

## 5. Environmental Analysis

### 5.3 BIOLOGICAL RESOURCES

This section evaluates the potential biological resources impacts associated with the Proposed Project. The analysis in this section is based in part on the following technical memorandum:

- *Biological Resources Technical Memorandum, Los Angeles County Men's Central Jail Project/CCTF Project, PlaceWorks, June 30, 2016.*

A complete copy of this technical memorandum is included in the Appendix G of this EIR.

#### 5.3.1 Environmental Setting

##### 5.3.1.1 REGULATORY SETTING

###### Federal and State Regulations

###### *Endangered Species Act*

The Federal Endangered Species Act (FESA) of 1973, as amended, was promulgated to protect and conserve any species of plant or animal that is endangered or threatened with extinction and the habitats in which these species are found. "Take" of endangered species is prohibited under Section 9 of the FESA. "Take," as defined under the FESA, means to "harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." Section 7 of the FESA requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) on proposed federal actions that may affect any endangered, threatened, or proposed (for listing) species or critical habitat that may support the species. Section 4(a) of the FESA requires that critical habitat be designated by the USFWS "to the maximum extent prudent and determinable, at the time a species is determined to be endangered or threatened." Critical habitat is formally designated by USFWS to provide guidance for planners/managers and biologists with an indication of where suitable habitat may occur and where high priority of preservation for a particular species should be given. Section 10 of the FESA provides the regulatory mechanism that allows the incidental take of a listed species by private interests and nonfederal government agencies during lawful activities. Habitat conservation plans for the impacted species must be developed in support of incidental take permits for nonfederal projects to minimize impacts to the species and develop viable mitigation measures to offset the unavoidable impacts. Special status species under the FESA include those listed as "endangered" or "threatened."

###### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act of 1918 (MBTA), is the domestic law that affirms, or implements, the United States' commitment to four international conventions with Canada, Japan, Mexico, and Russia for the protection of shared migratory bird resources. The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. It prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations. USFWS administers permits to take migratory birds in accordance with the regulations promulgated by the MBTA. Migratory bird permit policy is

## **5. Environmental Analysis**

### **BIOLOGICAL RESOURCES**

developed by the Migratory Bird Program, and the permits themselves are issued by the Regional Bird Permit Offices. The Project Site is under the jurisdiction of USFWS Region 8 Migratory Bird Permit Office. The regulations governing migratory bird permits can be found in the Code of Federal Regulations, Title 50, part 13 and part 21.

#### *Clean Water Act, Section 404*

The United States Army Corps of Engineers (Corps) regulates discharges of dredged or fill material into “waters of the U.S.” (including wetlands and non-wetland bodies of water that meet specific criteria). Pursuant to Section 404 of the federal Clean Water Act (CWA), a permit is required for any filling or dredging within waters of the U.S. The permit review process entails an assessment of potential adverse impacts to Corps wetlands and jurisdictional waters, wherein the Corps may require mitigation measures. Where a federally listed species may be affected, a Section 7 consultation with USFWS may be required. If there is potential for cultural resources to be present, Section 106 review may be required. Also, where a Section 404 permit is required, a Section 401 Water Quality Certification would also be required from the Regional Water Quality Control Board (RWQCB).

#### *Clean Water Act, Section 401 and 402*

Section 401(a)(1) of the CWA specifies that any applicant for a federal license or permit to conduct any activity that may result in any discharge into navigable waters shall provide the federal permitting agency a certification, issued by the State in which the discharge originates, that any such discharge will comply with the applicable provisions of the CWA. In California, the applicable RWQCB must certify that the project will comply with water quality standards. Permits requiring Section 401 certification include Corps Section 404 permits and National Pollutant Discharge Elimination System (NPDES) permits issued by the Environmental Protection Agency under Section 402 of the CWA. NPDES permits are issued by the applicable RWQCB. The Project Site, the SSPS Site, and Vignes Lot are in the City of Los Angeles and within the jurisdiction of the Santa Ana RWQCB (Region 8).

#### *California Fish and Game Code, Section 1600*

Section 1600 of the California Fish and Game Code requires that a project proponent notify the California Department of Fish and Wildlife (CDFW) of any proposed alteration of streambeds, rivers, and lakes. The intent is to protect habitats that are important to fish and wildlife. CDFW may review a project and place conditions on the project as part of a Streambed Alteration Agreement. The conditions are intended to address potentially significant adverse impacts within CDFW’s jurisdictional limits.

#### *California Fish and Game Code, Sections 3503, 3503.5, and 3800*

These Fish and Game Code sections establish that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by other sections of the Fish and Game Code.

## 5. Environmental Analysis BIOLOGICAL RESOURCES

### *California Endangered Species Act*

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA and is administered by the CDFW. Its intent is to prohibit take and protect state-listed endangered and threatened species of fish, wildlife, and plants. Unlike its federal counterpart, CESA also applies the take prohibitions to species petitioned for listing (state candidates). Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species. Under certain conditions, CESA has provisions for take through a 2081 permit or Memorandum of Understanding. In addition, some sensitive mammals and birds are protected by the State as Fully Protected Species. California Species of Special Concern are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFW's California Natural Diversity Data Base project, a database of known and recorded occurrences of sensitive species. Informally listed taxa are not protected per se, but warrant consideration in the preparation of biological resources assessments. Special status species under the CESA include rare, threatened or endangered species.

### **County of Los Angeles Local Regulations**

#### *Los Angeles River Master Plan*

In July 1991, the Los Angeles County Board of Supervisors directed the departments of Public Works, Parks and Recreation, and Regional Planning to undertake a planning effort and coordinate all interested public and private parties in the planning, financing, and implementation efforts of a Master Plan for the Los Angeles River. The Master Plan was prepared in June 1996 with the intent to identify ways to revitalize the publicly owned right-of-way along the Los Angeles River and Tujunga Wash into an urban treasure. The Project Site is near Reach 3, Downtown Los Angeles, of the Master Plan, a five-mile long reach that spans the area between Arroyo Seco and Washington Boulevard. The City of Los Angeles Department of Water and Power has utility easements along both sides of the river.

#### *Significant Ecological Areas*

Significant Ecological Areas are officially designated areas in the County identified for their biological value. These areas warrant special management because they contain biotic resources that are considered rare or unique; are critical to the maintenance of wildlife; represent relatively undisturbed areas of County habitat types; or serve as linkages.

#### *Oak Tree Permits, Sections 22.56.2050 et seq.*

The oak tree permit is established to recognize the oak tree as a significant historical, aesthetic, and ecological resource and one of the most picturesque trees in the County. Damaging or removing oak trees is prohibited except as otherwise specified by the County's oak tree ordinance.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

#### City of Los Angeles Municipal Code

##### *Preservation of Protected Trees, Sections 46.00 et seq.*

Preservation of Protected Trees, Sections 46.00 et seq. of the City of Los Angeles Municipal Code, prohibits relocation or removal, without a permit from the City Board of Public Works, of oak, California black walnut (*Juglans californica*), western sycamore (*Platanus racemosa*), and California bay (*Umbellularia californica*) trees that are four or more inches in diameter at 4.5 feet above ground level. Trees grown or held for sale by a licensed nursery or trees planted or grown as part of a tree planting program are not defined as protected trees under this ordinance.

#### Existing Conservation Plans and Areas

The Project Site is not in a habitat conservation plan or Natural Communities Conservation Plan (CDFW 2014b; USFWS 2014a). There are no Significant Ecological Areas designated by the County on or near the Project Site.

##### 5.3.1.2 EXISTING CONDITIONS

The Project Site covers approximately 18 acres in a densely developed urban area near the center of downtown Los Angeles. The surrounding land uses are mainly urban and include government, commercial, and industrial buildings and railroad tracks.

The Project Site is flat, and the elevation is approximately 285 feet above mean sea level. The Project Site is fully developed and contains no washes or ephemeral drainages. There are also no special status plant species or special status plant communities. Although old historical records of sensitive wildlife in the project area date from 1894 to 1919, before the area was urbanized, no such suitable habitat for special status plant and animal species remains on the Project Site or in adjoining areas.

Ornamental landscaping has been planted throughout the Project Site and includes trees such as Canary Island pine (*Pinus canariensis*), Aleppo pine (*P. halepensis*), fan palm (*Washingtonia* sp.), jacaranda (*Jacaranda mimosifolia*), acacia (*Acacia* sp.), and olive (*Olea europea*) and shrubs such as camellia (*Camellia japonica*), hop bush (*Dodonaea viscosa*), India hawthorn (*Rhapiolepis indica*), and rosemary (*Rosmarinus officinalis*). There is no natural vegetation. The wildlife observed on the Project Site consists of birds typical of urban settings, such as the starling (*Sturnus vulgaris*), American crow (*Corvus brachyrhynchos*), and house finch (*Carpodacus mexicanus*). No nest or nesting bird behavior was observed during the site visits on December 18, 2014, and September 16, 2015. However, birds can be expected to nest in some of the Project Site's ornamental plants during the spring and summer. It should be noted that nesting bird surveys are not typically performed at the time of the biological assessment in the EIR. Some of the birds observed on the Project Site have the potential to nest onsite.

#### Wildlife Movement Corridors

The Project Site and surrounding land are entirely developed with urban land uses; the Project Site is also secured with fencing because of its use as a jail. Thus, the Project Site is not available for overland wildlife

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

movement. The Los Angeles River, which passes about 450 feet east of the Project Site, is an engineered channel with concrete bed and banks that generally do not support suitable habitat for wildlife species that cross over to the adjacent land, which is also urbanized. Fencing along both sides of the river precludes overland wildlife movement between the river and land near the river.

#### Jurisdictional Waters and Wetlands

The nearest water body to the Project Site mapped on the National Wetlands Mapper maintained by the USFWS is the Los Angeles River, which is an excavated river channel with year-round water flow (USFWS 2014b). No riparian habitats—that is habitats along the banks of rivers and streams—nor wetlands are present on or next to the Project Site.

##### 5.3.1.3 SPRING STREET PARKING STRUCTURE SITE

The SSPS Site covers approximately 1.66 acres approximately 1,500 feet west of the Project Site in a highly urbanized neighborhood. The SSPS Site is developed as surface parking, and it is 100 percent impervious, without any landscaping or other biological resources. The SSPS Site is not included in any existing conservation plan, and contains no wildlife corridors or jurisdiction waters or wetlands.

##### 5.3.1.4 VIGNES LOT

The Vignes Lot consists of approximately 4 acres of vacant land at 1060 North Vignes Street, approximately 200 feet northwest of the Project Site. The Vignes Lot was used for heavy manufacturing from 1906 to 2006. At the present time, concrete paving covers the majority of the property, with limited areas of broken or degraded concrete. No landscaping or other biological resources exist on-site. The Vignes Lot is not included in any existing conservation plan, and contains no wildlife corridors or jurisdiction waters or wetlands.

#### 5.3.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- B-1 Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- B-2 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 Game or U.S. Fish and Wildlife Service.
- B-3 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

- B-4 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.
- B-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- B-6 Conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### 5.3.3 Plans, Programs, and Policies

#### 5.3.3.1 REGULATORY REQUIREMENTS

RR BIO-1 The Proposed Project shall be implemented in compliance with the conditions set forth in the Migratory Bird Treaty Act and California Fish and Game Code with methods accepted by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife to protect active bird/raptor nests. To the extent feasible, vegetation/tree removal shall occur during the nonbreeding season for nesting birds (generally late September to early March) and nesting raptors (generally early July to late January) to avoid impacts to nesting birds and raptors. If the nature of the Proposed Project requires that work be initiated during the breeding season for nesting birds and raptors (January 15 to September 1), a preconstruction survey for nesting birds and raptors shall be conducted by a qualified biologist (i.e., one with experience conducting nesting bird surveys) within 7 days prior to clearing of any vegetation and/or any work near existing structures (i.e., within 300 feet for nesting birds and within 500 feet for nesting raptors). If the biologist does not find any active nests within or immediately adjacent to the impact area, the vegetation clearing/construction work shall be allowed to proceed. A letter report shall be prepared and submitted to the Los Angeles County Department of Public Works to document the survey findings and recommended protective measures.

If the biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. Any nest found during survey efforts shall be mapped on the construction plans. The active nest shall be protected until nesting activity has ended. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified biologist: (1) clearing limits shall be established within a buffer around any occupied nest (the buffer shall be 25 to 300 feet for nesting birds and 300 to 500 feet for nesting raptors), unless otherwise determined by a qualified biologist and (2) access to the nesting area and surveying activities related to construction shall be restricted within the buffer of any occupied nest unless otherwise determined by a qualified biologist. Encroachment into

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

the buffer area around a known nest shall only be allowed if the biologist determines that the proposed activity would not disturb the nest occupants. Flagging, stakes, and/or construction fencing shall be used to demarcate the buffer around the nest, and construction personnel shall be instructed as to the sensitivity of the area. Construction will be allowed to proceed when the qualified biologist has determined that fledglings have left the nest or the nest has failed.

#### 5.3.4 Environmental Impacts

The following impact analysis addresses thresholds of significance for potentially significant impacts on the Project Site. The applicable thresholds are identified in brackets after the impact statement.

---

**Impact 5.3-1: Development of the Proposed Project would not impact any special status plant and animal species. [Threshold B-1]**

---

*Impact Analysis:* The Project Site and adjoining parcels are fully developed. There are no candidate, sensitive, or special status species on the Project Site, and none would be impacted by the Proposed Project. No impact would occur.

##### Spring Street Parking Structure Site (Option 1)

The SSPS Site is developed as surface parking, and it is 100 percent impervious, without any landscaping or other biological resources. No impact to any special status plant and animal species would occur.

##### Vignes Lot (Option 2)

The Vignes Lot has been used for heavy manufacturing since 1906, and is nearly 100 percent impervious, without any landscaping or other biological resources. No impact to any special status plant and animal species would occur.

*Level of Significance before Mitigation:* No impacts related to Impact 5.3-1 would occur.

---

**Impact 5.3-2: Implementation of the Proposed Project would not cause the loss of sensitive habitats, riparian habitats, or any protected wetlands. [Threshold B-2 and B-3]**

---

*Impact Analysis:* There are no sensitive habitats, riparian habitats, or wetlands as defined by Section 404 of the CWA on the Project Site. The Proposed Project would not result in impacts to riparian habitat or other sensitive natural communities identified in local, regional, or national plans, including the County's Los Angeles River Master Plan. Although the Project Site is approximately 0.1 mile from the Los Angeles River, the Los Angeles River is a concrete channelized river, and no associated habitat would be lost due to project implementation. No impact would occur.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

#### Spring Street Parking Structure Site (Option 1)

The SSPS Site is developed as surface parking, and it is 100 percent impervious, without any landscaping or other biological resources. No impact to sensitive habitats, riparian habitats, or any protected wetlands would occur.

#### Vignes Lot (Option 2)

The Vignes Lot has been used for heavy manufacturing since 1906, and is nearly 100 percent impervious, without any landscaping or other biological resources. No impact to sensitive habitats, riparian habitats, or any protected wetlands would occur.

*Level of Significance before Mitigation:* No impacts related to Impact 5.3-2 would occur.

---

**Impact 5.3-3: The Proposed Project would not interfere substantially with overland wildlife movement, impede the use of native wildlife nursery sites, or adversely affect migratory birds. [Threshold B-4]**

---

*Impact Analysis:* The Project Site does not contribute to local or subregional wildlife movement. The Project Site is developed in an urbanized area bounded by Interstate 110 to the west, Interstate 101 to the south, and Interstate 5 the east. The Project Site is approximately 0.1 mile west of the Los Angeles River, which is a concrete channel in this section. The Los Angeles River, even as a concrete channel, provides connectivity for aquatic organisms and terrestrial vertebrates that make use of the water sources and open space. The Project Site is in a location that would not fragment habitat or impede wildlife movement associated with the Los Angeles River. No impact would occur.

The Proposed Project would remove all of the ornamental shrubs and trees on the Project Site and could also affect street trees. The mature trees on and near the Project Site could be used for nesting by migratory birds protected under the federal MBTA (US Code, Title 16, §§ 703–712). The MBTA prohibits direct impacts to nesting birds and their nests. Also, the California Fish and Game Code (§ 3503.5) prohibits activities that take, possess, or destroy the nest or eggs of any such bird. The County is required to comply with the MBTA. Prior to the start of any grading activities between January 15 to September 1 (bird nesting season), the County is required to conduct a site survey for nesting birds by a qualified biologist before commencement of grading activities (RR BIO-1). If nesting birds are found, the County is required to consult with the USFWS regarding means to avoid or minimize impacts to nesting birds in accordance with MBTA requirements. Compliance with RR BIO-1 (MBTA and Fish and Game Code § 3503.5 regulations) would ensure that impacts to migratory birds are less than significant.

#### Spring Street Parking Structure Site (Option 1)

The SSPS Site is developed as surface parking, and it is 100 percent impervious, without any landscaping or other biological resources or wildlife use. Compliance with RR BIO-1 (MBTA and Fish and Game Code § 3503.5 regulations) would ensure that impacts to migratory birds are less than significant.

## 5. Environmental Analysis BIOLOGICAL RESOURCES

### Vignes Lot (Option 2)

The Vignes Lot has been used for heavy manufacturing since 1906, and is nearly 100 percent impervious, without any landscaping or other biological resources or wildlife use. Compliance with RR BIO-1 (MBTA and Fish and Game Code § 3503.5 regulations) would ensure that impacts to migratory birds are less than significant.

**Level of Significance before Mitigation:** With implementation of RR BIO-1, Impact 5.3-3 would be less than significant.

---

**Impact 5.3-4: Implementation of the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, or any habitat conservation plan or natural communities conservation plan. [Thresholds B-5 and B-6]**

---

**Impact Analysis:** The Project Site contains ornamental trees that would be removed as part of site preparation. However, there are no protected trees such as oak trees. The Proposed Project could remove street trees around the Project Site during site preparation for utility and infrastructure improvements. Los Angeles City Ordinance 177404 provides for the protection, relocation, and replacement of protected trees, which include tree species native to Southern California that measure four inches or more in diameter at 4.5 feet above ground level. Protected species include: (1) oak trees, including valley oak (*Quercus lobata*), California live oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the scrub Oak (*Quercus dumosa*); (2) southern California black walnut (*Juglans californica* var. *californica*); (3) western sycamore (*Platanus racemosa*); and (4) California bay (*Umbellularia californica*). The County also protects oak trees under County Code section 22.56, Part 16, Oak Tree Permit. None of these species are on or adjacent to the Project Site. There are no local policies or ordinances protecting other biological resources found at the Project Site. No impact would occur.

The Project Site is not in the plan area of a habitat conservation plan or Natural Communities Conservation Plan (CDFW 2014; USFWS 2014). There are no Significant Ecological Areas designated by the County on or near the Project Site.

The Project Site is approximately 0.1 mile west of the Los Angeles River. This section of the Los Angeles River is included in the County's Los Angeles River Master Plan, approved on June 13, 1996, by the County Board of Supervisors, which seeks to revitalize the publicly owned rights-of-way along the Los Angeles River by enhancing the river's environment and developing public recreation sites. The Project Site is within the five-mile-long Reach 3, Downtown Los Angeles, of the River Master Plan. The mission of the River Master Plan is to provide for the optimization and enhancement of aesthetic, recreational, flood control, and environmental values by creating a community resource, enriching the quality of life for residents, and recognizing the river's primary purpose of flood control. The Master Plan identified the following goals:

- Ensure flood control and public safety needs are met.
- Improve the appearance of the river and the pride of local communities in it.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

- Promote the river as an economic asset to the surrounding communities.
- Preserve, enhance, and restore environmental resources in and along the river.
- Consider stormwater management alternatives.
- Ensure public involvement and coordinate Master Plan development and implementation among jurisdictions.
- Provide a safe environment and a variety of recreational opportunities along the river.
- Ensure safe access to and compatibility between the river and other activity centers.

The vast majority of the River Master Plan area outside of the river channel itself is developed with urban and suburban uses, and the vegetation of these areas is almost completely nonnative. The Project Site is also completely developed, and the Proposed Project would not involve any actions that could potentially adversely affect the environmental, aesthetic, or recreational value of the Los Angeles River. The Proposed Project would not conflict with goals and implementation of the County's Master Plan.

This section of the Los Angeles River is also included in the Los Angeles River Revitalization Master Plan, which seeks to revitalize the publicly owned rights-of-way along the Los Angeles River by enhancing the river's environment and developing public recreation sites (City of Los Angeles and U.S. Army Corps of Engineers, 2007). The mission of the plan is to provide for the optimization and enhancement of aesthetic, recreational, flood control, and environmental values by creating a community resource, enriching the quality of life for residents, and recognizing the river's primary purpose of flood control. The Project Site is outside and south of the Chinatown-Cornfields opportunity area in the Revitalization Master Plan. The continued use of the Project Site as a jail complex would not adversely affect the design or implementation of the Revitalization Master Plan. No impact would occur as a result of implementation of the Proposed Project.

#### **Spring Street Parking Structure Site (Option 1)**

The SSPS Site is developed as surface parking, and it is 100 percent impervious, without any landscaping or other biological resources. The SSPS Site and its resources are not covered under any local policies or ordinances protecting biological resources, or any habitat conservation plan or natural communities conservation plan. Project implementation would not conflict with any local policies or ordinances protecting biological resources or any habitat conservation plan, and no impact would occur.

#### **Vignes Lot (Option 2)**

The Vignes Lot is covered with concrete, and it is nearly 100 percent impervious, without any landscaping or other biological resources. The Vignes Lot and its resources are not covered under any local policies or ordinances protecting biological resources, or any habitat conservation plan or natural communities conservation plan. Project implementation would not conflict with any local policies or ordinances protecting biological resources or any habitat conservation plan, and no impact would occur.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

*Level of Significance before Mitigation:* No impacts related to Impact 5.3-4 would occur.

#### 5.3.5 Cumulative Impacts

The geographic scope of the cumulative biological resources analysis is the City of Los Angeles. The Project Site, SSPS Site, and Vignes Lot do not contain protected biological resources, including protected tree species such as oak trees. Any potential impacts to migratory bird species would be reduced to less than significant impact due to compliance with MBTA regulations (RR BIO-1). Accordingly, since the Proposed Project would not result in individual biological resources impact, the Proposed Project would not contribute to cumulatively considerable impacts.

#### 5.3.6 Level of Significance Before Mitigation

The following impacts would be no impact:

- **Impact 5.3-1** Development of the Proposed Project would not impact any special status plant and animal species.
- **Impact 5.3-2** Implementation of the Proposed Project would not cause the loss of sensitive habitats, riparian habitats, or any protected wetlands.
- **Impact 5.3-4** Implementation of the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, or any habitat conservation plan or natural communities conservation plan.

With implementation of RR BIO-1, the following impact would be less than significant.

- **Impact 5.3-3** The Proposed Project would not interfere substantially with overland wildlife movement, impede the use of native wildlife nursery sites, or adversely affect migratory birds.

#### 5.3.7 Mitigation Measures

No mitigation measures are necessary because there were no significant impacts identified under the applicable thresholds.

#### 5.3.8 Level of Significance After Mitigation

Because no mitigation measures are required, impacts are the same as described in Section 5.3.6.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

#### 5.3.9 References

- California Department of Fish and Wildlife (CDFW). 2014a, December 11. California Natural Diversity Database.  
<https://nrm.dfg.ca.gov/myaccount/login.aspx?ReturnUrl=%2fcnddb%2fview%2fquery.aspx>.
- . 2014b, March 12. Natural Community Conservation Planning: Plan Summaries.  
<http://www.dfg.ca.gov/habcon/nccp/status/index.html>.
- Los Angeles, City of. 2007, April. Los Angeles River Revitalization Master Plan.  
<http://www.lariver.org/Projects/MasterPlan/index.htm>.
- Los Angeles, County of. 1996, June. Los Angeles River Master Plan.  
<http://ladpw.org/wmd/watershed/LA/Larmp/>.
- . 2016 (accessed). Los Angeles County Code of Ordinances.  
[https://www.municode.com/library/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances?nodeId=TT22PLZO](https://www.municode.com/library/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TT22PLZO).
- US Fish and Wildlife Service (USFWS). 2014a, November 21. Habitat Conservation Plans.  
[http://ecos.fws.gov/conserv\\_plans/servlet/gov.doi.hcp.servlets.PlanReport](http://ecos.fws.gov/conserv_plans/servlet/gov.doi.hcp.servlets.PlanReport).
- . 2014b, December 10. National Wetlands Mapper.  
<http://www.fws.gov/wetlands/data/mapper.HTML>.