lincoln Boulevard were widened toward the east, most impacts to riparian areas and sensitive natural communities, including wetlands, located west of Lincoln Boulevard within the Ballona Wetlands SEA would be avoided. Due to the channelized nature of the Ballona Creek channel and its disconnection from the former floodplain, habitats north of the channel at the location of the bridge are primarily upland. However, as design-level details are not available at this time, there is potential for destruction or alteration of native vegetation and habitats such that there would be an adverse effect on sensitive natural communities such as Southern Coastal Salt Marsh, an identified sensitive plant community that may occur nearby. Construction of the Lincoln Boulevard Bridge Enhancement could have an adverse effect on these sensitive natural communities, including direct alteration of habitat or hydrology by construction equipment, and release of soils or hazardous materials that could adversely affect water quality. This would be a ***potentially significant impact***.

As discussed under Impact 4.2-1 above, implementation of the Lincoln Boulevard Bridge Enhancement would require additional project-specific environmental review and coordination and permitting with resource agencies. Compliance with federal, state, and local regulations, and compliance with any terms and conditions required by permits issued by the state or federal resource agencies, would avoid or minimize adverse effects on riparian or other sensitive natural communities. As project-specific details of the Lincoln Boulevard Bridge Enhancement are not known at this time, it is assumed that adverse effects on riparian habitat and other sensitive natural communities associated with the Lincoln Boulevard Bridge Enhancement would result in a ***potentially significant impact***.

Other Transportation Improvements

As described under Impact 4.2-1 above, construction of the other proposed transportation improvements would occur within developed streets, sidewalks, and/or right-of-ways and would not affect any riparian habitats or sensitive natural communities. As a result, impacts relative to riparian habitat or other sensitive natural communities would be ***less than significant***.

Operation

During operation, the proposed transportation improvements, including the Lincoln Boulevard Bridge Enhancement, would operate within existing roadways, sidewalks, and right-of-ways and would not result in direct physical effects to riparian or other sensitive natural communities. Impacts would be ***less than significant.***

Mitigation Measures

See MM-BR-2 under Impact 4.2-1 above.

Significance of Impacts After Mitigation

Construction

Lincoln Boulevard Bridge Enhancement

Implementation of MM-BR-2 would ensure that project-specific impacts would be identified following completion of project design and would require compliance with mitigation measures set forth in permits issued under ESA and CESA, as appropriate, to avoid or reduce all significant impacts to riparian habitat or sensitive natural communities. Therefore, impacts associated with construction of the Lincoln Boulevard Bridge Enhancement would be ***less than significant.***

Other Transportation Improvements

Proposed transportation improvements would not have any significant impacts to riparian habitat or sensitive natural communities. This impact would be ***less than significant.***

Operation

The Proposed Project would not have any significant impacts to riparian habitat or sensitive natural communities. This impact would be ***less than significant.***

Impact 4.2-3: The Proposed Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means. This would be a *less than significant impact* for operations and a *less than significant impact with mitigation* for construction.

The only project-related improvement that would occur in or near a wetlands would be the Lincoln Boulevard Bridge Enhancement. As discussed above, the Lincoln Boulevard Bridge Enhancement would be constructed within the Ballona Wetlands Ecological Reserve. The Ballona Wetlands contain wetlands protected under Section 404 of the CWA. Potential impacts from construction and operations of the Lincoln Boulevard Bridge Enhancement are discussed below.

Construction

Construction activities associated with the Lincoln Boulevard Bridge Enhancement could result in discharge of dredged or fill material into federal and state jurisdictional waters. Although project-specific details are not known at this time, it is assumed that impacts to jurisdictional waters and wetlands would be minimized to the extent possible. Moreover, it is anticipated that impacts to wetlands would be minimal, as adjacent habitats within the construction area are mostly upland habitats due to the disconnection of Ballona Creek from the former floodplain. However, the placement of bridge support structures in the Ballona Creek channel would be considered discharge of fill. This would be a significant impact. In addition, as described under Impact 4.2-2, construction of the replacement bridge could have an adverse effect on wetlands through direct alteration of habitat or hydrology by construction equipment, and release of soils or hazardous materials could adversely affect water quality. As a result, adverse effects to wetlands associated with the Lincoln Boulevard Bridge Enhancement would be a ***potentially significant impact***.

Operation

During operation, the Lincoln Boulevard Bridge Enhancement would operate within existing roadways, sidewalks, and right-of-ways and would not result in direct physical effects to a federally-protected wetland. Therefore, impacts on wetlands and jurisdictional waters from the Lincoln Boulevard Bridge Enhancement would be ***less than significant***.

Mitigation Measures

MM-BR-3: Wetlands and Jurisdictional Waters. For transportation improvements that may result in temporary or permanent impacts to federal and/or state jurisdictional waters or wetlands, all applicable permits shall be acquired. These permits include, but would not be limited to, Section 404 and Section 408 permits, a Section 401 Water Quality Certification, a Section 10 permit, and a Streambed Alteration Agreement.

During design of the Lincoln Boulevard Bridge Enhancement, encroachment into jurisdictional waters and wetlands shall be minimized to the greatest extent feasible. All conditions of the Section 408 permit shall be met to address the alteration of the Ballona Creek flood control channel to ensure there would be no significant changes to the pre-project hydrology in order to maintain its capacity for flood management.

All conditions of the Section 404 permit from the USACE and Streambed Alteration Agreement from the CDFW shall be met. As part of this compliance, compensatory mitigation may be required to offset the impact related to placement of permanent fill in jurisdictional waters. The exact compensatory mitigation ratio will be determined at the time the permit is issued and would be based on the type and value of the wetlands affected by the project; agency standards typically require a minimum of 1:1 for restoration and 3:1 for construction of new wetlands. In addition, all conditions of the Wetland Mitigation and Monitoring Plan as required by USACE for federal jurisdictional waters and CDFW for state jurisdictional waters shall be met. The Wetland Mitigation and Monitoring Plan shall include the following:

- Descriptions of the wetland types, and their expected functions and values.
- Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of five to ten years following completion of construction of the compensatory mitigation project.
- Engineering plans showing the location, size and configuration of wetlands to be created or restored.
- An implementation schedule showing that construction of mitigation areas shall commence prior to or concurrently with the initiation of construction.
- A description and proof of legal protection measures for the preserved wetlands (i.e., dedication of fee title, conservation easement, and/ or an endowment held by an approved conservation organization, government agency or mitigation bank).

Significance of Impacts After Mitigation

Construction

Implementation of MM-BR-3 would require compliance with provisions set forth in the Section 404 permit and the Streambed Alteration Agreement, which would require the City to avoid or reduce all significant impacts to federal and state jurisdictional wetlands. If required, compensatory mitigation would likely entail restoration or enhancement of wetland habitat, such as Southern Coastal Salt Marsh, nearby within the Ballona Wetlands SEA. Exact compensatory mitigation requirements would be determined during project design and permitting in consultation with USACE for federal jurisdictional waters and CDFW for state jurisdictional waters. Therefore, with implementation of MM-BR-3, the impact on federally protected wetlands associated with the Lincoln Boulevard Bridge Enhancement would be ***less than significant.***

Operation

The Lincoln Boulevard Bridge Enhancement would not have any significant impacts to riparian habitat or sensitive natural communities. This impact would be ***less than significant.***

Impact 4.2-4: The Proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native residents or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This would be a *less than significant impact* for operations and a *less than significant impact with mitigation* for construction.

Construction

Lincoln Boulevard Bridge Enhancement

Given the urbanized surroundings, the BWER does not serve as a linkage to other large habitat areas for terrestrial wildlife. Construction of the Lincoln Boulevard Bridge Enhancement would entail work within the existing concrete-lined Ballona Creek. Adjacent habitats within the construction area are mostly upland habitats due to the disconnection of Ballona Creek from the former floodplain. Tidal marshes that provide nursery habitat for fish are not located in the vicinity of the bridge. However, habitat near the bridge may support migratory birds such as yellow-breasted chat and yellow warbler The Lincoln Boulevard Bridge Enhancement has the potential to result in direct mortality or injury to migratory birds; removal or destruction of nests, nestlings, or breeding habitat; or disturbance of

nesting migratory birds from construction activities during the nesting season. This would be a ***potentially significant impact***.

Other Transportation Improvements

Habitat within the project area is generally fragmented and of low value (e.g., ornamental landscaping) and does not provide viable linkages or migration corridors between habitat areas. Roadways, sidewalks, and public right-of-ways do not serve as wildlife corridors, movement pathways, or linkages between larger habitat areas for terrestrial wildlife. While wildlife may find their way onto transportation infrastructure, the proposed transportation improvements would not create a condition that would increase this potential to occur.

Street trees within or immediately adjacent to the proposed transportation improvements could potentially support migratory birds. As discussed under Impact 4.2-1 above, the removal or destruction of an active nest, or direct mortality or injury of individual birds, occurring during construction of any of the proposed transportation improvements would be a ***potentially significant impact***.

Operation

Lincoln Boulevard Bridge Enhancement

Should any permanent structures, such as piles or other support infrastructure, be required for the Lincoln Boulevard Bridge Enhancement, this is expected to occupy only a small portion of the channel and would not impede the movement of wildlife or use of the wetlands as nursery site. Therefore, impacts related to movement of the movement of wildlife species or the use of native wildlife nursery sites associated with operation of the Lincoln Boulevard Bridge Enhancement would be ***less than significant***.

Other Transportation Improvements

During operation, the proposed transportation improvements would operate within existing roadways, sidewalks, and right-of-ways and would not result in adverse effects on the movement of wildlife species or the use of native wildlife nursery sites. Impacts would be ***less than significant.***

Mitigation Measures

See MM-BR-1 under Impact 4.2-1 above.

Significance of Impacts After Mitigation

Construction

Lincoln Boulevard Bridge Enhancement

Implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the Lincoln Boulevard Bridge Enhancement to a level that is ***less than significant***.

Other Transportation Improvements

Implementation of MM-BR-1 would reduce potential impacts on migratory bird species associated with construction of the proposed transportation improvements to a level that is ***less than significant***.

Operation

The Proposed Project would not have any significant impacts related to interference with the movement of any native resident or migratory fish or wildlife species, migratory wildlife corridors, or native wildlife nursery sites. This impact would be ***less than significant.***

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