April 23, 2020

Ms. Annie Baek
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VIA EMAIL
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Subject: Results of a Biological Constraints Analysis for 3701 Pacific Place Project in the City of Long Beach, Los Angeles County, California

Dear Ms. Baek:

This Letter Report presents the findings of a biological constraints survey for the 3701 Pacific Place Project site (hereinafter referred to as the "project site") located in the City of Long Beach in Los Angeles County, California. The purpose of this Letter Report is to document existing conditions and evaluate potential biological constraints on the project site.

PROJECT DESCRIPTIOIN AND LOCATION

The project site is located just north of Interstate 405 and east of Interstate 710 (Exhibit 1). The project site is located on the U.S. Geological Survey's (USGS') Long Beach 7.5-minute quadrangle map with an elevation of approximately 35 to 40 feet above mean sea level (msl) (Exhibit 2). Surrounding land uses include transportation, recreation, industrial, and residential.

The 5.72-acre project site is proposed for development with up to 77,000 square feet of warehouse uses, including up to 3,000 square feet of office space. The warehouse building is expected to include up to ten roll-up doors for loading purposes. The project proposes 78 surface parking spaces and ornamental landscaping in designated planters throughout the proposed parking area.

SURVEY METHODS

Psomas Senior Biologist Lindsay Messett conducted a general plant and wildlife survey of the project site on March 17, 2020. Representative photographs of the project site are included in Attachment A.

Plant species observed were recorded in field notes. Plant species were identified in the field or collected for subsequent identification using keys in the Jepson eFlora (Jepson Flora Project 2019). Nomenclature of plant taxa conform to the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW 2020b) for special status species and the Jepson eFlora (Jepson Flora Project 2019) for all other taxa.

Wildlife species detected during the survey were documented in field notes. Active searches for reptiles and amphibians included lifting, overturning, and carefully replacing rocks and debris. Birds were identified by visual and auditory recognition. Surveys for mammals were conducted during the day and included searching for and identifying diagnostic sign, including scat, footprints, scratch-outs, dust bowls, burrows, and trails. Taxonomy and nomenclature for

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wildlife generally follows the *Special Animals List* (CDFW 2019b) for special status species. Nomenclature for other species follows Crother (2017) for amphibians and reptiles, the American Ornithological Society (AOS 2018) for birds, and the Smithsonian National Museum of Natural History (SNMNH 2011) for mammals.

Prior to the survey, a literature review was conducted to identify special status plants, wildlife, and habitats that have been reported to occur in the vicinity of the survey area. Resources reviewed included the California Native Plant Society's (CNPS') Inventory of Rare and Endangered Plants (CNPS 2020b) and the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CDFW 2019a). Database searches included the USGS' Long Beach 7.5-minute quadrangle.

The literature search also included a review of the *Biological Resources Assessment Conducted for the Industrial Self-Storage/RV Parking at 3701 Pacific Place, Long Beach, California* prepare by LSA (2020) for the adjacent property.

EXISTING CONDITIONS

Vegetation

The project site is composed entirely of disturbed vegetation types; no native vegetation types are present. Vegetation type and other areas are described below.

Ruderal vegetation occurs in the northern portion of the project site; these areas are composed of weedy species indicative of past disturbance. Non-native species observed included black mustard (*Brassica nigra*), field mustard (*Brassica rapa*), shortpod mustard (*Hirschfeldia incana*), sourclover (*Melilotus indicus*), common castor bean (*Ricinus communis*), wild radish (*Raphanus sativus*), tree tobacco (*Nicotiana glauca*), redstem filaree (*Erodium cicutarium*), common dandelion (*Taraxacum californicum*), ripgut grass (*Bromus diandrus*), and foxtail chess (*Bromus madritensis*).

Ornamental vegetation occurs throughout the project site and consists of non-native trees and shrubs planted for ornamental purposes. Ornamental species observed included Mexican fan palm (*Washingtonia robusta*), queen palm (*Syagrus romanzoffliana*), Canary Island palm (*Phoenix canariensis*), gum tree (*Eucalyptus* sp.), pine tree (*Pinus* sp.), freeway ice plant (*Carpobrotus edulis*), hawthorn (*Rhaphiolepis* sp.), and African iris (*Dietes bicolor*).

Disturbed areas consisting of bare ground occur throughout the project site. These areas include graded roads and other areas of past disturbance.

Developed areas occur mainly in the southern portion of the project site and consist of portions of old asphalt roads and parking lots.

Wildlife Habitat

The project site is composed of disturbed vegetation types and provides low quality habitat for wildlife species. Common wildlife species observed or expected to occur in the survey area are discussed below.

Habitat for amphibian species on the project site is limited. Common amphibian species that may occur include California toad (*Anaxyrus boreas halophilus*) and Baja California treefrog (*Pseudacris hypochondriaca hypochondriaca*).

Western fence lizard (*Sceloporus occidentalis*) was observed during the survey. Other common reptile species that may occur in the survey area include western side-blotched lizard (*Uta stansburiana elegans*), southern alligator lizard (*Elgaria multicarinata*), and California gopher snake (*Pituophis catenifer annectens*).

Bird species observed during the survey included mallard (*Anas platyrhynchos*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), Allen's hummingbird (*Selasphorus sasin*), Say's phoebe (*Sayornis saya*), black phoebe (*Sayornis nigricans*), California scrub-jay (*Aphelocoma californica*), American crow (*Corvus brachyrhynchos*), bushtit (*Psaltriparus minimus*), Cassin's kingbird (*Tyrannus vociferans*), blue-gray gnatcatcher (*Polioptila caerulea*), yellow-rumped warbler (*Setophaga coronata*), ruby-crowned kinglet (*Regulus calendula*), California towhee (*Pipilo crissalis*), song sparrow (*Melospiza melodia*), house finch (*Haemorhous mexicanus*), Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), and lesser goldfinch (*Spinus psaltria*). Other common bird species expected to occur include, but are not limited to, American kestrel (*Falco sparverius*), northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), and house sparrow (*Passer domesticus*).

California ground squirrel (*Spermophilus beecheyi*) and desert cottontail (*Sylvilagus audubonii*) were observed during the survey. Other small-sized mammal species expected to occur include eastern fox squirrel (*Sciurus niger*) and Botta's pocket gopher (*Thomomys bottae*). Other medium-sized mammal species expected to occur include Virginia opossum (*Didelphis virginiana*), common raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), and coyote (*Canis latrans*).

Bats occur throughout most of Southern California and may use any portion of the project site as foraging habitat. Most of the bats that could potentially occur on the project site are inactive during the winter and either hibernate or migrate, depending on the species. Bat species with potential to occur on the project site include western yellow bat (*Lasiurus xanthinus*), Yuma myotis (*Myotis yumanensis*), and Brazilian free-tailed bat (*Tadarida brasiliensis*). Bats may roost in large ornamental trees on the project site and in crevices of nearby structures.

Special Status Resources

Special Status Vegetation Types

Vegetation types may be considered special status by State and federal resource agencies, academic institutions, and various conservation groups (e.g., the CNPS). Local jurisdictions may also protect special status vegetation types through ordinances, codes, regulations, or planning policies. No special status vegetation types are present on the project site.

Jurisdictional Areas

Drainages and associated vegetation types may be subject to permit conditions, as regulated by the U.S. Army Corps of Engineers (USACE), the CDFW, and the Regional Water Quality Control Board (RWQCB) pursuant to Section 404 of the Clean Water Act and Sections 1600 et seq. of the California Fish and Game Code. The USACE and RWQCB take jurisdiction over areas considered "waters of the U.S." and wetlands. Jurisdictional waters are typically defined by the ordinary high water mark and other specific criteria. The limits of CDFW jurisdiction are often defined by riparian vegetation. No potential jurisdictional features are present on the project site.

Special Status Plant and Wildlife Species

Plants or wildlife may be considered to have "special status" due to declining populations, vulnerability to habitat change, or restricted distributions. Certain special status species have been listed as Threatened or Endangered under State and/or federal Endangered Species Acts.

Special Status Plants

Three federally and/or State-listed as Endangered plant species are known to occur in the project region: salt marsh birds-beak (*Chloropyron maritimum* ssp. *maritimum*), California Orcutt grass (*Orcuttia californica*), and Lyon's pentachaeta (*Pentachaeta lyonia*). These species are not expected to occur on the project site due to lack of suitable habitat.

Southern tarplant (*Centromadia parryi* ssp. *australis*) was observed on the adjacent property (LSA 2020). Southern tarplant is considered a California Rare Plant Rank (CRPR) List 1B species, which indicates that it is considered rare, threatened, or endangered within California by the CNPS This species was not incidentally observed on the project site during the present survey; however, the species is not yet flowering and may not have been detectable during this reconnaissance-level survey effort. Potentially suitable habitat is present on the project site and southern tarplant has potential to occur. A focused survey conducted during the blooming period of this species would be needed to determine the presence or absence of this species on the project site.

Several other CRPR List 1B species are known to occur in the project region. Species reported from the region include Horn's milk-vetch (*Astragalus hornii* var. *hornii*), Coulter's saltbush (*Atriplex coulteri*), Parish's brittlescale (*Atriplex parishii*), lucky morning-glory (*Calystegia felix*), decumbent goldenbush (*Isocoma menziesii* var. *decumbens*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), prostrate vernal pool navarretia (*Navarretia prostrata*), coast woolly-heads (*Nemacaulis denudata* var. *denudata*), estuary seablite (*Suaeda esteroa*), and San Bernardino aster (*Symphyotrichum defoliatum*). Horn's milk-vetch is not expected to occur because there are no nearby occurrences. Coast wolly-heads and estuary seablite are not expected to occur due to lack of suitable habitat. Limited marginally suitable habitat is present for Coulter's saltbush, Parish's brittlescale, lucky morning-glory, decumbent goldenbush, Coulter's goldfields, prostrate vernal pool navarretia, and San Bernardino aster. These species have a limited potential to occur. A focused survey conducted during the blooming period of these species would be needed to determine the presence or absence of these species on the project site.

Special Status Wildlife

Several special status wildlife species are known to occur in the project region; however, only Threatened or Endangered species typically present constraints to project impacts. Four federally or State-listed Threatened or Endangered species are known to occur in the project region: western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), bank swallow (*Riparia riparia*), California least tern (*Sternula antillarum browni*), and Pacific pocket mouse (*Perognathus longimembris pacificus*). These species are not expected to occur on the project site due to lack of suitable habitat.

The Crotch's bumble bee (*Bombus crotchii*) is currently a Candidate for listing by the State. The CDFW has until July 2020 to review the petition, evaluate the available information, and report back to the Commission whether the petitioned actions are warranted (CDFW 2019). The Crotch's bumblebee prefers grassland and scrub habitats. It is primarily associated with plants from the following families: *Fabaceae, Apocynaceae, Asteraceae, Lamiaceae,* and *Boraginaceae* (Richardson 2017, Thorp et. al. 1983). The Crotch's bumblebee is a ground nester and often makes its nest in abandoned mammal burrows and can be found in most native habitat types. There are no native habitat types on the project site. Also, very few

individuals of the plant species that the Crotch's bumblebee is associated with were observed on the project site. Limited marginally suitable habitat is present for this species. Therefore, Crotch's bumblebee has a limited potential to occur on the project site.

Other special status wildlife species that have been reported from the project vicinity include western tidal-flat tiger beetle (*Cicindela gabbii*), sandy beach tiger beetle (*Cicindela hirticollis gravida*), western beach tiger beetle (*Cicindela latesignata latesignata*), coast horned lizard (*Phrynosoma blainvillii*), California brown pelican (*Pelecanus occidentalis californicus*), silver-haired bat (*Lasionycteris noctivagans*), and big free-tailed bat (*Nyctinomops macrotis*). Most of these species are not expected to occur on the project site due to lack of suitable habitat. However, potentially suitable foraging and roosting habitat for the big free-tailed bat is present on the project site.

Assessment of Other Potential Biological Constraints

Critical Habitat

Critical habitat is designated for the survival and recovery of species listed as Threatened or Endangered under the Federal Endangered Species Act. The project site is not located in areas designated or proposed as Critical Habitat.

Wildlife Movement

Within large, open space areas where few or no man-made or naturally occurring physical constraints to wildlife movement are present, wildlife corridors may not yet exist. However, once open space areas become constrained and/or fragmented as a result of urban development or the construction of physical obstacles (e.g., roads and highways), the remaining landscape features or travel routes that connect the larger open space areas become corridors as long as they provide adequate space, cover, food, and water and do not contain obstacles or distractions (e.g., man-made noise, lighting) that would generally hinder wildlife movement.

The project site is surrounded by urban development and residential housing; however, the Los Angeles River is located approximately 750 feet west of the project site. The Los Angeles River and its associated tributaries provide wildlife movement corridors through dense urban areas, connecting the coast to open space in the north (i.e., Santa Monica Mountains and San Gabriel Mountains). This portion of the Los Angeles River is already surrounded by dense urban development; thus, the development of the project site is not expected to impact wildlife movement along this portion of the river.

City Tree Ordinances

The City of Long Beach has a Tree Maintenance Policy that provides guidelines to administer Section 14.28 of the Long Beach Municipal Code (City of Long Beach 2019). The purpose of this policy is to preserve and protect the community's urban forest and to promote the health and safety of the City's trees from the time they are planted through maturity. Guidelines are included in the maintenance policy for planting, maintenance, and removal of street trees located in the public rights-of-way. Trees on the project site are within the property limits and/or on Metro property. As such, trees within the project site would not be subject to the City's tree policy (as long as they are not obstructing or damaging public property).

Nesting Birds and Raptors

The Migratory Bird Treaty Act (MBTA) protects migratory birds and their nests and eggs, both common and special status. Bird species protected under the provisions of the MBTA are identified by the List of

Migratory Birds (50 *Code of Federal Regulations* [CFR] §10.13, as amended). Since the 1970s, the MBTA has been interpreted to prohibit the accidental or "incidental" take of migratory birds. However, in December 2017, the acting Solicitor of the Department of the Interior issued a new memorandum disclaiming the interpretation of the MBTA as prohibiting incidental take of migratory birds (DOI 2017). In response to the federal changes in interpretation of the MBTA, the CDFW and the California Attorney General have issued an advisory affirming California's protections for migratory birds (CDFW and Attorney General 2018).

Multiple sections of *California Fish and Game Code* provide protection for nesting birds and raptors unless the *California Fish and Game Code* or its implementing regulations provide otherwise. Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically addresses raptors (i.e., birds of prey in the orders *Falconiformes* and *Strigiformes*) and makes it unlawful to take, possess, or destroy these birds or their nest or eggs. Section 3513 prohibits the take or possession of migratory non-game birds as designated by the MBTA or any part of such bird.

Migratory birds and raptors (both common and special status) have the potential to nest in ruderal or ornamental vegetation, and on bare ground on the project site. They could also nest on nearby structures. Take of active bird nests would be a violation of *California Fish and Game Code*.

Roosting Bats

The CDFW is increasingly recommending the use of pre-construction roosting bat surveys prior to impacts on mature vegetation and structures to avoid and minimize impacts on these species. As discussed above, bats may roost in ornamental trees on the project site.

RECOMMENDATIONS

The following measures are recommended to avoid and minimize impacts on biological resources:

1. A focused survey for special status plant species would be recommended to determine whether the following species occur in the survey area: southern tarplant, Coulter's saltbush, Parish's brittlescale, lucky morning-glory, decumbent goldenbush, Coulter's goldfields, prostrate vernal pool navarretia, and San Bernardino aster. The blooming period of these species overlap; typically, two or three surveys can be conducted to cover the blooming period of these species. If any of these species are observed, the population should be avoided, if possible. If the population would be impacted, mitigation may be required depending on the number of individuals that would be impacted as compared to the number known in the project region. Mitigation for special status plants could consist of collection of seed or salvage of individuals prior to project construction.
2. A pre-construction focused survey for Crotch's bumble bee is recommended during the Crotch's bumble bee active period (March to July). The survey will be a visual survey conducted by a qualified Biologist (i.e., one with experience in the identification of bee species). The Biologist will search for Crotch's bumble bee activity and the presence of ground nests. If a ground nest is observed, it will be protected in place until it is no longer active as determined by a Biologist.
3. In order to avoid impacts on nesting birds, construction should be scheduled to begin between September 1 and January 31, which is outside the peak nesting season, if possible. If construction activities must occur during the peak nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey should be conducted by a qualified Biologist within three days prior to vegetation removal or commencement of construction activities. If the Biologist finds an active nest within or adjacent to the construction area, the Biologist will identify an appropriate

protective buffer zone around the nest depending on the sensitivity of the species, the nature of the construction activity, and the amount of existing disturbance in the vicinity.

4. A. An acoustic survey and exit counts are recommended prior to removal of trees (at any time of year) to determine if they are being used by bats. These surveys should begin at least 30 minutes prior to sunset and should continue until at least an hour after sunset. If bats are roosting in the trees, avoidance and minimization measures would be recommended to minimize effects on roosting bats. The specific exclusion measures recommended would be based on the results of the acoustic survey.

   B. To avoid impacts on maternity roosts, tree removal should occur outside the bat maternity season (April through August). Trees that are being used by roosting bats and those within 200 feet of an active roost will not be removed during the maternity season in order to avoid impacts on an active maternity roost, which may include juvenile bats that cannot fly.

   C. A qualified bat Biologist should be present during removal of palm trees. During removal of palm trees, dead palm fronds should be removed prior to felling the tree. To the greatest extent possible, the drop distance of palm fronds should be minimized to minimize the potential for injury of bats that may be roosting in the fronds. The Biologist will examine the palm fronds immediately following their removal for torpid (dormant) bats.

If you have any questions or comments, please contact Amber Heredia at Amber.Heredia@Psomas.com or 714.481.8049.

Sincerely,
PSOMAS

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Enclosures: Exhibit 1 – Project Location
Exhibit 2 – USGS Quadrangle Map
Attachment A – Representative Site Photographs

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