

4.3 BIOLOGICAL RESOURCES

This section discusses the existing biological resources setting and assesses the Project's potential impacts related to biological resources that could result from the construction and operation of the Project.

The following analysis is derived from the *Biological Resources Assessment, North Pacific Place Self Storage Facility, City of Long Beach, California (BRA)* prepared by FirstCarbon Solutions (FCS), dated June 6, 2024 (FCS 2024, included as Appendix D-1). Previous biological studies include the *Biological Resources Assessment for the Artesia Parcels* completed by LSA on April 8, 2020 (LSA 2020a, included as Appendix D-6) and a *Biological Constraints Letter Report for the McDonald Parcels* completed by Psomas on April 23, 2020 (Psomas 2020, included as Appendix D-5), the Jurisdictional Delineation for 3701 North Pacific Place Project prepared by South Environmental on October 10, 2023 (South Environmental 2023, Appendix D-2), the *Focused Special-Status Plant Species for the Industrial Self-Storage/RV Parking Project at 3701 Pacific Place, Long Beach, California* prepared by LSA on August 21, 2020 (LSA 2020b, included as Appendix D-4), and the *Crotch Bumblebee Visual Survey for the Industrial Self Storage/RV Parking at 3701 Pacific Place, Long Beach, California* prepared by LSA on September 11, 2020 (LSA 2020c, included as Appendix D-3).

4.3.1 SUMMARY OF PREVIOUS ENVIRONMENTAL DOCUMENTATION

MND for the Pacific Place Project

The Biological Resources analysis for the MND for the Prior Project determined that implementation of the Prior Project would have less than significant impacts related to biological resources after implementation of mitigation.

According to the MND, Prior Project development would impact one special status plant species identified on-site – the southern tarplant. Additionally, Prior Project development also has the potential to impact the special status plant species determined to have low potential to occur onsite including Horn's milk-vetch, Coulter's saltbush, Parish's brittlescale, lucky morning-glory, decumbent goldenbush, Coulter's goldfields, prostrate vernal pool navarretia, coast woolly-heads, estuary seablite, and San Bernardino aster; and impact the special status animal species including the crotch bumblebee, western tidal-flat tiger beetle, sandy beach tiger beetle, western beach tiger beetle, coast horned lizard, California brown pelican, Palos Verde blue butterfly, burrowing owl, Yuma myotis, Mexican free-tailed bat, western yellow bat, silver-haired bat, and big free-tailed bat. The MND stated that most of these species are not expected to occur onsite due to lack of suitable habitat. However, as impacts to the special-status southern tarplant and animal species could be potentially significant, the MND identified mitigation measures **MM BIO-1** through **MM BIO-5**, which would reduce these impacts to less than significant.

The MND stated that no sensitive natural communities or riparian habitat jurisdictional to the CDFW were identified on-site, and no impact would occur.

Additionally, the MND stated that no wetlands jurisdictional to the USACE or the CDFW are present on the Project Site, and no impact would occur.

Related to wildlife corridors and nursery sites, the MND stated that the Project Site is fenced and mainly isolated from surrounding areas by two freeways and the Metro A Line tracks, and would not result in impacts to wildlife movement corridors. However, as stated in the MND, vegetation onsite has the potential to be used for nesting by birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, resulting in a potentially significant

impact. According to the MND, with implementation of **MM BIO-4**, impacts related to nesting birds would be less than significant.

The MND explained that the Prior Project would not conflict with applicable local policies or ordinances, including the City of Long Beach Municipal Code Chapter 14.28, *Trees and Shrubs*, as there are no trees located on City property or along City streets. Therefore, the MND stated the Prior Project would not impact any local policies or ordinances pertaining to biological resources.

As stated in the MND, the Project Site is not located within a habitat conservation plan or natural community conservation plan, and therefore no impact would occur.

MND Mitigation Measures

MM BIO-1 For the Artesia Parcels, a survey for special status plant species shall be conducted during their peak blooming period and prior to construction activities to determine the extent which southern tarplant occurs in the survey area. If this species is observed, the population shall 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. For southern tarplant, the Applicant shall ensure that one of the following two mitigation alternatives be implemented to offset potential impacts to the southern tarplant:

- Provided the following mitigation opportunity exists, Artesia Acquisition Company, LLC, (Developer) will pay a specified in-lieu fee to a conservation agency or other similar entity as part of a mitigation bank program (or equivalent conservation program) for the permanent preservation and conservation of the southern tarplant. The amount of the in-lieu fee will be determined in consultation between the Developer and the applicable conservation agency/entity and will be based on a 1:1 mitigation ratio, or no net loss of southern tarplants.
- In the absence of the preceding mitigation alternative, the Developer will preserve in place those southern tarplant individuals not to be impacted by the proposed project and will translocate those southern tarplant individuals to be impacted to a suitable location, which will be determined by the Developer in collaboration with the Project Biologist. This mitigation alternative will require the preparation of a detailed Southern Tarplant Mitigation/Translocation Plan (Plan) by the Project Biologist, who will be a qualified biologist, having demonstrated past project experience with the southern tarplant and preferably translocation of the southern tarplant. At a minimum, the Plan will address the goals/objectives of the mitigation, locations of the translocation “donor” and “receptor” sites, mechanism or instrument for permanent preservation of the translocation receptor site, implementation of the translocation tasks (e.g., topsoil salvage and possibly seed collection), monitoring of the receptor site, maintenance activities (e.g., weed abatement), performance standards, and documentation. The Developer and the California Environmental Quality Act (CEQA) Lead Agency (i.e., the City of Long Beach [City]) will review and approve the Plan prior to the start of project construction. This Plan will ensure no net loss of southern tarplant individuals, and topsoil salvage and/or seed collection will occur prior to any ground-disturbance activities.

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- MM BIO-2** For the McDonald Trust Parcels, a survey for special status plant species shall be conducted during their peak blooming period and prior to construction activities 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. If any of these species are observed, the population shall 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.
- MM BIO-3** For the McDonald Trust Parcels, a survey for Crotch's bumble bee shall occur prior to construction activities during the Crotch's bumble bee active period (i.e., 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. Unless a determination has been made by CDFW that the Crotch's bumble bee will not be listed as a special status species, the Applicant shall consult with CDFW to obtain a take permit for Crotch's bumble bee.
- MM BIO-4** In order to avoid impacts on nesting birds, construction shall be scheduled to begin outside the peak nesting season (i.e., between September 1 and January 31), if feasible. 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.
- MM BIO-5**
- A. An acoustic survey and exit counts shall occur 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 shall occur outside the bat maternity season if feasible and in a manner that does not impede construction activities (i.e., 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, if feasible and in a manner that does not impede construction activities.
 - C. A qualified bat Biologist shall 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.

Court Ruling Regarding Biological Resources

Two environmental groups, Riverpark Coalition and Los Angeles Waterkeeper, petitioned the Superior Court of California to stop the Prior Project, asserting that the City failed to comply with its CEQA processing obligations under Public Resources Code Section 21000, *et seq.*, when it approved the Prior Project. The petition was granted by the Court based, in part, on its finding that the Prior Project would have a significant impact on biological resources and that the proposed and above-described mitigation measures were not adequate to mitigate potential biological impacts.

4.3.2 ENVIRONMENTAL SETTING

A. Existing Conditions

The Project Site is situated adjacent to the LA River channel and approximately 5 miles north of San Pedro Bay. The LA River is channelized with concrete-lined banks and flows into San Pedro Bay. In the area adjacent to the Project Site, the banks of the channelized Los Angeles River are fortified by earthen berms that rise approximately 20 feet above the adjacent grade. Elevation at the Project Site ranges between approximately 35 feet (10.7 meters) above mean sea level on the north side of the site to approximately 70 feet (21.3 meters) on the south side of the site. (FCS 2024)

As discussed further below in Methodology, the existing conditions on the Project Site were primarily established during the general biological survey, performed by FCS Senior Biologist Michael Tuma, PhD, and FCS Staff Biologist Kyle Killian on September 13, 2023 as part of the Project-specific BRA. Previous biological studies and surveys were conducted in 2020 and are discussed herein, as appropriate. (LSA 2020a, 2020b, and 2020c)

Previous Biological Studies

The previous Biological Resources Assessment (2020 BRA) completed by LSA on April 8, 2020 (LSA 2020a, included as Appendix D-6) described the Project Site as highly disturbed, including up to 10 feet of fill soils across the site and a predominance of non-native vegetation with scattered native plants. During the site survey conducted in early December 2019, approximately 250 southern tarplant individuals were observed on portions of the site. The 2020 BRA stated that habitat on the Project Site was “less than marginal” for Crotch’s bumblebee (*Bombus crotchii*) and Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*), and assessed the potential for occurrence of these species as “low.” The 2020 BRA also stated that there was a potential for burrowing owls (*Athene cunicularia*), Yuma myotis (*Myotis yumanensis*), Mexican free-tailed bat (*Tadarida brasiliensis*), and western yellow bat (*Lasiurus xanthinus*) to forage on the Project Site. The report further stated that the Project Site is absent of jurisdictional features. The 2020 BRA recommended conducting a rare plant survey, visual surveys for Crotch’s bumble bee, a pre-construction survey for nesting birds, and a pre-construction survey and monitoring program for special-status bats. The report further recommended that a salvage and relocation plan be developed and implemented for southern tarplant. (LSA 2020a)

Focused Special-Status Plant Species surveys were prepared by LSA on August 21, 2020 (LSA 2020b, included as Appendix D-4), and the report noted that a portion of the site that was not surveyed for rare plants was cleared by the Project Applicant on August 12, 2020. LSA reported that approximately 580 additional southern tarplant individuals were observed on areas of the Project Site where they had not been observed in 2019. LSA estimated that approximately 830 southern tarplant individuals occurred on the Project Site. As a result, LSA produced a Southern Tarplant Mitigation/Translocation Plan in August 2020, which detailed a procedure for

transplanting southern tarplants to a receptor site outside of the Project impact area, salvaging topsoil containing southern tarplant seedbank to be used at the receptor site, and collection of seeds from southern tarplants that would be used to seed the receptor site. (LSA 2020b)

Additionally, a Crotch Bumblebee Visual Survey was prepared by LSA on September 11, 2020 (LSA 2020c, included as Appendix D-3), and reported that a single male Crotch's bumble bee was observed foraging on flax-leaved horseweed flowers on the Project Site, and that no bumble bee nests were observed. (LSA 2020c)

History of Site Disturbances

As further detailed in Section 4.8, Hazardous Materials, the Project Site has been subject to historical uses associated with oil production, partial cleanup and treatment efforts, and a golf learning facility. At the time of the LSA general biological survey on December 6, 2019, the southern portion of the Project Site supported ornamental vegetation and the former driving range was vegetated primarily in non-native, weedy species with a few scattered native species. (FCS 2024)





FCS reviewed historical aerial photography to reconstruct the history of recent disturbances at the Project Site related to biological resources. Aerial photographs obtained from Google Earth provided numerous views of the Project Site between 1994 and 2023. The imagery shows a pattern of surface disturbances at the site over the past 30 years. The aerial imagery shows that the majority of the Project Site exhibited a graded, bare surface in May 1995; an operational golf driving range with cultivated grass surface from 2002 through 2011; a ruderal, weedy surface between 2012 and 2016; a cleared, disturbed soil surface from 2017 through 2018; evidence of dumping of soil and debris over large portions of the Project Site in 2019; additional surface disturbances associated with off-road vehicle recreation in early 2020; and grading of the Project Site in late 2020. Portions of the Project Site show a return of ruderal vegetation in August 2021 and materials storage in July 2022. (FCS 2024)

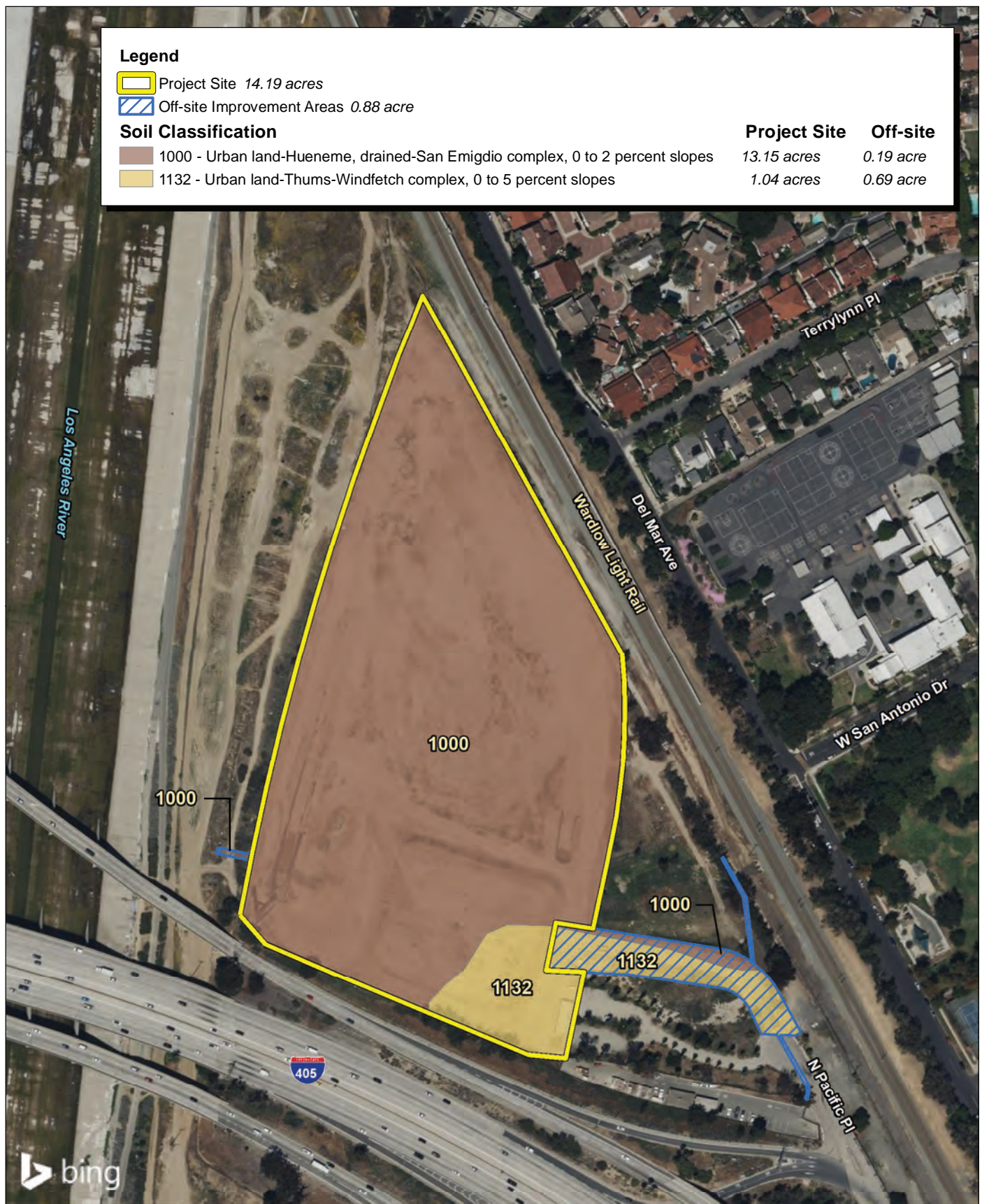
As detailed in Section 3.0, Project Description, and Section 4.8, Hazardous Materials, the Surcharge Activities, which included grading, movement of onsite soil from the northern to southern portion of the Project Site, import of certified clean soil from offsite, and creation of the Surcharge Pile from the onsite and imported soils. The Surcharge Pile is located in the area of the Project's proposed self-storage building and occupies approximately 60,000 sf of the Project Site.

According to the BRA prepared in 2024 for the Project Site (2024 BRA), there are no portions of the site that contain an original soil surface or undisturbed natural vegetation community, and soil and debris have been imported and spread over the site. Because of the extensive changes to the soils and vegetation at the site, the potential for occurrence of special-status species is very low and likely restricted to those species that tolerate disturbances or flourish in early stage successional/ruderal situations. Likewise, special-status wildlife that may occur on the Project Site would be restricted to those that are tolerant of disturbed soil surfaces and non-native vegetation (FCS 2024)

Soils

The Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) mapped two soil types (Urban land-Hueneme, drained-San Emigdio complex, 0 to 2 percent slopes; Urban land-Thums-Windfetch complex, 0 to 5 percent slope) on the Project Site, as shown on Exhibit 4.3-1, Soils Map. The Hueneme series soils are grayish brown, moderately alkaline, loamy fine sand and light sandy loam. The San Emigdio series soils are light brownish gray, moderately alkaline,

Legend			
	Project Site	14.19 acres	
	Off-site Improvement Areas	0.88 acre	
Soil Classification		Project Site	Off-site
	1000 - Urban land-Hueneme, drained-San Emigdio complex, 0 to 2 percent slopes	13.15 acres	0.19 acre
	1132 - Urban land-Thums-Windfetch complex, 0 to 5 percent slopes	1.04 acres	0.69 acre



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Aerial Source: Bing Aerial Imagery. LSA, 2020

Source: First Carbon Solutions, 2023

Soils Map

Exhibit 4.3-1

Pacific Place Project



Map not to scale



fine sandy loam. The Thums series soils are dark grayish brown, neutral to slightly alkaline, clay loam. The Windfetch series soils are dark brown, moderately acid, loam and clay loam. (FCS 2024)

Vegetation Communities and Land Use

The Project Site consists predominantly of undeveloped but previously disturbed lands containing bare areas and stands of weedy, ruderal vegetation comprised predominantly of non-native, annual vegetation. The surface of the site is disturbed through grading that was accomplished in late 2020 following approval of grading permits for the Project. During the grading the Project Site was cleared of native vegetation, a large spoil pile was established in the southwest corner of the Project Site, and two drainage and/or catch basins were created. The area surrounding the Project Site is predominantly developed, with the exception of an area between the western border of the Project Site and the LA River channel, which includes disturbed lands supporting a remnant coast scrub community best described as big saltbush shrubland alliance. The vegetation communities and land cover types recorded on and adjacent to the Project Site are described below. A map showing vegetation communities and land cover types is presented in Exhibit 4.3-2, Vegetation Community/Land Cover Map. (FCS 2024)

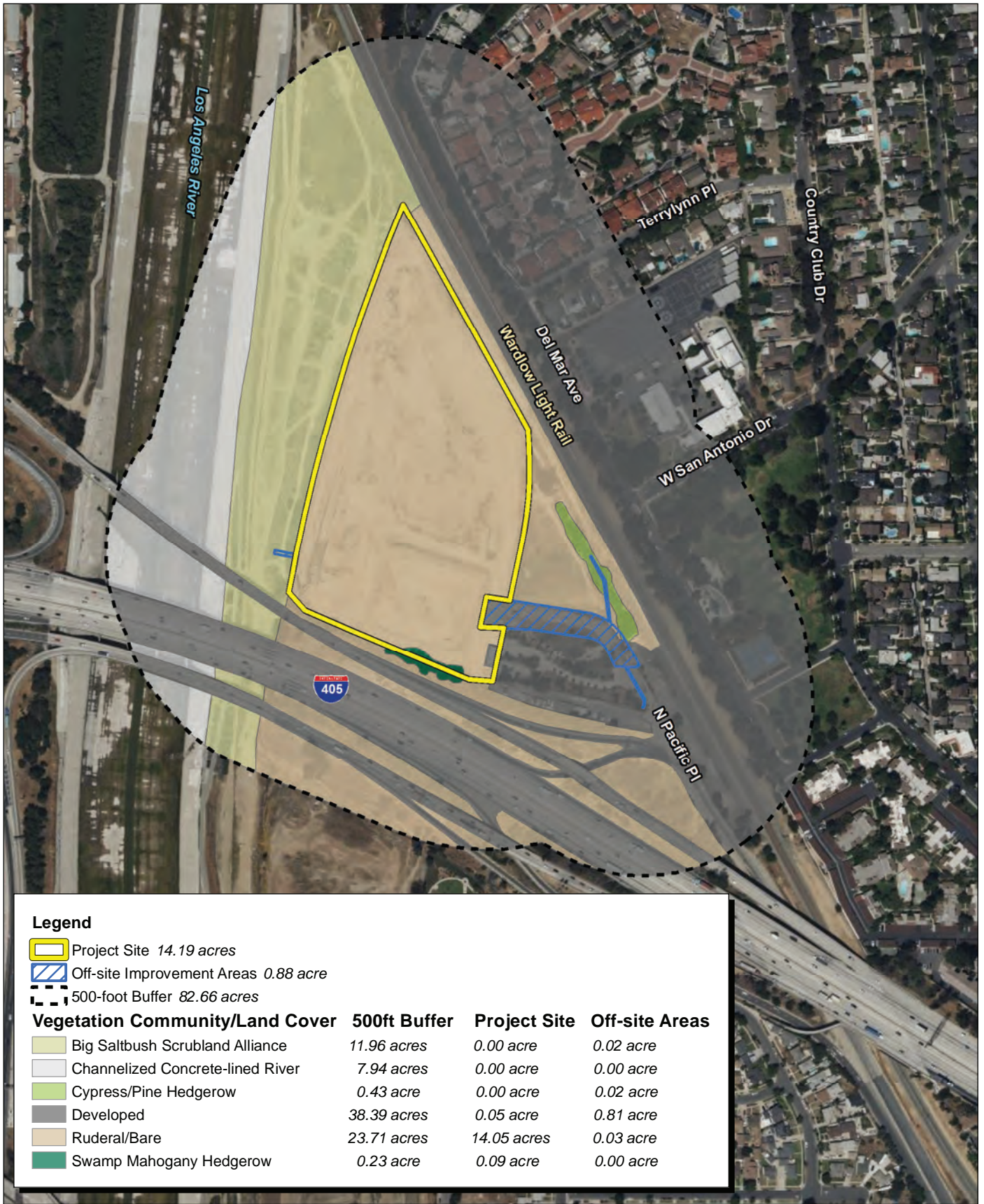
Ruderal/Bare

Portions of the Project Site had been recently disked or subjected to repeated disturbances that resulted in cleared, bare ground that is being invaded by native and non-native ruderal species. Ruderal/bare areas were observed on the west and south sides of the Project Site as well as in adjacent areas within 500 feet of the Project Site. Species observed in ruderal areas included five horn bassia (*Bassia hyssopifolia*), flax-leaved horseweed (*Erigeron bonariensis*), Canada horseweed (*Erigeron canadensis*), prostrate pigweed (*Amaranthus blitoides*), cheeseweed mallow (*Malva parviflora*), red stem filaree (*Erodium cicutarium*), shortpod mustard (*Hirschfeldia incana*), and salt heliotrope (*Heliotropium curassavicum*), among others. (FCS 2024)

Developed

Developed lands are located within 500 feet of the Project Site, primarily to the west (residential), south (commercial), and east (industrial). A small portion of the Project Site near the southwest corner is mapped as developed. This area includes a yard with outbuildings and stored materials and appears to be occupied by a squatter. Developed areas are characterized by urbanization that includes a combination of a developed and hardscaped features, landscaped and manicured vegetation, and disturbed areas with bare soil surfaces supporting ruderal vegetation. Developed and hardscaped areas include buildings, paved roads, parking lots, and sidewalks. Manicured, landscaped areas typically feature street/shade trees, lawns, and shrubs with little or no exposed soil substrates. Irrigation and fertilization of landscaped areas allow for tropical and other non-native and ornamental species to flourish in urban areas. Trees are often grown in a spaced pattern with an open understory, and lawns are typically one species maintained at a continuous, uniform height. Shrubs are grown as spaced individuals or in tight rows that are hedged. Developed areas often include areas with bare soil surfaces and weedy vegetation primarily composed of non-native, annual plant species. Developed areas provide habitat to a low diversity of wildlife that are tolerant of human-modified environments. (FCS 2024)

Areas within 500 feet of the Project boundary contain developed lands, including a residential neighborhood to the north and east, I-405 to the south, and I-710 to the southwest. The landscaped areas of the residential neighborhoods contain ornamental trees, shrubs, and annual grasses and herbs, including Mexican fan palm (*Washingtonia robusta*), camphor tree (*Cinnamomum camphora*), guava (*Psidium guajava*), Queensland brush box (*Lophostemon*



Aerial Source: Bing Aerial Imagery. LSA, 2020

Source: First Carbon Solutions, 2023

Vegetation Community/Land Cover Map

Exhibit 4.3-2

Pacific Place Project



Map not to scale



confertus), sweetgum (*Liquidambar styraciflua*), carrotwood (*Cupaniopsis anacardioides*), bottlebrush (*Callistemon spp.*), crepe myrtle (*Lagerstroemia sp.*), bougainvillea (*Bougainvillea sp.*), hibiscus (*Hibiscus sp.*), fountain grass (*Pennisetum setaceum*), society garlic (*Tulbaghia violacea*), and Bermuda grass (*Cynodon dactylon*), among others. Ruderal vegetation was observed in edges of the industrial developments, where species included a mixture of herbaceous vegetation, including prostrate pigweed, red stem filaree, red brome (*Bromus madritensis ssp. rubens*), and shortpod mustard. A hedgerow of swamp mahogany trees (*Eucalyptus robusta*) is situated along the southern border of the Project Site. (FCS 2024)

Big Saltbush Shrubland Alliance

As detailed above, the areas surrounding the Project Site are predominantly developed, with the exception of an area between the western border of the Project Site and the Los Angeles River channel, which includes disturbed lands supporting a remnant coastal scrub community best described as big saltbush shrubland alliance. This community is recovering from previous and current surface disturbances at the site that included grading and shaping of the channelized Los Angeles River and current use of the area for recreational trails. Native perennial species observed in this community included big saltbush (*Atriplex lentiformis*), alkali goldenbush (*Isocoma acradenia*), mule fat (*Baccharis salicifolia*), California buckwheat (*Eriogonum fasciculatum*), lemonade berry (*Rhus integrifolia*), and California brittlebush (*Encelia californica*). Native, annual species include telegraph weed (*Heterotheca grandiflora*), southern tarplant, and cliff aster (*Malacothrix saxatilis*). Non-native, annual species included extensive stands of shortpod mustard, as well as scattered Maltese star thistle (*Centaurea melitensis*), perennial pepperweed (*Lepidium latifolium*), red brome, prostrate knotweed, and castor bean, among others. (FCS 2024)

Southern Tarplant Population

FCS Biologists recorded a population of southern tarplants within the 500-foot buffer of the Project Site and outside of the Project Site boundaries. The tarplants were observed in the big saltbush shrubland community west of the Project Site and east of the Los Angeles River. Approximately 2,000 southern tarplant individuals were estimated to occur in this area.

As noted above, the southern tarplant population was previously recorded on the Project Site by LSA in 2019 and 2020, as shown on Exhibit 4.3-3, Southern Tarplant Population Extent. Approximately 250 tarplant individuals were recorded within an approximately 0.26-acre area in the northern portion of the Project Site in December 2019, and approximately 580 individuals were recorded in scattered locations within an approximately 0.23-acre area along the eastern boundary and in the central portion of the Project Site in August 2020. The above-ground portions of these tarplants were collected and stored and topsoil from an area supporting southern tarplants was collected and stockpiled on-site in late 2020 as described in the Southern Tarplant Mitigation/Translocation Plan prepared by LSA. (FCS 2024)

A portion of the south side of the Project Site was cleared of vegetation in August 2020 prior to the completion of rare plant surveys. LSA reported seeing southern tarplants in the debris pushed up during the vegetation clearing, though they could not ascertain how many plants were present prior to the clearing activities. Based on the condition of soils and vegetation in the cleared area that was depicted on an aerial photograph of the site taken in March 2020, the southern tarplants may have occurred over an area of approximately 1.2 acres within the cleared area. The density of southern tarplants recorded in other areas on and adjacent to the site is cumulatively 367 tarplants per acre. Given the size of the cleared areas that could have supported southern tarplants (1.2 acres) and density of tarplants on and adjacent to the site, it is conservatively estimated that approximately 445 individual tarplants occurred in the areas that were cleared. In



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Aerial Source: Bing Aerial Imagery. LSA, 2020

Source: First Carbon Solutions, 2023

Southern Tarplant Population Extent

Exhibit 4.3-3

Pacific Place Project



Map not to scale



total, approximately 1,275 southern tarplants are estimated to have been removed from the Project Site.

Wildlife

The vegetation community and land cover types on the Project Site provide habitat for wildlife species that are tolerant of disturbed areas within urbanized areas. Additionally, the anthropogenic features adjacent to the Project Site (buildings and ornamental trees) could provide habitat for several wildlife species. Wildlife activity during the general biological survey was low and few species were observed. The following discussions regarding the wildlife species observed within the Project Site are organized by taxonomic group. Each discussion contains representative examples of a particular taxonomic group either observed or expected to occur on-site. No special-status wildlife species were observed during the survey. (FCS 2024)

Invertebrates

Numerous butterfly (Lepidoptera) and dragonfly (Odonata) species were observed on-site. Other species that are likely to occur at the site year-round or during seasonal pulses include several species of beetles, flies, ants, bees, wasps, moths and butterflies, grasshoppers and crickets, and spiders and tarantulas, among others. (FCS 2024)

Amphibians and Fish

No amphibian or fish species were observed on-site during the general biological reconnaissance surveys. Because of the urbanized nature of the Project Site and vicinity and a lack of permanent or sufficient water sources, fish and amphibians are not expected to occur on-site. (FCS 2024)

Reptiles

One reptile species, western fence lizard (*Sceloporus occidentalis*) was observed on-site. Another common species that may occur on-site is woodland alligator lizard (*Elgaria multicarinata webbii*). (FCS 2024)

Birds

Several avian species were observed during the survey, including house finch (*Haemorhous mexicanus*), Say's phoebe (*Sayornis saya*), black phoebe (*Sayornis nigricans*), mourning dove (*Zenaida macroura*), Lincoln's sparrow (*Melospiza lincolnii*), American kestrel (*Falco sparverius*), Cooper's hawk (*Accipiter cooperii*), and red-tailed hawk (*Buteo jamaicensis*). Other bird species expected to occur on-site include common species typical of the region and tolerant of anthropogenic activities and features, such as northern mockingbird (*Mimus polyglottos*) and lesser goldfinch (*Spinus psaltria*), and non-native species such as Eurasian collared dove (*Streptopelia decaocto*), rock pigeon (*Columba livia*), and European starling (*Sturnus vulgaris*). Birds may find nesting habitat throughout the Project Site on bare ground and in herbaceous stands, and in shrubs, and trees and on buildings and other structures adjacent to the site. (FCS 2024)

Mammals

Three mammal species were observed on-site during the field survey, including California ground squirrel (*Otospermophilus beecheyi*), coyote (*Canis latrans*; scat), and valley pocket gopher (*Thomomys bottae*; burrow). Numerous burrows of California ground squirrel were observed throughout the Project Site. (FCS 2024)

Regulated Trees

No trees are present on-site that would allow bat roosting or the establishment of maternity roosts, nor were other structures present that could potentially support roosting by common or sensitive bat species or maternity roosts. (FCS 2024)

Wildlife Movement Corridors

The majority of the Project Site consists of undeveloped land, but it is mostly surrounded by urbanized areas, roads, and highways to the west and south that limit wildlife movement through the Project Site. The Project Site itself does not serve as a wildlife movement corridor, though the adjacent property along the Los Angeles River channel may serve as a wildlife corridor for common species tolerant of human landscapes, such as coyote. (FCS 2024)

Jurisdictional Habitats

There were no waters or wetland features detected on the Project Site during the general biological survey that would be considered potentially jurisdictional by USACE, nor any features that would be considered potentially jurisdictional by State regulatory agencies, including the RWQCB and/or the CDFW. No wetlands or jurisdictional drainages were depicted in the National Wetlands Inventory database or as blue-line streams on the Long Beach, California USGS 7.5-minute Topographic Quadrangle Map. Additionally, there were no vernal pools or other natural depressions observed on-site that could potentially support habitat for vernal pool species such as fairy shrimp. (FCS 2024)

A formal jurisdictional delineation of wetlands/waters was completed by South Environmental, which is included as Appendix D-2 of this Draft EIR. This investigation concluded that there are no features on the Project Site that would potentially be considered jurisdictional by USACE, CDFW, or RWQCB. (FCS 2024)

B. Regulatory Framework

Federal

Endangered Species Act

The United States Fish and Wildlife Service (USFWS) has jurisdiction over species listed as threatened or endangered under the Endangered Species Act. Section 9 of the Endangered Species Act protects listed species from “take,” which is broadly defined as actions taken to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.” The Endangered Species Act protects threatened and endangered plants and animals and their critical habitat. Candidate species are those proposed for listing; these species are usually treated by resource agencies as if they were actually listed during the environmental review process. (FCS 2024)

A proposed project may acquire permission to “take” listed and candidate species through implementation of sections of the Endangered Species Act. If the proposed project is funded by, authorized by, or otherwise involves a federal agency, Section 7 requires those agencies to consult with the USFWS to ensure that the project does not jeopardize the future existence of any listed species. The consultation results in either a concurrence letter from USFWS stating that the proposed action does not jeopardize the species, or a Biological Opinion issued by USFWS that includes a defined limit of “take” of listed species that is authorized for the action. When there is no federal nexus to pursue Section 7 permissions, USFWS may authorize “take” of listed species

through Section 10, which allows private landowners, corporations, Native American Tribes, states, cities, and counties to implement projects that could affect listed species. Under this process, the project proponent seeks “take” permissions through completing and submitting for approval a Habitat Conservation Plan (HCP) approved by the USFWS. The HCP defines the project and potential for “take” of species, and outlines measures to mitigate or compensate for impacts that would occur during implementation of the project. Often a draft Implementing Agreement (IA) is included with the permit application for larger HCPs, such as a regional plan. An IA is a contract that describes the roles and responsibilities of the permit holder, the federal wildlife agency, and any other parties responsible for implementing the HCP. (FCS 2024)

Migratory Bird Treaty Act

The MBTA implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. All migratory birds and their nests are protected from take and other impacts under the MBTA. (16 United States Code [USC] § 703, et seq) (FCS 2024)

Bald and Golden Eagle Protection Act

The golden eagle (*Aquila chrysaetos*) and bald eagle (*Haliaeetus leucocephalus*) are afforded additional protection under the Eagle Protection Act, amended in 1973 (16 USC § 669, et seq.) and the Bald and Golden Eagle Protection Act. (16 USC §§ 668–668d) (FCS 2024)

Clean Water Act

Section 404

The United States Army Corps of Engineers (USACE) administers Section 404 of the federal Clean Water Act (CWA), which regulates the discharge of dredge and fill material into waters of the United States. The USACE has established a series of nationwide permits that authorize certain activities in waters of the United States if a proposed activity can demonstrate compliance with standard conditions. Normally, USACE requires an individual permit for an activity that will affect an area equal to or greater than 0.5 acre of waters of the United States. A project that results in impacts to less than 0.5 acre of waters of the United States can normally be conducted pursuant to one of the nationwide permits if it is consistent with the standard permit conditions. (FCS 2024)

Section 401

As stated in Section 401 of the CWA, “any applicant for a federal permit for activities that involve a discharge to waters of the State, shall provide the federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the federal Clean Water Act.” Therefore, before the USACE will issue a Section 404 permit, applicants must apply for and receive a Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB). (FCS 2024)

State

California Endangered Species Act

The State of California enacted the California Endangered Species Act (CESA) in 1984. CESA pertains to State-listed endangered and threatened species. CESA requires State agencies to

consult with the CDFW when preparing CEQA documents to ensure that the State lead agency actions do not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available (Fish and Game Code [FGC] § 2080). CESA directs agencies to consult with the CDFW on projects or actions that could affect listed species, directs the CDFW to determine whether jeopardy would occur, and allows the CDFW to identify “reasonable and prudent alternatives” to the project consistent with conserving the species. CESA allows the CDFW to authorize exceptions to the State’s prohibition against take of a listed species if the “take” of a listed species is incidental to carrying out an otherwise lawful project that has been approved under CEQA (FGC § 2081). Under CESA, the California Fish and Game Commission may authorize taking of candidate species, and the CDFW may recommend that the Commission authorize (or not authorize) the taking of listed or candidate species (FGC § 2084). (FCS 2024)

California Fish and Game Code

Rare, Threatened, and Endangered Species

Under CESA, the CDFW has the responsibility for maintaining a list of endangered and threatened species (FGC § 2070). Fish and Game Code Sections 2050 through 2098 outline the protection provided to California’s rare, endangered, and threatened species. Fish and Game Code Section 2080 prohibits the taking of plants and animals listed under the CESA, and Fish and Game Code Section 2081 established an ITP program for State-listed species. The CDFW maintains a list of “candidate species” which it formally notices as being under review for addition to the list of endangered or threatened species. (FCS 2024)

Fully Protected Species

Fish and Game Code Sections 3500—5500 outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. The CDFW cannot issue permits or licenses that authorize the take of any fully protected species except under certain circumstances such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock. (FCS 2024)

Species of Special Concern

In addition to formal listing under the Endangered Species Act and CESA, some species receive additional consideration by the CDFW and local lead agencies during the CEQA process. Species that may be considered for review are those listed as a “Species of Special Concern.” The CDFW maintains lists of “Species of Special Concern” that serve as species “watch lists.” Species with this status may have limited distributions or limited populations and/or the extent of their habitats has been reduced substantially, such that their populations may be threatened. Thus, their populations are monitored, and they may receive special attention during environmental review. While Species of Special Concern are not State-listed do not receive CESA protection, they can be shown to meet the criteria for State listing and thus protected under CEQA, where they meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). In addition to Species of Special Concern, the CDFW Special Animals List identifies animals that are tracked by the California Natural Diversity Database (CNDDDB) and may be potentially vulnerable but warrant no federal interest and no legal protection. (FCS 2024)

Other Sensitive Species

Sensitive species that would qualify for listing but are not currently listed are afforded protection under CEQA. CEQA Guidelines Section 15065 (Mandatory Findings of Significance) requires that a substantial reduction in numbers of a rare or endangered species be considered a significant effect. CEQA Guidelines Section 15380 (Rare or Endangered Species) provides for the assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the California Native Plant Society (CNPS) List ranked 1A, 1B, and 2 would typically require evaluation under CEQA. (FCS 2024)

Native Bird Protection

Sections 3503, 3503.5, and 3513 protect native birds. Under Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any native bird. Under Fish and Game Code Section 3503.5, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird. Under Fish and Game Code Section 3513, it is unlawful to take or possess any native, migratory bird as designated in the MBTA except as provided by rules and provisions of the MBTA. Mitigation for avoidance of impacts to nesting birds is typically included in CEQA and other permitting documents to ensure project compliance with these Fish and Game Code Sections. (FCS 2024)

Native Plant Protection Act

The Native Plant Protection Act of 1977 (NPPA) (FGC § 1900, et seq.) prohibits the taking, possessing, or sale within the State of any plants with a State designation of rare, threatened, or endangered (as defined by the CDFW). An exception to this prohibition in the NPPA allows landowners to take listed plant species under specified circumstances, provided that the owners first notify CDFW and give the agency at least 10 days to come and retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. Fish and Game Code Section 1913 exempts from “take” prohibition “the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right-of-way.” Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the proposed project. (FCS 2024)

Lake or Streambed Alteration

Fish and Game Code Section 1602 requires any entity to notify the CDFW before beginning any activity that “may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake” or “deposit debris, waste, or other materials that could pass into any river, stream, or lake.” “River, stream, or lake” includes waters that are episodic and perennial and ephemeral streams, desert washes, and watercourses with a subsurface flow. A Lake or Streambed Alteration Agreement will be required if the CDFW determines that project activities may substantially adversely affect fish or wildlife resources through alterations to a covered body of water. (FCS 2024)

Natural Community Conservation Planning Act

Section 2800 of the California Fish and Game Code establishes the Natural Community Conservation Planning Act (NCCP Act), which allows the CDFW to authorize Natural Community Conservation Plans (NCCPs) to allow “take” of species listed under CESA and other sensitive species and vegetation communities on a regional scale. The primary objective of the NCCP Act

is to conserve covered natural communities and species at the ecosystem scale while accommodating compatible land uses, or covered activities. NCCPs must provide conservation and management of natural communities and species in perpetuity within the area covered by permits. Each NCCP provides measures necessary to conserve and manage sensitive biological resources, including natural vegetation communities and the plant and wildlife species they support, within a reserve system, while also allowing compatible developments and other projects to “take” species and habitats under special conditions outside of areas targeted for conservation. NCCPs are different from HCPs because the NCCP Act requires that conservation actions improve the long-term conservation of species, whereas HCPs typically only require avoidance of adverse impacts to species. Additionally, while HCPs can be implemented at a project or regional scale, an NCCP must be applied across regional scales to promote the long-term recovery of species, protection of habitats and natural communities, and maintenance of species diversity at the landscape level. (FCS 2024)

California Porter-Cologne Water Quality Control Act

The RWQCB regulates actions that would involve “discharging waste, or proposing to discharge waste, within any region that could affect the waters of the State” (Water Code § 13260(a)), pursuant to provisions of the Porter-Cologne Water Quality Act. “Waters of the State” are defined as “any surface water or groundwater, including saline waters, within the boundaries of the State” (Water Code § 13050(e)). (FCS 2024)

California Oak Woodlands Conservation Act (AB 242)

The State of California enacted the California Oak Woodlands Conservation Act in 2001. It established requirements for the preservation and protection of oak woodlands and trees, and allocated funding to be managed by the Wildlife Conservation Board that would support a variety of ways to preserve oak woodlands throughout the State. In order to qualify to use these funds, counties were required to adopt an oak woodland conservation management plan. In 2004, SB 1334 (Public Resources Code [PRC] § 21083.4) expanded this preservation effort by requiring that a county, “in determining whether CEQA requires an Environmental Impact Report, Negative Declaration, or Mitigated Negative Declaration, to determine whether a project in its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment, and would require the county, if it determines there may be a significant effect to oak woodlands, to require one or more of specified mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands.” (FCS 2024)

California Native Plant Society Rare Plant Rankings

The CNPS maintains a rank of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Following are the definitions of the CNPS ranks:

- Rank 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
- Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere
- Rank 2A: Plants presumed extirpated in California but common elsewhere
- Rank 2B: Plants rare, threatened, or endangered in California but more common elsewhere
- Rank 3: Plants about which more information is needed
- Rank 4: Watch List: Plants of limited distribution

Potential impacts to populations of CNPS ranked plants receive consideration under CEQA review. All plants appearing on the CNPS List ranked 1 or 2 are considered to meet the CEQA Guidelines Section 15380 criteria. Rank 3 and 4 plants do not automatically meet this definition. Impacts to Rank 3 plants may warrant consideration under CEQA if sufficient information is available to assess potential impacts to such plants. Rank 4 plants do not clearly meet CEQA standards and thresholds for impact considerations but impacts to them may warrant consideration under CEQA if cumulative impacts are significant enough to affect their overall rarity. (FCS 2024)

Local

City of Long Beach General Plan

The City of Long Beach General Plan is a policy document that establishes the goals, policies, and directions the City will take to achieve the vision of the community and guide the future development of the City. The City of Long Beach General Plan contains twelve elements including Air Quality, Conservation, Historic Preservation, Housing, Land Use, Local Coastal Program, Transportation (known as the Mobility Element), Noise, Open Space and Recreation, Public Safety, Seismic Safety, and Urban Design. This section focuses on the Conservation Elements. Project consistency with all elements of the City's General Plan is further analyzed in Section 4.10, Land Use and Planning.

Conservation Element

The General Plan Conservation Element was adopted on April 30, 1972, and recognizes natural resources and areas of special interest with the City and acts as a guideline for promoting policies, standards, and programs essential for the economic and environmental well-being of the City. The Conservation Element identifies seven subject areas of significance: Harbors, Soils, Water, Marine Biota, Mineral Resources, Wildlife and Vegetation, and Habitats (natural and man-made). The element outlines goals for each of the subject areas of significance. The goals and policies of the Conservation Element that are relevant to the Project, as well as a Project consistency analysis, are provided below in Table 4.10-1. (City of Long Beach 1972)

City of Long Beach Municipal Code, Chapter 14.28, Trees and Shrubs

Per City of Long Beach Municipal Code Section 14.28.060, trees along City streets or on City property may not be planted, cut, trimmed, pruned, or removed without a permit from the Director of Public Works. The Director may require that any approved work be performed under supervision of the Public Works Department.

Per City of Long Beach Municipal Code Section 14.28.100, during the construction of buildings or other structures, the project thereof shall ensure that trees and shrubs located along City streets or on City property are protected from injury during construction.

4.3.3 PROJECT IMPACTS

A. Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, a project would result in a significant biological resources impact if it would:

- Threshold 4.3a** *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- Threshold 4.3b** *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- Threshold 4.3c** *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- Threshold 4.3d** *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*
- Threshold 4.3e** *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- Threshold 4.3f** *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

B. Methodology

The following methodology is derived from the 2024 BRA.

Literature and Database Review

A literature review was conducted to evaluate potential Project impacts on biological resources on the Project Site and in the surrounding area.

Existing Documentation

As part of the literature review, an FCS Biologist examined existing environmental documentation for the Project Site and vicinity. This documentation included literature pertaining to the habitat requirements of special-status species with the potential to occur in the Project vicinity and federal register listings, protocols, and species data provided by the USFWS and CDFW. (FCS 2024)

Topographic Maps and Aerial Photographs

An FCS Biologist reviewed current United States Geologic Survey (USGS) 7.5-minute topographic quadrangle map(s) and aerial photographs as a preliminary analysis of the existing

conditions within the Project Site and immediate vicinity. Information obtained from the topographic maps included elevation, general watershed information, and potential drainage feature locations using Google Earth in conjunction with the United States Environmental Protection Agency (EPA) Watershed Assessment, Tracking, and Environmental Results System (WATERS).⁷ Aerial photographs provided a perspective of the current site conditions relative to on-site and off-site land use, plant community locations, and potential locations of wildlife movement corridors. To assess changes in site conditions over time, FCS Biologists reviewed historical aerial imagery maintained in Google Earth and assessed how these changes affected biological resources on-site. (FCS 2024)

Soil Surveys

FCS Biologists also reviewed United States Department of Agriculture (USDA) soil surveys to establish if soil conditions in the Project Site are suitable for any special-status plant species. These soil profiles include soil series with similar thickness, arrangement, and other important characteristics. The soil series consist of separate soil mapping units that provide specific information regarding soil characteristics. Many special-status plant species have a limited distribution based exclusively on soil type. To determine the existing soil mapping units within the Project Site and to establish if soil conditions are suitable for supporting special-status species populations, an FCS Biologist reviewed pertinent USDA soil survey data. (FCS 2024)

Special-status Species Database Search

An FCS Biologist compiled a list of threatened, endangered, and otherwise special-status species previously recorded within the Project vicinity based on a search of the USFWS Information for Planning and Consultation (IPaC) database, the CNDDDB, and the CNPS Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California. The CNDDDB search focused on species records within 5 and 10 miles of the Project Site. The CNPSEI search focused on records from the Long Beach, California USGS 7.5-minute Topographic Quadrangle Map and the seven surrounding quadrangles. The CNDDDB Biogeographic Information and Observation System (BIOS 6) was used to determine distances between species occurrences and the Project Site. (FCS 2024)

Assessment of Potential for Occurrence of Special-status Species

The potential for occurrence on the Project Site was assessed for each of the special-status species identified in the database searches. The assessment of potential for occurrence was based on conditions on the Project Site, habitat requirements of special-status species, and number of recent (< 20 years old) occurrences in the Project vicinity. The occurrence potential for each special-status species was classified into one of the following categories:

No Potential for Occurrence or Absent—There is no suitable habitat for the species on the Project Site or the Project Site is located outside of the known range of the species.

Low Potential to Occur—Species is known to occur in the Project vicinity (within the nine USGS quadrangle search area); however, there is only poor quality or marginal habitat on the Project Site.

Moderate Potential to Occur—Species is known to occur in the vicinity of the Project Site (based on recent [within 20 years] CNDDDB or other records within 10 miles of the Project Site or based on professional expertise specific to the Project Site or species) and there is marginally or partially suitable habitat on the Project Site. Alternatively, there is marginally or partially suitable habitat on the Project Site and the Project Site is within the known range of the species.

High Potential to Occur—Species is known to occur in the vicinity of the Project Site (based on recent [within 20 years] CNDDDB or other records within 5 miles of the Project Site or based on professional expertise specific to the Project Site or species), and there is suitable habitat on the Project Site. Alternatively, there is suitable habitat on the Project Site and the Project Site is within the known range of the species.

Present—Species is known to occur on the Project Site, based on recent (within 20 years) CNDDDB or other records, and there is suitable habitat present on the Project Site or the species was observed on the Project Site during the field survey(s). (FCS 2024)

Trees and Native Vegetation

Prior to conducting the general biological survey, an FCS Biologist reviewed applicable City and County ordinances pertaining to tree and native vegetation preservation and protection and ascertained whether measures or permits are required to remove, replace, or transplant protected trees or native vegetation. (FCS 2024)

Jurisdictional Features

Prior to conducting the general biological survey, an FCS Biologist reviewed EPA WATERS and aerial photography to identify potential natural drainage features and water bodies. In general, all surface drainage features identified as blue-line streams on USGS maps and linear patches of vegetation are expected to exhibit evidence of flows and considered potentially subject to State and federal regulatory authority as waters of the United States and/or State. A preliminary assessment was conducted to determine the location of any existing drainages and limits of Project -related grading activities to aid in determining whether a formal delineation of waters of the United States or State is necessary. A more detailed assessment of potential jurisdictional drainage features and waters on the Project Site was conducted by South Environmental and included as Appendix D-2 of this Draft EIR. (FCS 2024)

Field Survey

The objective of the general biological survey, performed by FCS Senior Biologist Michael Tuma, PhD and FCS Staff Biologist Kyle Killian on September 13, 2023, was to ascertain general site conditions and identify whether existing vegetation communities provide suitable habitat for special-status plant or wildlife species. During this survey, the Biologist walked and drove the Project Site and characterized and mapped vegetation communities, identified and recorded plants and wildlife observed on-site, and recorded evidence of wildlife habitats, including wildlife corridors, nests, dens, or burrows. Special- status or unusual biological resources identified during the literature review were ground-truthed during the field survey for mapping accuracy. Special attention was paid to sensitive habitats and areas potentially supporting special-status floral and faunal species. A habitat assessment was also performed for sensitive and common bat species. (FCS 2024)

Vegetation Communities and Plants

Common plant species observed during the general biological survey were identified by visual characteristics and morphology in the field and recorded in a field notebook and on field maps. Uncommon and fewer familiar plants were identified with the use of taxonomical guides, including Jepson eFlora and Calflora. Taxonomic nomenclature used in this study follows The Jepson Manual: Vascular Plants of California. Common plant names, when not available from The Jepson Manual, were taken from other regionally specific references. Vegetation community types and boundaries were noted on aerial photos, verified through field observation, and digitized using

ESRI ArcGIS software® ArcMap 10.0. By incorporating collected field data and interpreting aerial photography, a map of habitat types, land cover types, and other biological resources within the Project Site was prepared. Vegetation community and land cover types used to help classify habitat types are based on the Manual of California Vegetation (MCV) and cross-referenced with the CDFW Natural Communities List. (FCS 2024)

Sensitive natural communities are vegetation communities or special wildlife habitats that are rare or occur in limited distributions or provide specific habitat requirements for special-status plant or wildlife species. The CDFW maintains a list of natural vegetation communities found in California and ranks them based on rarity. Communities ranked S1-S3 are considered sensitive natural communities. (FCS 2024)

Wildlife

Wildlife species detected during the general biological survey by sight, calls, tracks, scat, or other signs were recorded. Notations were made regarding suitable habitat for those special-status species determined to have the potential to occur within the Project Site. Appropriate field guides were used to assist in species identification during surveys, such as Peterson, Reid, and Stebbins. Online resources such as eBird and California Herps were also consulted, as necessary. (FCS 2024)

Wildlife Movement Corridors

Wildlife movement corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. Urbanization and the resulting fragmentation of open space areas create isolated “islands” of wildlife habitat, forming separated populations. Corridors act as an effective link between populations. (FCS 2024)

The Project Site was evaluated for evidence of a wildlife movement corridor during the general biological survey. The scope of the biological resource assessment did not include a formal wildlife movement corridor study utilizing track plates, camera stations, scent stations, or snares. Rather, the focus of this study was to determine whether a change in land use at the Project Site could have significant impacts on the regional movement of wildlife. Conclusions are based on the information compiled during the literature review, including aerial photographs, USGS topographic maps, and resource maps for the vicinity; the field survey; and professional experience with the desired topography, habitat, and resource requirements of the special-status species potentially utilizing the Project Site and vicinity. (FCS 2024)

C. Standard Requirements

No standard requirements for this resource topic apply to the Project.

D. Impact Analysis

Threshold 4.3a ***Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

Special Status Plant Species

As stated in the 2024 BRA, within 10 miles of the Project Site, 46 special-status plant species have been recorded in the CNDDDB, on the eight-quadrangle search area of the CNPSEI, and in

the IPaC query results. Appendix E of the 2024 BRA includes the species' status, required habitat, and a summary analysis of the potential for each species to occur on the Project Site. The potential for occurrence of a species was based on current biological conditions on the Project Site and presence of suitable habitats, soil types, and proximity and number of occurrences recorded in the CNDDDB. Previous surface disturbances evident throughout the Project Site have lowered the potential for persistence and occurrence of populations of most special-status plant species. Those special-status plants that are not expected to occur on the Project Site are not discussed further. One special status plant species, the southern tarplant (*Centromadia parryi* ssp. *australis*), is identified as present on the Project Site, and the decumbent goldenbush (*Isocoma menziesii* var. *decumbens*) has a low potential for occurrence on-site. Both species are further discussed below. (FCS 2024)

The following species were assessed in the 2020 BRA as having low potential to occur on the Project Site, but their potential for occurrence on the site was assessed in the current BRA as no potential for occurrence, including Coulter's saltbush (*Atriplex coulteri*); Parish's brittlescale (*Atriplex parishii*); lucky morning-glory (*Calystegia felix*); salt marsh bird's-beak (*Chloropyron maritimum* ssp. *maritimum*); Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*); and prostrate vernal pool navarretia (*Navarretia prostrata*). As these plant species are currently identified as having no potential to occur on site, no impacts would occur. (FCS 2024)

Southern Tarplant and Decumbent Goldenbush

One special-status plant species, the southern tarplant, has been documented on-site and a second special-status plant species, decumbent goldenbush, has potential, albeit low, to occur on-site. Neither of these species is State or federally listed, but southern tarplant is ranked as 1B.1 by CNPS and decumbent goldenbush is ranked 1B.2. Therefore, the Project has the potential to significantly impact the southern tarplant and decumbent goldenbush, resulting in a potentially significant impact. (FCS 2024)

A population of southern tarplant was documented on the Project Site in 2020, prior to grading of the site associated with Surcharge Activities. Surcharge Activities are estimated to have removed approximately 1,275 tarplant individuals, including approximately 830 that were recorded by LSA in 2019 and 2020, and approximately 445 that were estimated to have occurred in on-site areas that were cleared prior to rare plant surveys being conducted. Prior to Surcharge Activities and the resultant removal of the known locations of southern tarplants in 2020, LSA collected the above-ground portions of the approximately 830 plants and collected and stockpiled topsoil from these areas to be used for an on-site mitigation program. As the Project was halted following the Surcharge Activities, on-site restoration of southern tarplant did not occur. Therefore, the Project impacts to the southern tarplant are considered to be potentially significant. (FCS 2024)

Special Status Wildlife Species

As stated in the 2024 BRA, 41 special-status wildlife species were identified as occurring within 10 miles of the Project Site as recorded in the CNDDDB and no additional species were identified in the USFWS IPaC42 review. Appendix E of the 2024 BRA includes the legal status of each species, their required habitat types and features, and their potential to occur on the Project Site. Appendix E of the 2024 BRA also includes special-status wildlife species that have been determined to have no or low potential to occur on-site, primarily based on the Project Site being situated outside of the range of the species or absence of suitable habitat or the lack of recent records in the Project vicinity, along with other justification(s) for their exclusion from further discussion. Most species with records in the Project vicinity were assessed as having no or low potential to occur because the Project Site is outside of the known distributional range of the species or because the Project Site does not support suitable habitat. (FCS 2024)

The following species were assessed in the 2020 BRA as having low potential to occur on the Project Site, but their potential for occurrence on the site was assessed in the 2024 BRA as no or low potential for occurrence, including the burrowing owl; Yuma myotis; Mexican free-tailed bat; and western yellow bat. Although the potential for burrowing owls to occur on-site is considered low, it may be possible that the site could be inhabited temporarily by dispersing or transient burrowing owls, and therefore is also discussed further below. As the other wildlife species are currently identified as having no potential to occur on site, no impacts would occur. (FCS 2024)

Special status wildlife species with moderate to high potential to occur on site are discussed below.

Monarch Butterfly

Monarch butterflies are known to migrate along coastal California and to gather in large numbers to roost in groves of eucalyptus, Monterey cypress, Monterey pine, or other trees. Migrating groups begin to arrive in late October and typically disperse by mid-February. This species is a Candidate for listing under the federal Endangered Species Act. Groups of migrating monarch butterflies could occupy the grove of eucalyptus trees along the southern border of the Project, or the row of pines located east of the Project Site and within its 500-foot buffer. Construction of the proposed Project could potentially impact roosting monarch butterflies if ground-disturbing construction activities are initiated or conducted during the migration season (October 15 through February 15). Construction activities in the vicinity (within 500 feet) of roosting monarchs could cause visual, auditory, or vibrational disturbances that could cause monarch butterflies to abandon their roost, and would result in a potentially significant impact. (FCS 2024)

Crotch's Bumble Bee

Suitable foraging habitat and marginally suitable burrowing habitat for Crotch's bumble bee occurs on and adjacent to the Project Site, and the species was detected on-site during a previous survey. There is one historical record within 5 miles of the Project Site and three recent and two historical records between 5 and 10 miles from the Project Site. The occurrence potential for this species is considered moderate. This species is a Candidate for listing under CESA. Construction of the proposed Project could potentially impact Crotch's bumble bees if vegetation-removing or ground-disturbing construction activities remove nesting burrows or destroy bees, resulting in a potentially significant impact. (FCS 2024)

Burrowing Owls

Marginally suitable foraging, burrowing, and nesting habitats are present in the bare and ruderal areas on-site and in the big saltbush scrubland within 500 feet of the Project Site. However, the Project Site is relatively small and may not provide sufficient foraging area for a single owl or a pair of breeding owls. California ground squirrels appear to be occupying the area west of the Project Site and adjacent to its western border; thus, suitable burrow habitat is available. There are two historical records between 5 and 10 miles from the Project Site. The lack of recent or proximal records of the species in relation to the project vicinity is likely due to the intensity of urbanization there. Though the occurrence potential for this species is considered low, it may be possible that the site could be inhabited temporarily by dispersing or transient burrowing owls. This species is protected by the MBTA and California Fish and Game Code. (FCS 2024)

Construction of the proposed Project could potentially impact burrowing owls if ground-disturbing construction activities are initiated or conducted during the burrowing owl breeding season (February 15 through August 31). Ground-disturbing construction activities could destroy burrows inhabited by burrowing owls, causing destruction of occupied burrows, including nesting burrows.

Construction activities could also impact burrowing owls that occupy or nest on lands within 500 meters of the Project Site. Therefore, the Project has the potential to impact burrowing owls, resulting in a potentially significant impact. (FCS 2024)

Mitigation Measures

MM BIO-1a Rare Plant Surveys. Prior to the initiation of construction on the Project Site, the Project applicant shall retain a qualified Biologist or Botanist to conduct focused rare plant surveys in accordance with California Department of Fish and Wildlife (CDFW) (2018) protocols. The rare plant surveys shall be conducted at the proper time of year when the target rare species (southern tarplant, decumbent goldenbush) are both “evident” and identifiable, i.e., during bloom periods. If additional southern tarplant individuals or decumbent goldenbush individuals are found on the Project Site, the Project applicant shall consult with CDFW to determine appropriate off-site mitigation. If no decumbent goldenbush individuals are found, then the proposed Project would not have any impacts to this species and no mitigation measures would be necessary.

MM BIO-1b On-site Restoration of Southern Tarplant Program. The Project applicant shall implement an on-site restoration of southern tarplant using propagules (seeds, topsoil) that were collected on the Project Site in 2020. The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the property owned by the County of Los Angeles west of the Project Site. The goal of the restoration program shall be replacement of 1,275 southern tarplants in this area to achieve a 1:1 ratio of lost to replaced plants. Prior to implementing the restoration effort, the applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or restoration Ecologist. The plan shall be submitted to CDFW within 6 months following issuance of a grading permit. The plan shall detail the identification of on-site areas for receiving southern tarplant propagules, methods for implementing site preparation and habitat restoration techniques, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a five-year period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if success criteria are not met. The project applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy.

MM BIO-2a Monarch Butterfly Pre-construction Surveys. If construction activities are initiated during the migration season for monarch butterflies (typically October 15 through February 15), a qualified Biologist shall conduct pre-construction surveys for roosting monarch butterflies within and adjacent to the construction area, including a 500-foot survey buffer, no more than 3 days prior to the start of construction activities in the construction area.

- MM BIO-2b Avoidance of Monarch Butterfly Roosts.** If a monarch butterfly roost is detected during pre-construction surveys or at any point during the construction phase of the Project, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the roost. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the roost until the monarch butterflies have dispersed from the roost or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around a monarch butterfly roost) or alteration of the construction schedule.
- MM BIO-3 Crotch's Bumble Bee Surveys.** Surveys for Crotch's bumble bee shall be implemented by a qualified Biologist. The surveys shall be conducted according to California Department of Fish and Wildlife (CDFW) protocol as described in the 2023 Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. These protocols include reviewing database records for the species in the Project vicinity, conducting a habitat assessment on the Project Site, conducting a minimum of three site visits during the peak flight season for the species (March through September), photo documenting any observed Crotch's bumble bees, and documenting species of flowers visited by bumble bees. The results of the survey shall be reported to the CDFW. If Crotch's bumble bee is documented during the surveys, the Project applicant shall consult with the CDFW to determine the need for obtaining an Incidental Take Permit (ITP).
- MM BIO-4a Burrowing Owl Breeding Season Surveys.** Breeding season surveys shall be implemented by a qualified Biologist. Four breeding season survey visits shall be conducted: (1) at least one site visit between February 15 and April 15, and (2) a minimum of three survey visits, at least 3 weeks apart, between April 15 and July 15, with at least one visit after June 15. Each of the survey efforts will be conducted according to protocol defined by the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. The results of the breeding season surveys shall be reported to the CDFW. If the breeding season surveys are positive for burrowing owl occurrence, the Project applicant shall implement MM BIO-4b. If the breeding season surveys are negative for burrowing owls, the Project applicant shall implement MM BIO-1c.
- MM BIO-4b Agency Consultation.** If the breeding season surveys determine that burrowing owl occupies the Project Site, the Project applicant shall consult with the California Department of Fish and Wildlife (CDFW) to determine appropriate mitigation for the loss of burrowing owl habitat due to Project implementation. The outcome of the consultation shall determine the need for implementing a burrowing owl management and monitoring program, including the need for closing burrows, passively relocating owls, and/or constructing artificial burrows. The outcome of the consultation shall be included in a Burrowing Owl Mitigation Plan that shall be prepared by a qualified Biologist retained by the Project applicant (see MM BIO-4d).
- MM BIO-4c Burrowing Owl Pre-Construction Survey.** The Project applicant shall retain a qualified Biologist to perform a pre-construction burrowing owl survey to determine whether burrowing owl are present on-site within 30 days prior to construction activities, according to the California Department of Fish and Wildlife (CDFW) guidelines. If construction is delayed or suspended for more than 30 days after the

survey, the area shall be resurveyed. The pre-construction survey shall be completed on the Project Site and areas within 500 feet from the Project boundary (where possible and appropriate based on habitat). All occupied burrows shall be mapped on an aerial photo. The applicant shall provide a burrowing owl survey report and mapping to the City at least 15 days prior to the expected start of any Project -related ground disturbance activities or restart of activities. If the survey is positive for burrowing owls, the Project applicant shall implement MM BIO-4b and MM BIO-4d. If no burrowing owls are detected during the pre-construction survey, no further action is necessary.

MM BIO-4d Burrowing Owl Mitigation Plan. If the breeding season surveys or the pre-construction survey is positive for burrowing owl, the Project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan. The Burrowing Owl Mitigation Plan shall contain the following elements (as outlined in the California Department of Fish and Wildlife [CDFW] 2012 guidelines) at a minimum:

- Avoidance of burrowing owl during construction, including establishment of a 160-foot radius around occupied burrows during the non-breeding season (September 1 through February 14) or a 200 to 500-meter radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) non-breeding season owls have dispersed from the area; or (2) breeding season owls have fledged their juveniles from the occupied burrows and the juveniles are foraging independently and are capable of independent survival or have dispersed from the area.
- A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).

Level of Significance After Mitigation

Coulter's Saltbush, Parish's Brittscale, Lucky Morning-glory, Salt Marsh Bird's-beak, Coulter's Goldfields, and Prostrate Vernal Pool Navarretia: No impact would occur and therefore no mitigation is required.

Southern Tarplant and Decumbent Goldbush: To ensure ground-disturbing or vegetation-removing construction activities would not impact the southern tarplant and decumbent goldenbush, the Project would incorporate **MM BIO-1a**, that requires rare plant surveys. Therefore, the Project would result in less than significant impacts related to rare plants with mitigation incorporated. (FCS 2024)

Southern Tarplant: The seeds and topsoil collected in late 2020 were stored on-site and these materials would be used to implement an on-site restoration program for southern tarplant, as detailed in **MM BIO-1b** that requires on-site restoration of southern tarplant. Therefore, with implementation of **MM BIO-1b**, impacts related to the southern tarplant would be considered less than significant. (FCS 2024)

Yuma Myotis, Mexican Free-tailed Bat, and Western Yellow Bat: No impact would occur and therefore no mitigation is required.

Monarch Butterfly: The Project would incorporate **MM BIO-2a**, which requires pre-construction surveys and **MM BIO-2b**, which requires avoidance of monarch butterfly roosts during construction activities, to ensure less than significant impacts. Therefore, with implementation of **MM BIO-2a** and **MM BIO-2b**, impacts related to the monarch butterflies would be less than significant. (FCS 2024)Crotch's Bumblebee: The Project would incorporate **MM BIO-3**, which requires multiple Crotch's bumble bee surveys during the peak flight season (March through September). With implementation of **MM BIO-3**, impacts related to the Crotch's bumble bee would be less than significant. (FCS 2024)

Burrowing Owls: The Project would incorporate **MM BIO-4a**, which requires burrowing owl surveys during the breeding season, **MM BIO-4b**, which requires agency consultation if the breeding season surveys determine that burrowing owls occupy the Project Site, **MM BIO-4c**, which required burrowing owl pre-construction surveys, and **MM BIO-4d**, which requires a burrowing owl mitigation plan if the breeding season or pre-construction surveys are positive for the burrowing owl. Therefore, with implementation of **MM BIO-4a**, **MM BIO-4b**, **MM BIO-4c**, and **BIO-4d**, impacts related to burrowing owls would be less than significant. (FCS 2024)

Impact Comparison Summary: The DEIR concludes that, with implementation of mitigation, potential impacts to special status plant and wildlife species would be reduced to less than significant levels. The Project would therefore result in similar impacts when compared with the impact analysis in the MND, which identified less than significant with mitigation incorporated related to special status species impacts.

Threshold 4.3b ***Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

The CNDDDB did not identify any sensitive natural communities within 5 miles of the Project Site. Two sensitive natural communities—Southern Coastal Salt Marsh and Southern Coastal Bluff Scrub—have been recorded in the CNDDDB between 5 and 10 miles from the Project. However, these communities are not present on or adjacent to the Project Site, and therefore not further addressed. In addition, there are no riparian habitats on-site or located adjacent to the Project Site. Therefore, the Project would not impact riparian habitats or other sensitive natural communities and no impact would occur. (FCS 2024)

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Riparian Habitats and Other Sensitive Natural Communities: No impact would occur and no mitigation is required.

Impact Comparison Summary: The Project would result in no impacts pursuant to this threshold. This conclusion is consistent with the impact conclusion in the MND, which identified no impact pursuant to this threshold.

Threshold 4.3c *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

As stated above, there are no State protected wetlands or water features that would be considered jurisdictional by the CDFW or RWQCB on-site or adjacent to the Project Site. Similarly, there are no federally protected wetlands or waters that would be considered jurisdictional by the USACE on-site or adjacent to the Project Site. Therefore, the Project would not impact State or federally protected wetlands and no impact would occur. (FCS 2024)

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

State and Federally Protected Wetlands: No impact would occur and therefore no mitigation is required.

Impact Comparison Summary: The Project would result in no impacts pursuant to this threshold. This conclusion is consistent with the impact conclusion in the MND, which identified no impact pursuant to this threshold.

Threshold 4.3d *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Wildlife Corridors

There are no wildlife movement corridors located on the Project Site. The adjacent Los Angeles River may provide movement opportunities for common wildlife species, but the construction and operation of the Project would not impact the corridor or influence wildlife movement within it. Therefore, the Project would not impact wildlife corridors and less than significant impacts would occur. (FCS 2024)

Nesting Birds

The Project Site and adjacent lands support vegetation communities, land cover types, trees, and other habitat features that provide nesting habitat for avian species covered under the MBTA and Fish and Game Code, including common, native species. Construction of the proposed Project could potentially impact nesting birds if ground-disturbing or vegetation-removing construction activities are initiated or conducted during the avian breeding season (February 1 through September 15). Therefore, the Project has the potential to impact nesting birds, resulting in a potentially significant impact. (FCS 2024)

Mitigation Measures

MM BIO-5a Nesting Bird Pre-construction Surveys. If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 1 through September 15), a qualified Biologist shall conduct pre-construction surveys for

special-status birds and other migratory birds within the construction area, including a 300-foot survey buffer, no more than 3 days prior to the start of ground-disturbing activities in the construction area.

MM BIO-5b Avoidance of Active Avian Nests. If an active nest is located during pre-construction surveys or at any point during the construction phase of the Project, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.

Level of Significance After Mitigation

Wildlife Corridors: No impact would occur.

Nesting Birds: The Project would implement **MM BIO-5a**, which requires nesting bird pre-construction surveys, and **MM BIO-5b**, which requires avoidance of active avian nests. Therefore, with implementation of **MM BIO-5a** and **MM BIO-5b** impacts related to nesting birds including Cooper's hawk, burrowing owl and California horned lark, would be less than significant.

Impact Comparison Summary: The DEIR concludes that, with implementation of mitigation, potential impacts to nesting birds would be reduced to less than significant levels. The Project would therefore result in similar impacts when compared with the impact analysis in the MND, which identified less than significant with mitigation incorporated related to nesting bird impacts.

Threshold 4.3e ***Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

The Project may remove several swamp mahogany trees located along the southern border of the Project Site and at off-site areas east of the Project Site. However, these trees are not located along City streets nor are they located on City property. Therefore, the Project would not be required to comply with City of Long Beach Municipal Code Chapter 14.28 pertaining to trees, and impacts would result in no impact. (FCS 2024)

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Local Policies or Ordinances: No impact would occur and therefore no mitigation is required.

Impact Comparison Summary: The Project would result in no impacts pursuant to this threshold. This conclusion is consistent with the impact conclusion in the MND, which identified no impact pursuant to this threshold.

Threshold 4.3f *Would the conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Project is not located within an HCP area, nor an NCCP area, nor within any other approved local, regional, or State Habitat Conservation Plan area. Therefore, implementation of the Project would not conflict with any HCP, and no impact would occur. (FCS 2024)

Mitigation Measures

No mitigation measures are required.

Level of Significance After Mitigation

Habitat Conservation Plan, Natural Community Conservation Plan, or Other Local, Regional, or State Habitat Conservation Plan: No impact would occur and therefore no mitigation is required.

Impact Comparison Summary: The Project would result in no impacts pursuant to this threshold. This conclusion is consistent with the impact conclusion in the MND, which identified no impact pursuant to this threshold.

4.3.4 CUMULATIVE IMPACTS

Projects considered in the cumulative impact analysis consist of six projects within the City of Long Beach. These projects are described in more detail in Table 4-1, Cumulative Projects List, which is provided in Section 4.0, Impact Analysis.

Project development has the potential to impact special status plant and wildlife species with potential to occur on-site, including the southern tarplant, monarch butterfly, crotch's bumble bee, and burrowing owls, through removal of habitat, resulting in a potentially significant cumulative impact.

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 the CDFG or USFWS. Additionally, the Project would not have significant impact to State or federally protected wetlands. There are no wildlife corridors located on the Project Site, and the Project would not result in any impact to wildlife corridors within the Project area.

Construction of the Project could potentially impact nesting birds on-site, resulting in a potentially significant cumulative impact to native wildlife nursery sites to less than significant.

The Project would not conflict with any local policies or ordinances, and would not conflict with an adopted habitat or conservation plan. (FCS 2024)

Mitigation Measures

MM BIO-1a Rare Plant Surveys. Prior to the initiation of construction on the Project Site, the Project applicant shall retain a qualified Biologist or Botanist to conduct focused rare plant surveys in accordance with California Department of Fish and Wildlife (CDFW) (2018) protocols. The rare plant surveys shall be conducted at the proper time of year when the target rare species (southern tarplant, decumbent goldenbush) are both "evident" and identifiable, i.e., during bloom periods. If additional southern tarplant individuals or decumbent goldenbush individuals are found on the Project Site, the Project applicant shall consult with CDFW to

determine appropriate off-site mitigation. If no decumbent goldenbush individuals are found, then the proposed Project would not have any impacts to this species and no mitigation measures would be necessary.

- MM BIO-1b On-site Restoration of Southern Tarplant Program.** The Project applicant shall implement an on-site restoration of southern tarplant using propagules (seeds, topsoil) that were collected on the Project Site in 2020. The restoration program shall be implemented within an approximately 0.5-acre area located in the northern and western portions of the Project Site that shall remain undeveloped. To the extent possible, the restoration program shall be implemented along the western boundary of the Project Site to provide a connection to the existing southern tarplant population located on the property owned by the County of Los Angeles west of the Project Site. The goal of the restoration program shall be replacement of 1,275 southern tarplants in this area to achieve a 1:1 ratio of lost to replaced plants. Prior to implementing the restoration effort, the applicant shall submit a Southern Tarplant Mitigation and Monitoring Plan to the California Department of Fish and Wildlife (CDFW) for review and approval that is prepared by a qualified Botanist or restoration Ecologist. The plan shall be submitted to CDFW within 6 months following issuance of a grading permit. The plan shall detail the identification of on-site areas for receiving southern tarplant propagules, methods for implementing site preparation and habitat restoration techniques, recommendations for timing of the restoration effort, clearly defined success criteria, a monitoring plan for assessing and reporting the success of the southern tarplant restoration program over a five-year period following implementation, and an adaptive management structure that allows for implementing measures such as collection of additional propagules from off-site locations, weed control, erosion control, or other appropriate actions if Success criteria are not met. The project applicant shall protect the restoration site in perpetuity under a protection mechanism (i.e., conservation easement, deed restriction, or restrictive covenant). Recordation of the protection mechanism shall occur prior to issuance of certificate of occupancy.
- MM BIO-2a Monarch Butterfly Pre-construction Surveys.** If construction activities are initiated during the migration season for monarch butterflies (typically October 15 through February 15), a qualified Biologist shall conduct pre-construction surveys for roosting monarch butterflies within and adjacent to the construction area, including a 500-foot survey buffer, no more than 3 days prior to the start of construction activities in the construction area.
- MM BIO-2b Avoidance of Monarch Butterfly Roosts.** If a monarch butterfly roost is detected during pre-construction surveys or at any point during the construction phase of the Project, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the roost. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the roost until the monarch butterflies have dispersed from the roost or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around a monarch butterfly roost) or alteration of the construction schedule.
- MM BIO-3 Crotch's Bumble Bee Surveys.** Surveys for Crotch's bumble bee shall be implemented by a qualified Biologist. The surveys shall be conducted according to California Department of Fish and Wildlife (CDFW) protocol as described in the

2023 Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. These protocols include reviewing database records for the species in the Project vicinity, conducting a habitat assessment on the Project Site, conducting a minimum of three site visits during the peak flight season for the species (March through September), photo documenting any observed Crotch's bumble bees, and documenting species of flowers visited by bumble bees. The results of the survey shall be reported to the CDFW. If Crotch's bumble bee is documented during the surveys, the Project applicant shall consult with the CDFW to determine the need for obtaining an Incidental Take Permit (ITP).

MM BIO-4a Burrowing Owl Breeding Season Surveys. Breeding season surveys shall be implemented by a qualified Biologist. Four breeding season survey visits shall be conducted: (1) at least one site visit between February 15 and April 15, and (2) a minimum of three survey visits, at least 3 weeks apart, between April 15 and July 15, with at least one visit after June 15. Each of the survey efforts will be conducted according to protocol defined by the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. The results of the breeding season surveys shall be reported to the CDFW. If the breeding season surveys are positive for burrowing owl occurrence, the Project applicant shall implement MM BIO-4b. If the breeding season surveys are negative for burrowing owls, the Project applicant shall implement MM BIO-1c.

MM BIO-4b Agency Consultation. If the breeding season surveys determine that burrowing owl occupies the Project Site, the Project applicant shall consult with the California Department of Fish and Wildlife (CDFW) to determine appropriate mitigation for the loss of burrowing owl habitat due to Project implementation. The outcome of the consultation shall determine the need for implementing a burrowing owl management and monitoring program, including the need for closing burrows, passively relocating owls, and/or constructing artificial burrows. The outcome of the consultation shall be included in a Burrowing Owl Mitigation Plan that shall be prepared by a qualified Biologist retained by the Project applicant (see MM BIO-4d).

MM BIO-4c Burrowing Owl Pre-Construction Survey. The Project applicant shall retain a qualified Biologist to perform a pre-construction burrowing owl survey to determine whether burrowing owl are present on-site within 30 days prior to construction activities, according to the California Department of Fish and Wildlife (CDFW) guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. The pre-construction survey shall be completed on the Project Site and areas within 500 feet from the Project boundary (where possible and appropriate based on habitat). All occupied burrows shall be mapped on an aerial photo. The applicant shall provide a burrowing owl survey report and mapping to the City at least 15 days prior to the expected start of any Project -related ground disturbance activities or restart of activities. If the survey is positive for burrowing owls, the Project applicant shall implement MM BIO-4b and MM BIO-4d. If no burrowing owls are detected during the pre-construction survey, no further action is necessary.

MM BIO-4d Burrowing Owl Mitigation Plan. If the breeding season surveys or the pre-construction survey is positive for burrowing owl, the Project proponent shall retain a qualified Biologist to develop and implement a Burrowing Owl Mitigation Plan. The Burrowing Owl Mitigation Plan shall contain the following elements (as

outlined in the California Department of Fish and Wildlife [CDFW] 2012 guidelines) at a minimum:

- Avoidance of burrowing owl during construction, including establishment of a 160-foot radius around occupied burrows during the non-breeding season (September 1 through February 14) or a 200 to 500-meter radius around occupied burrows during the breeding season (February 15 through August 31), within which construction activities may not occur until a qualified Biologist has determined that (1) non-breeding season owls have dispersed from the area; or (2) breeding season owls have fledged their juveniles from the occupied burrows and the juveniles are foraging independently and are capable of independent survival or have dispersed from the area.
- A plan for implementing a passive relocation program for nonbreeding owls, should it be needed. The passive relocation techniques should be consistent with CDFW guidelines, including installation of artificial burrows at an off-site location and use of one-way exclusion doors to ensure owls have left the burrow(s).

MM BIO-5a Nesting Bird Pre-construction Surveys. If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 1 through September 15), a qualified Biologist shall conduct pre-construction surveys for special-status birds and other migratory birds within the construction area, including a 300-foot survey buffer, no more than 3 days prior to the start of ground-disturbing activities in the construction area.

MM BIO-5b Avoidance of Active Avian Nests. If an active nest is located during pre-construction surveys or at any point during the construction phase of the Project, the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.

Level of Significance After Mitigation

Cumulative Impacts: The Project as well as other cumulative projects in the area would be required to comply with all applicable federal, State, and local regulations relating to biological resources such as nesting birds that have potential to occur in the developed areas. Further, the Project and other cumulative projects would be subject to existing and future enforcement by the appropriate regulatory agencies. The Project's contribution of cumulative impacts related to biological resources would not be significant because Project impacts would all be reduced to less than significant after implementation of mitigation measures **MM BIO-1a, MM BIO-1b, MM BIO-2a, MM BIO-2b, MM-BIO-3, MM BIO-4a, MM BIO-4b, MM BIO-4c, MM BIO-4d, MM BIO-5b, and MM BIO-5a**. Therefore, with implementation of mitigation, the Project's contribution would not be cumulatively considerable and therefore would not contribute to a significant cumulative impact. (FCS 2024)

4.3.5 REFERENCES

- FirstCarbon Solutions (FCS). 2024 (June 6). *Biological Resources Assessment (BRA) North Pacific Place Self Storage Facility, City of Long Beach, California*. Irvine, CA: FCS (Appendix D-1).
- Long Beach, City of. 1972 (April 30). *City of Long Beach General Plan – Conservation Element*. City of Long Beach, CA: the City. <https://www.longbeach.gov/globalassets/lbcd/media-library/documents/planning/advance/general-plan/1973-conservation-element>.
- LSA. 2020a (April 23). *Biological Resources Assessment for the Artesia Parcels*. Los Angeles, CA: LSA (Appendix D-6).
- . 2020b (August 21). *Focused Special-Status Plant Species for the Industrial Self-Storage/RV Parking Project at 3701 Pacific Place, Long Beach, California*. Los Angeles, CA: LSA (Appendix D-4).
- . 2020c (September 11). *Crotch Bumblebee Visual Survey for the Industrial Self Storage/RV Parking at 3701 Pacific Place, Long Beach, California*. Los Angeles, CA: LSA (Appendix D-3).
- Psomas. 2020 (April 23). *Biological Constraints Letter Report for the McDonald Parcels*. Santa Ana, CA: Psomas (Appendix D-5).
- South Environmental. 2023 (October 10). *Jurisdictional Delineation for 3701 North Pacific Place Project in Long Beach, California*. Pasadena, California. (Appendix D-2).

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