



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

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GAVIN NEWSOM, Governor
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Via Electronic Mail Only

March 24, 2023

Georgia Sheridan
Los Angeles County Metropolitan Transportation Authority
1 Gateway Plaza
Los Angeles, CA 90012
greenlineextension@metro.net

Subject: Metro C Line (Green) Extension to Torrance Project, Draft Environmental Impact Report, SCH #2021010269, Los Angeles County Metropolitan Transportation Authority, Los Angeles County

Dear Ms. Sheridan,

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Environmental Impact Report (DEIR) from the Los Angeles County Metropolitan Transportation Authority (Metro) for the Metro C Line (Green) Extension to Torrance Project (Project). CDFW appreciates the opportunity to provide comments regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW's regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project Applicant obtain appropriate authorization under the Fish and Game Code.

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Project Description and Summary

Objective: The Project proposes to extend Metro C (Green) Line approximately 4.5 miles from the City of Redondo Beach to the City of Torrance. The extension would start from the existing Redondo Beach (Marine) Metro C Line Station and travel southeast to the City of Torrance. Two new stations would be constructed: Redondo Beach Transit Center Station and Torrance Transit Center Station. Both stations would be adjacent to recently built bus transit centers in both cities. The extended 4.5-mile two track line would consist of a combination of elevated and at-grade segments. Light rail tracks would start on an elevated structure and run above street level for approximately 1.1 miles. Then, light rail tracks would come down to street level for approximately 3.5 miles with two at-grade crossings at 170th and 182nd streets in the City of Redondo Beach. To support light rail vehicle operations, six traction power substations would be constructed. Access to each substation would be provided via maintenance access roads. Access roads would be shielded with landscaping where possible. The Project would not include new or modified maintenance facilities. Light rail vehicles would be maintained and stored at existing Metro facilities.

Burlington Northern Santa Fe, LLC (Burlington) operates an existing freight track between Redondo Beach (Marine) Station and 190th Street within the Metro right-of-way (ROW). The Project would relocate the freight track in some areas. The freight track would remain at-grade throughout the length of the corridor. South of 190th Street, Burlington and Metro share ownership of the freight corridor. Metro owns approximately 15 feet in width and would acquire or lease additional ROW from Burlington to accommodate the Project between 190th Street and the Torrance Transit Center Station.

The Project would include multi-use paths along Metro ROW where there is space to create recreational space for walking and cycling. Multi-use paths would be located between 159th Street and Condon Avenue, and between Grant Avenue and 182nd Street.

Location: The Project would follow the existing Metro ROW. The Project area forms roughly a one-mile buffer around the Metro ROW. The Project area would include portions of the cities of Hawthorne, Lawndale, Redondo Beach, and Torrance. The Project area includes single family and multi-family residential areas, industrial and institutional uses, as well as commercial and recreational areas. The Project area also includes major activity centers such as the South Bay Galleria, and high-capacity bus transit centers, such as the Redondo Beach Transit Center and Torrance Transit Center.

Comments and Recommendations

On March 20, 2023, CDFW met with the City of Torrance to discuss an existing Southern Tarplant Open Space Preserve (Preserve) located adjacent to the Metro ROW. Based on our meeting with the City of Torrance and review of the Project's CEQA document, CDFW offers the comments and recommendations below to assist Metro in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

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Specific Comments

Comment #1: Impacts on Southern Tarplant

Issue: The Project may have a significant impact on southern tarplant (*Centromadia parryi* ssp. *australis*) protected within an established two-acre Preserve. Southern tarplant is a rare plant with a California Rare Plant Rank (CRPR) of 1B.1.

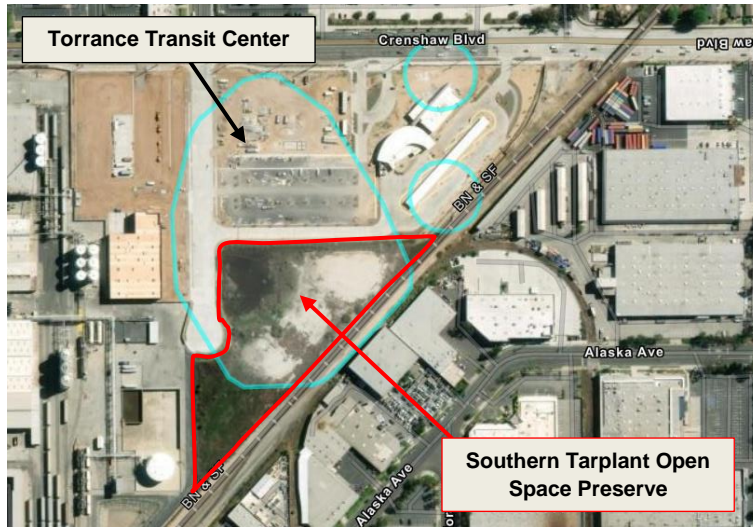
Specific impacts: The Project could result in population decline of southern tarplant and/or local extirpation of a remnant population of southern tarplant within the City of Torrance. In addition, the Project could impact a Preserve created a mitigation for a separate project.

Why impacts would occur: The DEIR states that the existing two-acre Preserve near the Torrance Transit Center was established to offset impacts resulting from the 2014 Torrance Transit Center Project¹ (Figure 1). The DEIR states, "Construction of the Proposed Project would not disturb the [Southern Tarplant] Open Space Preserve that has been established adjacent to the Torrance TC [Transit Center], as this area has been designated as a protected space by the City of Torrance." However, CDFW is concerned that the Project would temporarily and permanently disturb the Preserve and impact a rare plant species and habitat.

Figure 1. Southern Tarplant Open Space Preserve (illustrative purposes only). The Torrance Transit Center Project (SCH No. 2014121003) impacted southern tarplant populations (blue). Imagery and data from the California Natural Diversity Database (CDFW 2023a).

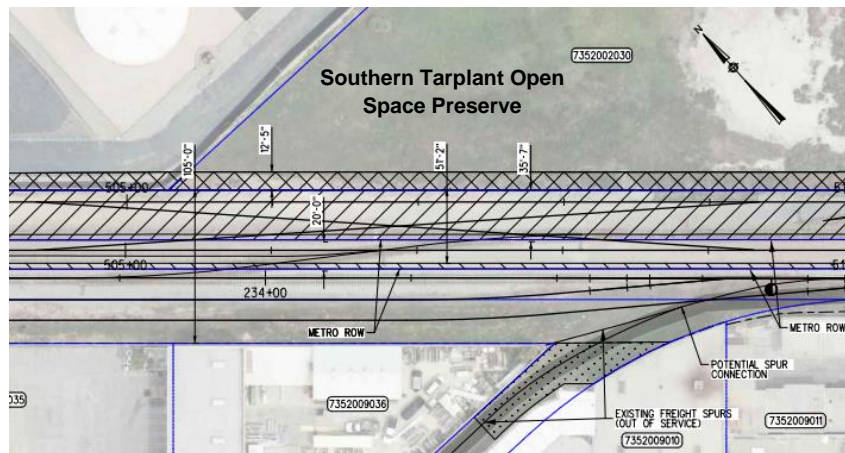
¹ Torrance Transit Park and Ride Regional Terminal (or Torrance Regional Transit Center project), SCH No. 2014121003, Mitigated Negative Declaration certified by the City of Torrance (Lead Agency) in 2014. Environmental documents available from: <https://www.torranceca.gov/our-city/community-development/planning/transit-project-2014>. According to the Mitigated Negative Declaration (MND), the Torrance Regional Transit Center project developed 6.95 acres of a 15-acre project site. Construction of the Torrance Regional Transit Center was expected to result in direct impacts to "the majority of the estimated 350 to 400 southern tarplant individuals on site." To offset these impacts, two acres was preserved for southern tarplant (Southern Tarplant Open Space Preserve). According to the MND, the two acre Southern Tarplant Open Space Preserve was supposed to be enhanced by establishing appropriate grades to promote seasonal ponding and seeding the area with southern tarplant collected prior to construction of the Torrance Regional Transit Center; designated as open space and placed within a protective easement for conservation purposes such as a restrictive covenant or conservation easement; and managed in perpetuity with long-term management funding provided by the City or successors.

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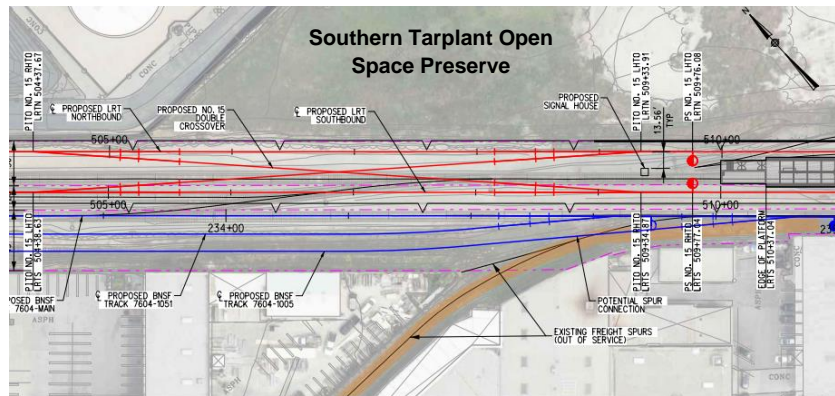


Per CDFW's meeting with the City of Torrance, the Project would need to encroach onto the Preserve by 12 to 20 feet. That could result in development and loss of between 15,000 to 20,000 square feet of the Preserve and loss of an unknown number of individual southern tarplant. In addition, drawing numbers RW-120 and T-120 in the Advanced Conceptual Engineering Drawings for the Project (Appendix 2-A) shows the Project and Metro ROW, but it is not entirely clear from the drawings if, where, and by how much the Project would encroach on to the Preserve (Figure 2). Finally, according to a Metro-produced [video](#) simulating the Project, the Metro C Line rendering at 10 minutes and seven seconds appears to show that the Preserve would be developed as part of "City of Torrance Future Development" (Metro Los Angeles 2023). Encroaching onto and/or developing the Preserve would impact southern tarplant and habitat.

Figure 2. Advanced Conceptual Engineering Drawings for the Project (Appendix 2-A), drawings RW-120 (top) and T-120 (bottom). "Southern Tarplant Open Space Preserve" label added by CDFW to identify location of the preserve. CDFW is concerned that the Project would encroach onto the two-acre preserve and impact southern plants through loss of individuals and habitat loss and degradation.



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The Project could encroach onto the Preserve during construction. Page 3.7-26 in the DEIR states, “Potential direct impacts to the southern tarplant may include the loss of individual plants as a result of removal or crushing due to construction related activities (i.e., equipment or employees inadvertently working in an unauthorized area). Potential indirect impacts may include soil and contaminant runoff in the wet season, dust in the dry season during excavation, and the introduction of non-native/invasive species that have potential to degrade habitat and outcompete southern tarplant for critical resources.” Adding to this, CDFW is concerned that loss of individual plants may also result from burial from stockpiles and spoils. The Project could have permanent impacts on southern tarplant and habitat. Permanent loss of individual tarplant and habitat supporting tarplant could occur if the Project develops any portion of the Preserve.

The DEIR discloses that the Project would have a significant impact on southern tarplant only during construction, and states that impacts would be less than significant through implementation of Mitigation Measure BIO-1. Mitigation Measure BIO-1 would require delineating construction work limits and installation of temporary fencing or markers in order to avoid and minimize impacts. Mitigation Measure BIO-1 addresses the Project’s temporary impact on southern tarplant during construction but does not address the Project’s potentially permanent impact.

Evidence impact would be significant: Southern tarplant has a CRPR of 1B.1. A CRPR of 1B.1 means that southern tarplant is a species that is rare, threatened, or endangered in the State. Plants with a CRPR of 1B are rare throughout their range with the majority of them endemic to California (CNPS 2023). Ranks also include a threat rank (0.1). A rank of 0.1 means that southern tarplant is seriously threatened in the State. Plants with a CRPR of 1B meets the definition of endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380).

Currently, there are only two populations of southern tarplant remaining within the City of Torrance (Calflora 2023, CDFW 2023). These populations are located at the Preserve and Madrona Marsh Preserve. Southern tarplant has continued to decline locally within the City of Torrance. For example, 350 to 400 plants were impacted as a result of the Torrance Regional Transit Center project (see Footnote 1). The Project’s temporary and permanent impacts on southern tarplant could contribute to decline of southern tarplant within the Preserve and City of Torrance. The Project’s impact on a rare species that only occurs in two isolated, remnant habitat fragments is significant. Loss of southern tarplant and habitat resulting from the Project has yet to be mitigated. Therefore, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as rare by CDFW.

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Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #1: CDFW recommends Metro disclose the Project's permanent impact on southern tarplant in the Project's environmental document. The environmental document should disclose where and by how much the Project would encroach onto and/or develop the Southern Tarplant Open Space Preserve. Complete and good-faith disclosure should be provided before finalizing an environmental document for the Project.

Mitigation Measure #1: Metro should provide compensatory mitigation for the Project's impact on southern tarplant. Metro should offset the Project's impact to individual plants and habitat acres at no less than 3:1 for impacts to a CRPR 1B.1 species with only two extant populations within the City of Torrance. Metro should provide additional and higher compensatory mitigation to offset impacts to a CRPR 1B.1 species protected within a preserve that was established as mitigation for a separate project. Metro should acquire and preserve land in perpetuity for southern tarplant. Land should support southern tarplant or can be demonstrated to successfully support a self-sustaining population of southern tarplant. If feasible, Metro should identify land within the City of Torrance.

Mitigation Measure #2: Metro should coordinate with CDFW to review potential mitigation land and to ensure that mitigation land is suitable for southern tarplant prior to acquisition of mitigation land.

Mitigation Measure #3: Metro should protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill 1094 (2012)². Metro should record the conservation easement before commencement of any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve.

Mitigation Measure #4: Metro should provide an appropriate endowment for the long-term management of replacement habitat. Funding should be provided for long-term management activities that include but are not limited to the following: botanical surveys; vegetation assessments; non-native plant inspections; non-native plant removal; and reporting. A mitigation plan should be prepared and include measures to protect the targeted habitat values in perpetuity from direct and indirect negative impacts. Issues that should be addressed include but are not limited to the following: protection from any future development and zone changes; restrictions on access; proposed land dedications; control of illegal dumping; water pollution; and increased human intrusion.

Mitigation Measure #5: Metro should retain a qualified biologist to prepare a Southern Tarplant Translocation Plan that should include information including but not limited to the following: seed and plant material collection methods and best management practices; planting methods; non-native, invasive plant control; monitoring plan; and schedule of activities. Metro should collect southern tarplant seeds and/or plants from the impacted population for a minimum of two years

² Assembly Bill 1094 amended Government Code sections 65965-65968. Under Government Code section 65967(c), the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

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in order to maximize the amount of plant material collected from the impacted area. A Southern Tarplant Translocation Plan should be prepared and seed and/or plants should be collected for at least two years before commencement of any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve.

Additional Recommendations

Recommendation #2: CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database (e.g., CNDDDB) which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Information on special status species should be submitted to the CNDDDB by completing and submitting [CNDDDB Field Survey Forms](#) (CDFW 2023b). Information on special status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2023c).

Recommendation #3: CDFW recommends Metro update the Project's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. CDFW provides comments to assist Metro in developing mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and enforceable through permit conditions, agreements, or other legally-binding instruments [CEQA Guidelines, § 15126.4(a)(2)] in order for mitigation measures to be implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). Metro is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided Metro with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Conclusion

We appreciate the opportunity to comment on the Project to assist Metro in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that Metro has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist, at (562) 619-2230 or by email at Ruby.Kwan-Davis@wildlife.ca.gov.

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Sincerely,

DocuSigned by:



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For Erinn Wilson-Olgin
Environmental Program Manager I

cc: CDFW

Victoria Tang – Los Alamitos – Victoria.Tang@wildlife.ca.gov
Ruby Kwan-Davis – Los Alamitos – Ruby.Kwan-Davis@wildlife.ca.gov
Felicia Silva – Los Alamitos – Felicia.Silva@wildlife.ca.gov
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Cindy Hailey – San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator – Sacramento – CEQACommentLetters@wildlife.ca.gov

State Clearinghouse - state.clearinghouse@opr.ca.gov

References:

- [CDFWa] California Department of Fish and Wildlife. 2023. California Natural Diversity Database (CNDDDB) Government [ds45] Element Code PDAST4R0P4 southern tarplant (*Centromadia parryi* ssp. *australis*). Biogeographic Information and Observation System (BIOS 6). [Accessed 2023 March 13]. Accessed at: <https://wildlife.ca.gov/Data/BIOS>
- [CDFWb] California Department of Fish and Wildlife. 2023. Submitting Data to the CNDDDB. Available from: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>
- [CDFWc] California Department of Fish and Wildlife. 2023. Natural Communities — Submitting Information. Available from: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>
- Calflora. 2023. Observation Search. *Centromadia parryi* ssp. *australis*. ID UCR-209310 and 89669. [Accessed 2023 March 13]. Accessed at: <https://www.calflora.org/entry/observ.html>
- [CNPS] California Native Plant Society. 2023. Rare Plant ranks. Available from: <https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>.
- Metro Los Angeles. 2023. C Line (Green) Extension to Torrance Project Simulation Video. Available on YouTube at: <https://www.youtube.com/watch?v=lfT9UoDv6OY>



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Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into the Project's environmental document.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
REC-1-Revise CEQA Document	Metro should disclose the Project's permanent impact on southern tarplant in the Project's environmental document. The environmental document should disclose where and by how much the Project would encroach onto and/or develop the Southern Tarplant Open Space Preserve. Complete and good-faith disclosure should be provided before finalizing an environmental document for the Project.	Prior to finalizing CEQA document	Los Angeles County Metropolitan Transportation Authority (Metro)
REC-2-Submitting Data for Sensitive and Special Status Species and Natural Communities	Information on special status species should be submitted to the CNDDDB by completing and submitting CNDDDB Field Survey Forms . Information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program.	Prior to finalizing CEQA document	Metro
REC-3-Mitigation and Monitoring Reporting Plan	Metro should condition the environmental document to include mitigation measures recommended in CDFW's comment letter.	Prior to finalizing CEQA document	Metro
MM-BIO-1-Impacts on Southern Tarplant	Metro shall provide compensatory mitigation for the Project's impact on southern tarplant. Metro shall offset the Project's impact to individual plants and habitat acres at no less than 3:1 for impacts to a CRPR 1B.1 species with only two extant populations within the City of Torrance. Metro shall provide additional and higher compensatory mitigation to offset impacts to a CRPR 1B.1	Before any ground disturbing activities within 100 feet of the Southern	Metro

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	species protected within a preserve that was established as mitigation for a separate project. Metro shall acquire and preserve land in perpetuity for southern tarplant. Land shall support southern tarplant or can be demonstrated to successfully support a self-sustaining population of southern tarplant. If feasible, Metro shall identify land within the City of Torrance.	Tarplant Open Space Preserve	
MM-BIO-2- Impacts on Southern Tarplant	Metro shall coordinate with CDFW to review potential that mitigation land and to ensure that mitigation land is suitable for southern tarplant prior to acquisition of mitigation land.	Prior to acquisition of mitigation land	Metro
MM-BIO-3- Impacts on Southern Tarplant	Metro shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. Metro shall record the conservation easement before commencement of any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve.	Before any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve	Metro
MM-BIO-4- Impacts on Southern Tarplant	Metro shall provide an appropriate non-wasting endowment for the long-term management of replacement habitat. Funding shall be provided for long-term management activities that include but are not limited to the following: botanical surveys; vegetation assessments; non-native plant inspections; non-native plant removal; and reporting. A mitigation plan shall be prepared and include measures to protect the targeted habitat values in perpetuity from direct and indirect negative impacts. Issues that shall be addressed include but are not limited to the following: protection from any future development and zone changes; restrictions on access; proposed land dedications; control of illegal dumping; water pollution; and increased human intrusion.	Before any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve	Metro
MM-BIO-5- Impacts on	Metro shall retain a qualified biologist to prepare a Southern Tarplant Translocation Plan that should include information including but not limited to the following: seed and plant material	Before any ground disturbing	Metro

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Southern Tarplant	collection methods and best management practices; planting methods; non-native, invasive plant control; monitoring plan; and schedule of activities. Metro shall collect southern tarplant seeds and/or plants from the impacted population for a minimum of two years in order to maximize the amount of plant material collected from the impacted area. A Southern Tarplant Translocation Plan shall be prepared and seed and/or plants shall be collected for at least two years before commencement of any ground disturbing activities within 100 feet of the Southern Tarplant Open Space Preserve.	activities within 100 feet of the Southern Tarplant Open Space Preserve	
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