4.3 BIOLOGICAL RESOURCES

4.3.1 METHODOLOGY

This Draft EIR section discusses the potential impacts of the implementation of the Inglewood Oil Field Specific Plan (Project) to biological resources, including flora, fauna, wildlife movement, and jurisdictional resources (i.e., drainages and wetlands). The potential environmental impacts to these resources that could result from Project implementation are analyzed at a project-level of detail. Direct, indirect, and cumulative impacts are addressed for each threshold criteria below, and growth-inducing impacts are described in Sections 6.0, CEQA-Mandated Analyses, of this Draft EIR.

Throughout this Draft EIR, the City's portion of the Inglewood Oil Field (77.8-acres) is referred to as the "Project Site" or the "City IOF." The entire surface boundary limits[1] of the Inglewood Oil Field, including lands within both the City and County, is referred to as "Inglewood Oil Field." The portion of the Inglewood Oil Field that is only within the jurisdiction of the County of Los Angeles is referred to as the "County IOF."

A literature review was conducted to determine which species have been identified as special status by state, federal, and local resources agencies and organizations and have a potential to occur on the Project Site or immediate vicinity. Sources reviewed included: (1) special status species lists from the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), and California Native Plant Society (CNPS); (2) database searches of the CDFW's California Natural Diversity Database (CNDDB), the CNPS' Electronic Inventory of Rare and Endangered Vascular Plants of California (2017); (3) the most recent Federal Register listing package and critical habitat determination for each federally listed Endangered or Threatened species potentially occurring on the Project Site; (4) the CDFW Annual Report on the status of California's listed Threatened and Endangered plants and wildlife; and (5) other biological studies conducted in the vicinity of the Project Site.

Because the Project Site consists of privately-owned property and an operating oil field, an on-site survey was not conducted as part of this Project. However, surveys were conducted in 2012, 2014, and 2015 by Psomas as part of the Park to Playa Project, which traverses a portion of the City IOF. Data used for this analysis was gathered from sources listed above, the Park to Playa Project survey results, photography of the Project Site taken from adjacent public property, and from aerial photos to predict vegetation types, wildlife habitat, potential for special status species, and potential for jurisdictional drainage features to occur on the Project Site.

4.3.2 ENVIRONMENTAL SETTING

Natural Setting

The Project Site is located within the northwestern corner of the U.S. Geological Survey (USGS) 7.5-minute Beverly Hills and Hollywood quadrangles. The nine surrounding USGS quadrangles, centered on the Beverly Hills and Hollywood quadrangles include the: Topanga, Canoga Park, Van Nuys, Burbank, Pasadena, Los Angeles, South Gate, Inglewood, and Venice quadrangles. Topography on the Project Site consists of level topped hills, and moderately steep slopes.

[1] Surface boundary limit refers to the physical extent of the ground surface for which the Oil Field Operator has access and land owner permission to establish and conduct oil drilling activity. Subsurface and mineral right limits may have different boundaries than the surface boundary.

Elevations of the Project Site range from approximately 420 feet above mean sea level (msl) in the center to approximately 90 feet above msl along the western edge of the site.

Habitat types found in the region generally include urbanized areas and private property with non-native trees and ornamental shrubs, as well as designated open space areas containing natural vegetation (e.g., annual grassland, coastal oak woodland, coastal scrub, eucalyptus forest, freshwater emergent wetland, mixed chaparral, and valley foothill riparian). The nearest large designated natural open space areas are located approximately six miles to the north in the Santa Monica Mountains.

Vegetation

Vegetation types expected to occur on the Project Site and areas immediately adjacent to the Project Site include various sage scrub types, grassland, ornamental, weed dominated, and disturbed/developed areas. Special status vegetation types are discussed in greater detail in the Special Status Vegetation Types section farther below. The vegetation types expected to occur on the Project Site are based on 2008 vegetation maps for the *Final Environmental Impact Report Baldwin Hills Community Standards District* (CSD EIR) prepared by Marine Research Specialists as well as the 2016 *Revised Initial Study/Mitigated Negative Declaration for the Park to Playa Trail* prepared by Psomas[2] include:

- California sagebrush scrub
- Disturbed/degraded California sagebrush scrub
- Giant wild rye grassland
- Needle grass grassland
- Annual brome – Wild oats grassland
- Giant reed stand
- Disturbed mulefat thicket
- Ruderal or weed dominated
- Eucalyptus naturalized forest
- Ornamental
- Non-native ice plant dominated
- Manmade and maintained ponds

Scrub habitats expected to occur on the Project Site such as California sagebrush scrub, and California sagebrush/California buckwheat scrub consist of dominant species such as California sagebrush (*Artemesia californica*), California buckwheat (*Erioganum fasciculatum*), coyote bush (*Baccharis pilularis*), bush sunflower (*Encelia californica*), and deer weed (*Lotus scoparius*). Other less common species found include mock heather (*Ericameria ericioides*), sticky monkey flower (*Mimulus aurentiacus*), black sage (*Salvia mellifera*), giant wild rye (*Leymus condensatus*) and toyon (*Heteromeles arbuitifolia*) (MRS 2008, BonTerra 2012). Disturbed or degraded scrub habitats occur where previous oil field operations have disturbed the area by brush clearing or trampling. A higher (50 percent or greater) component of non-native species [e.g., castor bean (*Ricinus communis*), and wild oat (*Avena* spp.)] occur in these areas (MRS 2008).

Grassland habitats expected to occur include native dominated types such as giant wild rye grassland and needle grass grassland, as well as non-native dominated types such as annual brome – wild oats grassland. Giant wild rye grassland is dominated by giant wild rye, and contains

[2] These two documents do not provide vegetation mapping over the entire Project Site, however, a majority of the Project Site was mapped. Vegetation mapping of unmapped areas, and a verification of previously mapped areas, on the Project Site would occur as required in the Specific Plan.

other species such as needlegrass (*Stipa* sp.), ripgut grass (*Bromus diandrus*), and scattered coyote brush. Needle grass grassland is characterized by greater than ten percent cover of needlegrass. Other species present include fascicled tarplant (*Deinandra fasciculata*), ripgut grass, wild oat, and scattered California buckwheat. Annual brome–wild oats grassland is dominated by a mix of ripgut grass and wild oat. Some areas contain lesser amounts of Italian ryegrass (*Festuca perennis*), castor bean, and crown daisy (*Glebionis coronaria*) (Psomas 2016).

Herbaceous habitats such as ruderal or weed dominated areas, and non-native ice plant dominated areas contain primarily non-native invasive and non-invasive plant species. Dominant species in these areas include mustards (*Brassica nigra, Hirschfelia incana*), iceplant (*Carpobrotus edulis*), fennel (*Foeniculum vulgare*), Bermuda grass (*Cynodon dactylon*), and wild radish (*Raphanus sativus*) (MRS 2008). A giant reed stand occurs as a small patch and consists of giant reed (*Arundo donax*) an invasive non-native species (Psomas 2016).

Tree dominated areas include Eucalyptus naturalized forest and ornamental. Eucalyptus naturalized forest primarily consists of stands of eucalyptus trees (*Eucalyptus* spp.) and groups of planted trees that include both native and ornamental species (MRS 2008). Ornamental areas contain landscaped gum tree windrows (*Eucalyptus* spp.) adjacent to roads.

General Wildlife

The majority of habitat on the Inglewood Oil Field has been fragmented and isolated by oil field operations. Although these habitat fragments are surrounded by urban development and human influence, there are currently over 72 species of native plants present on the Baldwin Hills which support hundreds of native animal species, including hundreds of insects, at least 12 species of reptiles and amphibians, over 166 species of birds and 21 species of mammals. Not all of these species are expected to be present on the Project Site. Common wildlife species potentially occurring on the Project Site are discussed below. All special status species mentioned below are discussed in greater detail in the Special Status Wildlife section below.

Fish

On the Project Site, the only natural water features expected to occur are ephemeral drainages with no substantial water flow other than during rainfall events and holding basins. Therefore, there is no habitat for fish species expected to occur on the Project Site.

Amphibians

Amphibians require moisture for at least a portion of their life cycle and many require standing or flowing water for reproduction. Terrestrial species may or may not require standing water for reproduction. These species are able to survive in dry areas by aestivating (i.e., remaining beneath the soil in burrows or under logs and leaf litter, and emerging only when temperatures are low and humidity is high). Many of these species' habitats are associated with water and they emerge to breed once the rainy season begins. Soil moisture conditions can remain high throughout the year in some habitat types depending on factors such as amount of vegetation cover, elevation, and slope aspect. Considering the lack of natural water features and associated habitat expected to occur on the Project Site, it is not likely that substantial populations of any amphibian species would be supported on the Project Site. Common species that could potentially occur on the Project Site in small numbers include Baja California chorus frog (*Pseudacris hypochondriaca*), western toad (*Anaxyrus boreas*), and American bullfrog (*Lithobates catesbeiana*).

Reptiles

Reptilian diversity and abundance typically varies with vegetation type and character. Many species prefer only one or two vegetation types; however, most species will forage in a variety of habitats. Most species occurring in open areas use rodent burrows for cover, protection from predators, and refuge during extreme weather conditions. Although suitable reptile habitat is expected to occur on the Project Site, associated habitat areas are isolated geographically due to surrounding development (residential and oil field). This being the case, species diversity and abundance are expected to be low. Reptile species expected to occur on the Project Site include western fence lizard (*Sceloporus occidentalis*), side-blotched lizard (*Uta stansburiana*), southern alligator lizard (*Elgaria multicarinata*), and gopher snake (*Pituophis catenifer*).

Birds

A variety of bird species are expected to be residents on the Project Site using the habitats throughout the year. Other species are present only during certain seasons due to migration and/or breeding habits. On the Project Site, sage scrub vegetation supports bird populations composed of species adapted to the dense vegetation that typifies these areas. Although large numbers of individuals can often be found inhabiting these vegetation types, species diversity is usually low to moderate, depending on the season. A relatively high proportion of birds breeding in these habitats are year-round residents. Species expected to occur in the scrub portions of the Project Site include Bewick's wren (*Thryomanes bewickii*), spotted towhee (*Pipilo maculatus*), blue-gray gnatcatcher (*Polioptila caerulea*), California towhee (*Pipilo crissalis*), Anna's hummingbird (*Calypte anna*), northern mockingbird (*Mimus polyglottos*), house wren (*Troglodytes aedon*), and house finch (*Carpodacus mexicanus*).

Woodland and wash habitats are extremely important, providing food, cover, and breeding habitat for a wide variety of species throughout the year. Bird species that are expected to occur in the denser more wooded areas include American kestrel (*Falco sparverius*), lesser goldfinch (*Carduelis psaltria*), song sparrow (*Melospiza melodia*), house finch, mourning dove (*Zenaida macroura*), western scrub-jay (*Aphelocoma coerulescens*), bushtit (*Psaltriparus minimus*), phainopepla (Ph*ainopepla nitens*), Bullock's oriole (*Icterus bullockii*) and Wilson's warbler (*Wilsonia pusilla)*. The eucalyptus groves scattered throughout the Project Site provide suitable habitat for nesting raptors, such as the great horned owl (*Bubo virginianus*), red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), and Cooper's hawk (*Accipiter cooperi*).

The annual grassland vegetation type supports fewer bird species than most other vegetation types on the Project Site. However, these areas do provide important habitat for a number of species. Mourning dove, black phoebe (*Sayornis nigricans*), and lesser goldfinch are year-long residents in these areas. Migratory birds are expected to use this vegetation type on the Project Site either during the summer or winter. Additional species with potential to occur in one or more of the vegetation types on the Project Site include California quail (*Callipepla californica*), Say's phoebe (*Sayornis saya*), and turkey vulture (*Cathartes aura*).

Mammals

As with other taxonomic groups, the presence of different vegetation types on the Project Site offers mammals a variety of habitats. This variety, in turn, has the potential to attract and support a diverse collection of mammals. However, due to fragmentation from other open spaces and lack of suitable corridors to connect them, it is not expected that large populations will be present, nor

will the diversity be as great as other areas of this size and habitat type that have access to adjacent open space.

Small, ground-dwelling mammals expected on the Project Site include the California pocket mouse (*Perognathus californicus*), California mouse (*Peromyscus californicus*), woodrat (*Neotoma* sp.), Botta's pocket gopher (*Thomomys bottae*), deer mouse (*Peromyscus maniculatus*), house mouse (*Mus musculus*), California ground squirrel (*Spermophilus beecheyi*), cottontail rabbit (*Sylvilagus audubonii*), brush rabbit (*Sylvilagus bachmani*), western gray squirrel (*Sciurus griseus*), and eastern fox squirrel (*Sciurus niger*).

Larger mammals, including both herbivores and carnivores, that are expected on the Project Site include the striped skunk (*Mephitis mephitis*), Virginia opossum (*Didelphis virginiana*), common raccoon (*Procyon lotor*), coyote (*Canis latrans*), and feral cat (*Felis catus*).

Wildlife Movement

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, transitions in vegetation, or human disturbance; the presence of these factors can contribute to fragmentation of open space by urbanization creating isolated "islands" of wildlife habitat. In the absence of linkages that allow movement among areas of suitable habitat, various studies have concluded that some wildlife species, especially larger and more mobile mammals, will not likely persist over time in fragmented or isolated habitat since it (i.e., fragmented or isolated habitat) prohibits the immigration of new individuals and genetic information (MacArthur and Wilson 1967; Soule 1987; Harris and Gallagher 1989; Bennett 1990). Corridors mitigate the effects of this fragmentation by (1) allowing animals to move among areas of remaining habitat, thereby permitting depleted populations to be replenished and promoting genetic exchange; (2) providing escape routes from fire, predators and human disturbances, thus reducing the risk that catastrophic events (such as fire or disease) will result in population or local species extirpation; and (3) serving as travel routes for individual animals as they move in their home ranges in search of food, water, mates, and other necessary resources (Noss 1983; Farhig and Merriam 1985; Simberloff and Cox 1987; Harris and Gallagher 1989).

Wildlife movement activities usually fall into one of three movement categories: (1) dispersal (e.g., juvenile animals from natal areas or individuals extending range distributions); (2) seasonal migration; and (3) movement related to home range activities (e.g., foraging for food or water, defending territories, or searching for mates, breeding areas, or cover). A number of terms such as "wildlife corridor", "travel route", "habitat linkage", and "wildlife crossing" have been used in various wildlife movement studies to refer to areas in which wildlife move from one area to another. To clarify the meaning of these terms and to facilitate the discussion of wildlife movement, these terms are defined below.

- ***Travel route.*** A landscape feature (such as a ridgeline, drainage, canyon, or riparian strip) within a larger natural habitat area that is used frequently by animals to facilitate movement and to provide access to necessary resources (e.g., water, food, cover, den sites). The travel route is generally preferred because it provides the least amount of topographic resistance in moving from one area to another. It contains adequate food, water, and/or cover for wildlife moving between habitat areas and provides a relatively direct link between target habitat areas.
- ***Wildlife corridor.*** A piece of habitat, usually linear in nature, that connects two or more habitat patches that would otherwise be fragmented or isolated from one another. Wildlife corridors are usually bound by urban land areas or other areas that are unsuitable for

wildlife. The corridor generally contains suitable cover, food, and/or water to support species and to facilitate wildlife movement while in the corridor. Larger, landscape-level corridors (often referred to as "habitat or landscape linkages") can provide both transitory and resident habitat for a variety of species.

- ***Wildlife crossing.*** A small, narrow area, relatively short in length and generally constricted in nature that allows wildlife to pass under or through an obstacle or barrier that otherwise hinders or prevents movement. Crossings typically are man-made and include culverts, underpasses, drainage pipes, and tunnels that provide access across or under roads, highways, pipelines, or other physical obstacles. These often represent "choke points" along a movement corridor, which may impede wildlife movement and increase the risk of predation.

Regional Wildlife Movement

The Baldwin Hills is the largest area of open space in the Los Angeles Basin. The Santa Monica Mountains are located north of the Los Angeles Basin; the Pacific Ocean is to the west and south; and to the east and southeast are the Puente Hills and the Santa Ana Mountains, respectively. Because of the isolation of the Baldwin Hills from these surrounding areas of open space, most species inhabiting these separate ecosystems are not expected to venture across the wide expanse of urban development that separates these locations. However, animals living in the Inglewood Oil Field may potentially use the various canyons, ridgelines, habitats and other linear features to travel locally within the hills of the site. Most large-scale regional wildlife movement between the Baldwin Hills and the open spaces beyond the Los Angeles Basin is expected to be restricted to avian movement due to the surrounding urban development and lack of suitable habitat.

Local Wildlife Movement

The north-south trending hilltops and canyon gullies on the Project Site may be used as a wildlife corridor by many small mammals and herpetofauna (amphibians and reptiles). Drainages adjacent to the site, including Ballona Creek, are largely cement bottom and generally lack native riparian vegetation; therefore, they are not expected to be highly utilized in terms of local corridors within or outside the Project Site. Wildlife species expected to use the open spaces on the Project Site for local movement include, but are not limited to, small- to medium-sized animals such as raccoons, rabbits, snakes and lizards.

Special Status Resources

Special Status Vegetation Types

In addition to providing an inventory of special status plant and wildlife species, the CDFW's CNDDB also provides an inventory of vegetation types that are considered special status by State and federal resource agencies, academic institutions, and various conservation groups (such as the CNPS). In addition to this inventory, oak woodlands are protected via Section 21083.4 of the California Public Resources Code (PRC), which was enacted by Senate Bill (SB) 1334 in 2004. Finally, all wetland and riparian vegetation types are also considered special status by (1) the CDFW in its capacity as a natural resource trustee for purposes of CEQA review and (2) Section 404 of the Federal Clean Water Act (CWA), which protects "Waters of the U.S.", including those jurisdictional wetlands that are defined by the presence of hydrophytic vegetation, hydric soils, and wetland hydrology. Three vegetation types that have been previously mapped on the Project Site are considered special status: California sagebrush scrub, giant wild rye grassland, and

needle grass grassland. Additionally, degraded or disturbed scrub habitat may potentially be considered special status. Vegetation mapping of unmapped areas on the Project Site may potentially include additional special status vegetation types, but the likelihood is low.

Special Status Plants

Several special status plant species have potential to occur in the vicinity of the Project Site (i.e., the USGS Beverly Hills, Hollywood, Los Angeles, South Gate, Inglewood, and Venice 7.5-minute quadrangles). These species are summarized in Table 4.3-1. No federally or State listed plant species are expected to occur on the Project Site.

TABLE 4.3-1
SPECIAL STATUS PLANT SPECIES
POTENTIALLY OCCURRING IN THE PROJECT VICINITY

Species	Status			Habitat Suitability and Potential for Occurrence on the Project Site
	USFWS	CDFW	CRPR	
Arenaria paludicola marsh sandwort	FE	SE	1B.1	Not expected to occur due to lack of suitable habitat
Astragalus brauntonii Braunton's milk-vetch	FE	–	1B.1	Not expected to occur due to lack of suitable habitat
Astragalus pycnostachyus var. *lanosissimus* Ventura marsh milk-vetch	FE	SE	1B.1	Not expected to occur due to lack of suitable habitat and outside current known range.
Astragalus tener var. *titi* coastal dunes milk-vetch	FE	SE	1B.1	Not expected to occur due to lack of suitable habitat.
Atriplex pacifica South coast saltbush	–	–	1B.2	Potentially suitable habitat present.
Atriplex serenana var. *davidsonii* Davidson's saltscale	–	–	1B.2	Not expected to occur due to lack of suitable habitat.
California macrophylla round-leaved filaree	–	–	1B.1	Not expected to occur due to lack of suitable habitat.
Calochortus plummerae Plummer's mariposa lily	–	–	4.2	Potentially suitable habitat present.
Calystegia sepium ssp. *binghamiae* Santa Barbara morning-glory	–	–	1A	Not expected to occur due to lack of suitable habitat; presumed extinct.
Camissoniopsis lewisii [*Camissonia l.*] Lewis' evening-primrose	–	–	3	Not expected to occur due to lack of suitable habitat.
Centromadia parryi ssp. *australis* southern tarplant	–	–	1B.1	Potentially suitable habitat present.
Chaenactis glabriuscula var. *orcuttiana* Orcutt's pincushion	–	–	1B.1	Not expected to occur due to lack of suitable habitat.
Chenopodium littoreum coastal goosefoot	–	–	1B.2	Not expected to occur due to lack of suitable habitat.
Chloropyron maritimum ssp. *maritimum* salt marsh bird's-beak	FE	SE	1B.2	Not expected to occur due to lack of suitable habitat.

TABLE 4.3-1
SPECIAL STATUS PLANT SPECIES
POTENTIALLY OCCURRING IN THE PROJECT VICINITY

Species	Status			Habitat Suitability and Potential for Occurrence on the Project Site
	USFWS	CDFW	CRPR	
Dithyrea maritima beach spectaclepod	–	ST	1B.1	Not expected to occur due to lack of suitable habitat.
Dudleya lanceolata Rock lettuce*	–	–	–	Potentially suitable habitat present.
Dudleya multicaulis many-stemmed dudleya	–	–	1B.2	Not expected to occur due to lack of suitable habitat.
Helianthus nuttallii ssp. *parishii* Los Angeles sunflower	–	–	1A	Not expected to occur due to lack of suitable habitat.
Hordeum intercedens bobtail barley	–	–	3.2	Not expected to occur due to lack of suitable habitat.
Horkelia cuneata var. *puberula* mesa horkelia	–	–	1B.1	Potentially suitable habitat present.
Juglans californica Southern California black walnut	–	–	4.2	Potentially suitable habitat present.
Lasthenia glabrata ssp. *coulteri* Coulter's goldfields	–	–	1B.1	Not expected to occur due to lack of suitable habitat.
Lepidium virginicum var. *robinsonii* Robinson's pepper-grass	–	–	4.3	Potentially suitable habitat present.
Nama stenocarpum mud nama	–	–	2B.2	Not expected to occur due to lack of suitable habitat.
Nasturtium gambelii Gambel's water cress	FE	SE	1B.1	Not expected to occur due to lack of suitable habitat.
Navarretia fossalis spreading navarretia	FT	–	1B.1	Not expected to occur due to lack of suitable habitat.
Navarretia prostrata prostrate navarretia	–	–	1B.1	Not expected to occur due to lack of suitable habitat.
Orcuttia californica California Orcutt grass	FE	SE	1B.1	Not expected to occur due to lack of suitable habitat.
Phacelia ramosissima var. *austrolitoralis* south coast branching phacelia	–	–	3.2	Not expected to occur due to lack of suitable habitat.
Phacelia stellaris Brand's star phacelia	FC	–	1B.1	Potentially suitable habitat present.
Potentilla multijuga Ballona cinquefoil	–	–	1A	Not expected to occur due to lack of suitable habitat.
Pseudognaphalium leucocephalum white rabbit-tobacco	–	–	2B.2	Not expected to occur due to lack of suitable habitat.
Ribes divaricatum var. *parishii* Parish's gooseberry	–	–	1A	Not expected to occur due to lack of suitable habitat.
Sidalcea neomexicana salt spring checkerbloom	–	–	2B.2	Not expected to occur due to lack of suitable habitat.

TABLE 4.3-1
SPECIAL STATUS PLANT SPECIES
POTENTIALLY OCCURRING IN THE PROJECT VICINITY

Species	Status			Habitat Suitability and Potential for Occurrence on the Project Site
	USFWS	CDFW	CRPR	
Symphyotrichum defoliatum San Bernardino aster	–	–	1B.2	Potentially suitable habitat present. Not expected to occur; believed to be extirpated from the area due to urbanization.
Symphyotrichum greatae Greata's aster	–	–	1B.3	Not expected to occur due to lack of suitable habitat.

*** =species of local concern**

LEGEND:

Federal (USFWS) **State (CDFW)**

FE Endangered SE Endangered
FT Threatened ST Threatened
FC Federal Candidate

CRPR (California Native Plant Society)

1A Plants presumed extinct
1B Plants rare, threatened, or endangered in California and elsewhere
2B Plants rare, threatened, or endangered in California, but more common elsewhere
4 Plants of Limited Distribution – A Watch List

CRPR Threat Code Extensions

None Plants lacking any threat information
.1 Seriously endangered in California (over 80% of occurrences threatened; high degree and immediacy of threat)
.2 Fairly endangered in California (20–80% of occurrences threatened)
.3 Not very endangered in California (less than 20% of occurrences threatened or no current threats known)

Special Status Wildlife

Table 4.3-2 provides a list of special status animals evaluated based on a number of factors, including (1) species identified by the CNDDB as occurring (either currently or historically) on or in the vicinity of the Project Site, and (2) any other special status animals that are known to occur in the vicinity of the Project Site, or for which potentially suitable habitat occurs on site. State or federally-listed Threatened or Endangered species listed in Table 4.3-2, and species of local concern with potential to occur on the Project Site are discussed further below.

TABLE 4.3-2
SPECIAL STATUS WILDLIFE SPECIES
POTENTIALLY OCCURRING IN THE PROJECT VICINITY

Species	Status		Likelihood for On-Site Occurrence
	USFWS	CDFW	
Invertebrates			
Euphilotes battoides allyni El Segundo blue butterfly	FE	–	Not expected to occur; lack of suitable habitat.
Reptiles			
Actinemys [*Emys*] *marmorata pallida* western pond turtle	–	SSC	Not expected to occur; lack of suitable habitat.
Aniella pulchra pulchra silvery legless lizard	–	SSC	Moderate potential to occur; potentially suitable marginal habitat.
Phrynosoma coronatum ssp. *blainvillii* coast horned lizard	–	SSC	Low potential to occur; marginal potentially suitable habitat.
Thamnophis hammondii ssp. two-striped garter snake	–	SSC	Not expected to occur; lack of potentially suitable habitat.
Birds			
Circus cyaneus northern harrier	–	SSC	May occur for foraging; not expected to occur for nesting; lack of suitable habitat.
Athene cunicularia burrowing owl	–	SSC	Not expected to occur; lack of suitable habitat.
Campylorhynchus brunneicapillus couesi Coastal cactus wren	–	SSC (San Diego and Orange Counties only)	Not expected to occur; marginal potentially suitable habitat, though the species is thought to be extirpated from the area.
Charadrius alexandrines nivosus western snowy plover	FT	SSC	Not expected to occur; lack of suitable habitat.
Setophaga petechial yellow warbler	–	SSC	Not expected to occur; lack of suitable habitat.
Empidonax traillii extimus southwestern willow flycatcher	FE	SE	Not expected to occur; lack of suitable habitat.
Falco peregrinus anatum peregrine falcon	–	FP	May occur as a fly-over and for foraging; not expected to occur for nesting; lack of suitable habitat.
Lanius ludovicianus loggerhead shrike	–	SSC	Potentially suitable habitat; may occur in winter; low potential for nesting.
Laterallus jamaicensis coturniculus California black rail	–	ST, FP	Not expected to occur; lack of suitable habitat.
Passerculus sandwichensis beldingi Belding's savannah sparrow	–	SE	Not expected to occur; lack of suitable habitat.
Polioptila californica californica coastal California gnatcatcher	FT	SSC	May occur for foraging and nesting; marginal potentially suitable habitat.
Mammals			
Antrozous pallidus pallid bat	–	SSC	Limited potential to occur for foraging and roosting; potentially suitable foraging habitat; limited potentially suitable roosting habitat.

TABLE 4.3-2
SPECIAL STATUS WILDLIFE SPECIES
POTENTIALLY OCCURRING IN THE PROJECT VICINITY

Species	Status		Likelihood for On-Site Occurrence
	USFWS	CDFW	
Eumops perotis californicus western mastiff bat	–	SSC	May occur for foraging; potentially suitable foraging habitat. Not expected to occur for roosting; no suitable roosting habitat.
Nyctinomops femorosaccus pocketed free-tailed bat	–	SSC	May occur for foraging; potentially suitable foraging habitat. Not expected to occur for roosting; no suitable roosting habitat.
Nyctinomops macrotis big free-trailed bat	–	SSC	May occur for foraging; potentially suitable foraging habitat. Not expected to occur for roosting; no suitable roosting habitat.
Lepus californicus bennettii San Diego black-tailed jackrabbit	–	SSC	Expected to occur; potentially suitable habitat.
Perognathus longimembris pacificus Pacific pocket mouse	FE	SSC	Not expected to occur; lack of suitable habitat.
Perognathus longimembris Brevinasus Los Angeles pocket mouse	–	SSC	May occur; potentially suitable habitat.
Sorex ornatus salicornicus Southern California saltmarsh shrew	–	SSC	Not expected to occur; lack of suitable habitat.
Taxidea taxus American badger	–	SSC	No potential to occur; lack of sufficient habitat acreage and connectivity to potentially suitable habitat.

LEGEND

Federal (USFWS)		**State (CDFW)**	
FE	Endangered	SE	Endangered
FT	Threatened	ST	Threatened
		SSC	Species of Special Concern
		FP	Fully Protected

Note: No special status amphibian species have potential to occur within the region.

Coastal California Gnatcatcher

Coastal California gnatcatcher (*Polioptila californica californica*) is a federally listed Threatened species and a California Species of Special Concern. This species occurs in most of Baja California's arid regions, but is extremely localized in the United States where it predominantly occurs in coastal regions of highly urbanized Los Angeles, Orange, Riverside, and San Diego Counties (Atwood 1992). In California, this species is an obligate resident of several distinct subassociations of the coastal sage scrub vegetation type. Brood parasitism by brown-headed cowbirds and loss of habitat due to urban development has been cited as causes of the coastal California gnatcatcher population decline (Unitt 1984; Atwood 1990). This species has occurred in Culver City approximately three miles from the Project Site (CDFW 2017). The Project Site provides sage scrub (of marginal quality) that would be considered potentially suitable habitat, and is generally within the gnatcatcher's current range.

Other than one sighting in 1980 (Atwood 1980) there are no historical records for the coastal California gnatcatcher in the Baldwin Hills. The nearest known established populations of coastal California gnatcatchers to the Baldwin Hills are on the Palos Verdes Peninsula (26 kilometers [km] to the south) and the Montebello Hills (23 kilometers [km] to the east) (Garrett 2001). Previous gnatcatcher surveys have been conducted in the surrounding areas with negative results (Leatherman BioConsulting 2012). However, recent observations of the coastal California gnatcatcher have occurred at the Ballona Wetlands (7 km to the southwest) and the El Segundo Dunes located about 2 to 3 km south of the Ballona Wetlands (eBird 2014). At the latter location, the coastal California gnatcatcher nested successfully in 2013 (Walker 2013). Based on these observations, the coastal California gnatcatcher is not expected, but may occur on the Project Site, with the highest potential following the breeding season as juveniles disperse from breeding grounds. Gnatcatchers may occur on the Project Site for nesting, though the potential is low due to the fragmented nature of the habitat.

On December 19, 2007, the USFWS published a final rule revising Designated Critical Habitat for the coastal California gnatcatcher. The revised Critical Habitat designates 197,303 acres of land in Ventura, Los Angeles, Orange, Riverside, San Bernardino, and San Diego counties, California. The Project Site is not within Critical Habitat for this species.

Species of Local Concern

The urbanization of the area surrounding the Project Site extirpated many species from the Project area that were once very common and are still common in open space areas in the region. These species still occur in the Baldwin Hills in low numbers, and are at risk of extirpation from the area due to human disturbance, limited native habitats, indirect disturbances from the surrounding urban landscape, among other causes. These species include the greater roadrunner (*Geococcyx californianus*), blue grosbeak, Swainson's thrush (*Catharus ustulatus*), and California thrasher (*Toxostoma redivivum*). Most of these species would be expected to use the site infrequently as migrants due to the low quality of potential nesting habitat expected to occur on the Project Site (MRS 2008).

Jurisdictional Resources

Some of the vegetation types and drainages on the Project Site may be subject to permit conditions, as regulated by the USACE, the CDFW, and the RWQCB pursuant to Section 404 of the Clean Water Act and Sections 1600 et seq. of the California Fish and Game Code. The USACE takes jurisdiction over areas considered "waters of the U.S." and wetlands. Jurisdictional waters are typically defined by the ordinary high water mark and other specific criteria. Wetlands, a subset of jurisdictional waters, are defined as those that possess the following three parameters: (1) hydrology that provides permanent or periodic inundation by groundwater or surface water; (2) hydric soils; and (3) hydrophytic vegetation. CDFW jurisdictional limits are similar to USACE jurisdiction, but include riparian habitat supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. The limits of CDFW jurisdiction are often defined by riparian vegetation. Jurisdictional features may occur on the Project Site based on previous vegetation mapping of open water areas and other topographic features visible on aerial photographs. Prior to the approval of any plans and/or issuance of any permits to conduct activities on the Project Site, a jurisdictional delineation will be required to determine the location and the extent of jurisdictional resources on the Project Site, if present.

4.3.3 REGULATORY SETTING

Federal

Federal Endangered Species Act

The Federal Endangered Species Act of 1973 (FESA) protects plants and animals that the federal government has listed as "Endangered" or "Threatened". The FESA is implemented by enforcing Sections 7 and 9 of the Act. A federally listed species is protected from an unauthorized "take" pursuant to Section 9 of the FESA. "Take", as defined by the FESA, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or to attempt to engage in any such conduct. All persons are presently prohibited from taking a federally listed species unless and until (1) the appropriate Section 10(a) permit has been issued by the USFWS or (2) an Incidental Take Statement is obtained as a result of formal consultation between a federal agency and the USFWS pursuant to Section 7 of the FESA and the implementing regulations that pertain to it (50 *Code of Federal Regulations* [CFR] 402). "Person" is defined in the FESA as an individual, corporation, partnership, trust, association, or any private entity; any officer, employee, agent, department or instrument of the federal government; any State, Municipality, or political subdivision of the State; or any other entity subject to the jurisdiction of the United States.

The FESA is designed to provide a certain level of protection to USFWS-designated critical habitat only in those instances in which a federal agency is considering whether to grant an authorization, fund, or take any other federal agency action that may destroy or adversely modify the designated critical habitat. Section 7(a)(2) of FESA requires federal agencies to consult with the USFWS on federal agency actions that have the potential to destroy or adversely modify critical habitat. The designation does not place any restrictions on a non-federal agency landowner, on private landowners, or on State or local agencies or governments, nor does the designation restrict a non-federal agency or private landowner from removing or otherwise adversely modifying land containing the critical habitat designation. Such designation does not require implementation of restoration, recovery, or enhancement measures by private landowners. Where a landowner seeks or requests federal agency funding or authorization for an activity likely to negatively impact one or more members of a listed species or critical habitat, the consultation requirements of Section 7(a)(2) of FESA generally apply.

Critical habitat designations are the USFWS's method of identifying for federal agencies those physical or biological features believed essential to the conservation of the species (such as space, food, cover, and protected habitat), focusing on the principal biological or physical constituent elements within an area considered essential to the conservation of the species (such as roost sites, nesting grounds, seasonal wetlands, water quality, tide, soil type). Primary constituent elements (PCEs) are the elements of physical or biological features which, when laid out in the appropriate quantity and spatial arrangement to provide for a species' life-history processes, the USFWS believes to be essential to the conservation of the species. Critical habitat designations are intended as a tool to be used by the USFWS in helping federal agencies comply with their obligations under Section 7 of the FESA.

The Project Site is not located within or adjacent to federally Designated Critical Habitat for any species.

Sections 404 and 401 of the Clean Water Act of 1972

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged or fill material into "Waters of the U.S.", including wetlands. The U.S. Army Corps of Engineers (USACE) is the

designated regulatory agency responsible for administering the 404 permit program and for making jurisdictional determinations. This permitting authority applies to all "Waters of the U.S." where the material has the effect of (1) replacing any portion of "Waters of the U.S." with dry land or (2) changing the bottom elevation of any portion of "Waters of the U.S.". These fill materials would include sand, rock, clay, construction debris, wood chips, and materials used to create any structure or infrastructure in "Waters of the U.S.". Dredge and fill activities are typically associated with development projects; water-resource related projects; infrastructure development and wetland conversion to farming; forestry; and urban development.

Under CWA Section 401, an activity requiring a USACE Section 404 permit must obtain a State Water Quality Certification (or waiver thereof) to ensure that the activity will not violate established State water quality standards. The State Water Resources Control Board (SWRCB), in conjunction with the nine California Regional Water Quality Control Boards (RWQCB), is responsible for administering the Section 401 Water Quality Certification Program.

Under Section 401 of the CWA, an activity involving discharge into a water body must obtain a federal permit and a State Water Quality Certification to ensure that the activity will not violate established water quality standards. The U.S. Environmental Protection Agency is the federal regulatory agency responsible for implementing the Section 401 CWA program. However, pursuant to the CWA, the SWRCB, in conjunction with the nine RWQCBs, has been delegated the responsibility of administering the Water Quality Certification (401) Program.

Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) of 1918, as amended in 1972, makes it unlawful, unless permitted by regulations, to "pursue; hunt; take; capture; kill; attempt to take, capture or kill; possess; offer for sale; sell; offer to purchase; purchase; deliver for shipment; ship; cause to be shipped; deliver for transportation; transport; cause to be transported; carry or cause to be carried by any means whatever; receive for shipment, transportation, or carriage; or export, at any time, or in any manner, any migratory bird for the protection of migratory birds or any part, nest, or egg of any such bird" (16 *United States Code* [USC] 703).

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: Accipitridae (kites, hawks, and eagles); Cathartidae (New World vultures); Falconidae (falcons and caracaras); Pandionidae (ospreys); Strigidae (typical owls); and Tytonidae (barn owls). The provisions of the 1972 amendment to the MBTA protect all species and subspecies of these families.

Bald and Golden Eagle Protection Act of 1940

The Bald and Golden Eagle Act provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds. The 1972 amendments increased penalties for violating provisions of the Act and strengthened other enforcement measures. A 1978 amendment authorizes the Secretary of the Interior to permit the taking of golden eagle nests that interfere with resource development or recovery operations. A 1994 Memorandum (Woolley and Peters 2017) on April 29, 1994, from President William J. Clinton to the heads of Executive Agencies and Departments sets out the policy concerning collection and distribution of eagle feathers for Native American religious purposes.

State

California Endangered Species Act

Pursuant to the California Endangered Species Act (CESA) and Section 2081 of the *California Fish and Game Code*, an incidental take permit from the California Department of Fish and Wildlife (CDFW) is required for projects that could result in the take of a State-listed Threatened or Endangered species. Under the CESA, "take" is defined as an activity that would directly or indirectly kill an individual of a species, but the definition does not include "harm" or "harass", as the federal act does. As a result, the threshold for a take under the CESA is higher than that under the FESA. A CDFW-authorized Incidental Take Permit under Section 2081(b) is required when a project could result in the take of a State-listed Threatened or Endangered Species. The application for an Incidental Take Permit under Section 2081(b) has a number of requirements, including the preparation of a conservation plan, generally referred to as a Habitat Conservation Plan.

California Fish and Game Code

Section 1802

State law confers upon the CDFW the trustee responsibility and authority for the public trust resource of wildlife in California. The CDFW may play various roles under the CEQA process. By State law, the CDFW has jurisdiction over the conservation, protection, and management of the wildlife, native plants, and habitat necessary to maintain biologically sustainable populations. As a trustee agency, the CDFW has jurisdiction over certain resources held in trust for the people of California. Trustee agencies are generally required to be notified of CEQA documents relevant to their jurisdiction, whether or not these agencies have actual permitting authority or approval power over aspects of the underlying project (14 *California Code of Regulations* [CCR] Section 15386). The CDFW, as a trustee agency, must be notified of CEQA documents regarding projects involving fish and wildlife of the state as well as Rare and Endangered native plants, wildlife areas, and ecological reserves. Although, as a trustee agency the CDFW cannot approve or disapprove a project, lead and responsible agencies are required to consult with them. The CDFW, as the trustee agency for fish and wildlife resources, shall provide the requisite biological expertise to review and comment upon environmental documents and impacts arising from project activities and shall make recommendations regarding those resources held in trust for the people of California (*California Fish and Game Code*, Section 1802).

Sections 1600–1603

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that support wildlife resources and/or riparian vegetation are subject to CDFW regulations, pursuant to Section 1600 through Section 1603 of the *California Fish and Game Code*. Under Section 1602, it is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream, or lake designated by CDFW as waters within their jurisdiction, nor can a person use any material from streambeds without first notifying the CDFW of such activity. For a project that may affect stream channels and/or riparian vegetation regulated under Sections 1600 through 1603, CDFW authorization is required in the form of a Streambed Alteration Agreement.

Sections 3503, 3503.5, and 3513

Nesting birds are protected in Sections 3503, 3503.5, and 3513 of the *California Fish and Game Code.* These sections state that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by or any regulation made pursuant to *The California Fish and Game Code*. Section 3503.5 explicitly provides protection for all birds of prey, including their eggs and nests. Section 3513 makes it unlawful to take or possess any migratory non-game bird as designated in the MBTA.

Sections 4000-4012

The California Fur-bearing Mammals Act (*California Fish and Game Code*, Sections 4000-4012) Section 4000 (Fur-bearing Mammals Specified) states, "the following are fur-bearing mammals: pine marten, fisher, mink, river otter, gray fox, red fox, kit fox, raccoon, beaver, badger, and muskrat". Their protection comes from the California Code of Regulations (CCR, Title 14, Division 1, Subdivision 2, Chapter 5, Section 460, Furbearing Mammals) which states, "fisher, marten, river otter, desert kit fox, and red fox may not be taken at any time". "Take" is defined in the law (*California Fish and Game Code*, Section 86) as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill".

California Porter-Cologne Water Quality Control Act

Pursuant to the California Porter-Cologne Water Quality Control Act, the SWRCB and the nine RWQCBs may require permits (known as waste discharge requirements or WDRs) for the fill or alteration of the waters of the State. The term "Waters of the State" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (*California Water Code,* Section 13050[e]). The State and Regional Boards have interpreted their authority to require WDRs to extend to any proposal to fill or alter "Waters of the State", even if those same waters are not under USACE jurisdiction. Pursuant to this authority, the State and Regional Boards may require the submission of a "report of waste discharge" under Section 13260, which is treated as an application for WDRs.

Oak Woodland Conservation Act (2001)

The Oak Woodland Conservation Act (*California Fish and Game Code,* Sections 1360 et seq.), passed by the California Legislature in 2001, established an Oak Woodland Conservation Fund administered by the Wildlife Conservation Board (WCB) to help and encourage local governments, park and open space districts, resource conservation districts, nonprofit organizations and private property owners to protect and enhance oak woodlands. "It offers landowners, conservation organizations, and cities and counties an opportunity to obtain funding for projects designed to conserve and restore California's oak woodlands. It authorizes the WCB to purchase oak woodland conservation easements and provide grants for land improvements and oak restoration efforts" (McCreary 2004). The Act defines oak woodlands as "an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover" (*California Fish and Game Code,* Section 1361[h]).

Native Plant Protection Act

The Native Plant Protection Act (*California Fish and Game Code,* Section 1900 et seq.) provides for the preservation, protection, and enhancement of Endangered or Rare native plants in California. These sections also allow for the adoption of regulations governing the taking,

possession, propagation, transportation, exportation, importation, or sale of any Endangered or Rare native plants.

Baldwin Hills Conservancy 2013 Updated Strategic Plan

The Baldwin Hills Conservancy was formed as a state appointed board to acquire open space within the Baldwin Hills Area. The Conservancy's mission is to acquire open space and manage public lands within the Baldwin Hills area and to provide recreation, restoration, and protection of wildlife habitat within the territory for the public's enjoyment and educational experience. The 2013 Updated Strategic Plan describes current and proposed resource allocation by the Conservancy; public needs served by the agency; policies and principles guiding the Conservancy and its staff; and the intended future course of the agency's efforts.

Baldwin Hills Park Master Plan

The Baldwin Hills Conservancy, in collaboration with other groups, has developed a concept for "One Big Park" within the core of the West side of Los Angeles that will be a resource for all Southern California residents. The document serving as the guide for successfully accomplishing the goal of "One Big Park" is the Baldwin Hills Park Master Plan. The purpose of the Master Plan is to serve as a guide for future natural open space and parkland acquisition and improvements, facility development and habitat restoration within the Baldwin Hills, and for connections to trails, parks and other public facilities. The Master Plan is conceptual in nature, providing a vision for the Baldwin Hills that balances recreational and cultural needs of surrounding communities with protection of sensitive native plants and animals and their habitats.

Local

City of Culver City General Plan

The intent of the General Plan is to communicate the City's strategic thinking, philosophies and visions for the future to residential and business communities and to adjacent jurisdictions and agencies who affect, or are affected by, the City. The intent of the General Plan is to provide for the physical, social and economic needs of the City and its community. The Culver City General Plan is comprised of nine elements: Land Use, Circulation, Housing, Open Space, Noise, Conservation, Seismic Safety, Recreation, and Public Safety Elements.

The Conservation Element discusses conservation development and utilization of natural resources including water and its hydraulic force, forests, soils, rivers, and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. While there are no specific Objectives or Goals listed in the Conservation Element, it does state that as oil drilling becomes less productive and scarcity of land in the western section of Los Angeles County increases, there must be a coordinated action between Culver City, Los Angeles County, and the State of California, through a coordinated program, to preserve the Baldwin Hills for all to enjoy in the future.

The intent of the Open Space Element is to protect, expand, and enhance visible and usable open space resources that support natural habitats, agricultural projection, outdoor recreation and environmental health uses. Open Space Element Objective 4, Natural Areas, calls for the protection and enhancement of valuable and sensitive cultural and natural resources, particularly biological habitats within Blair Hills. Specifically, Policy 4.F states:

> **Open Space Policy 4.F:** Protect open space and natural areas which contain or support rare, threatened or endangered species.

4.3.4 SPECIFIC PLAN AND REGULATORY REQUIREMENTS

Specific Plan Drilling Regulations

Section 29. All Oil Operations within the City's jurisdiction shall be conducted in a manner that minimizes impacts to biological resources and shall comply with the following provisions:

A. Oil Spill Response. The Operator shall comply with all provisions of the approved ERP to protect biological species and to revegetate any areas disturbed during an oil spill or clean-up activities. At a minimum, the ERP shall include:

1. Measures to avoid impacts on native vegetation, wildlife habitats, plant and animal species, and environmentally sensitive habitat areas during response and cleanup operations;

2. Measures that identify low-impact site-specific methods for addressing spills or other accidents such as hand-cutting contaminated vegetation and using low-pressure water flushing; and

3. If disturbance cannot be avoided, the ERP shall provide site-specific habitat restoration plans and species-specific measures to mitigate impacts on sensitive species and to restore native plant and animal communities to pre-spill conditions. This plan shall include a schedule for re-establishing vegetation that replicates the habitat disturbed, or, for disturbed habitat previously dominated by non-native species, replacement with suitable native species.

B. Special Status Species and Habitat Protection Plan. Within 180 days of the date of approval of the Comprehensive Plan or at such later date as may be approved by the Community Development Director, for good cause shown, the Operator shall prepare, using a qualified biologist approved by the City, a Special Status Species and Habitat Protection Plan, which shall be submitted to the Community Development Director for review and approval. The Special Status Species and Habitat Protection Plan shall be reviewed and updated as appropriate annually with each Annual Consolidation and Drilling Plan, or with any Well and Well Pad Abandonment Plan (or similar). Prior to any disturbance of sensitive natural habitat areas as identified in the Plan, the biologist shall conduct a survey of the area to determine if impacts to sensitive natural habitat will occur, including, but not limited to, coastal sagebrush, coyote bush scrub, riparian scrub, and oak woodland. If the biologist determines that impact to sensitive natural habitat will occur, then the Operator shall have a City-approved restoration specialist, with expertise in southern California ecosystems and revegetation techniques, identify habitat restoration and revegetation measures for the Plan. No removal of sensitive natural habitat shall occur until the Plan has been approved by the City. The Plan shall also consider the need for project-specific surveys including sensitive plant surveys, sensitive wildlife surveys in habitat areas that could support sensitive wildlife species, and breeding and nesting bird surveys for activities occurring during the breeding season (February 1 to August 31 for raptors, and March 15 to September 15 for sensitive/common birds). If

the qualified biologist determines the need for project-specific surveys, then the Plan shall detail how and when those project-specific surveys will be conducted. Additionally, the Plan will include a worker training program to ensure all workers on site are aware of protection measures and disturbance limits. The Operator shall comply with all provisions of the Plan. Any modifications to the Plan shall be submitted to the Community Development Director for review and approval.

C. Listed Plant or Wildlife Species. If federal-or state-listed threatened, endangered, candidate, or special-status plant or wildlife species are found, then the Operator shall comply with all applicable U.S. Fish and Wildlife Service and California Department of Fish and Wildlife rules and regulations and provide a minimum 3:1 replacement of occupied habitat with occupied habitat. Copies of any documentation provided to or received from the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife demonstrating compliance with applicable requirements, shall be provided to the Community Development Director.

D. Monitoring. If the Special Status Species and Habitat Protection Plan determines project-specific surveys are needed, and such surveys find sensitive plants, wildlife species, or nesting birds, a biological monitor hired by the Operator, and approved by the Community Development Director, shall be on site to monitor the impact that the project-specific activities might have on sensitive resources. The biological monitor shall be responsible for the following:

1. Establishing a 300-foot buffer around any active breeding bird nests within which Project activities will be severely restricted to prevent nesting disturbance;

2. Assuring that vegetation removal does not harm sensitive wildlife species;

3. Monitoring for sensitive wildlife species and relocating them to suitable habitat;

4. Ensuring exclusionary fencing is installed around project-specific sites to reduce impacts to sensitive wildlife;

5. Checking potable and non-potable water sources on the Project site daily to ensure that wildlife (including birds) are not accessing them;

6. Inspecting all potential wildlife pitfalls no fewer than three times daily throughout and at the end of each work day to ensure no wildlife entrapment. Should wildlife become trapped, the biological monitor shall remove it (if feasible and safe to do so) or immediately contact CDFW;

7. Implementing CDFW guidance on the disposal, storage, or curation of wildlife mortality, and reporting wildlife injury and/or mortality to CDFW as soon as possible; and

8. Ensuring that night lighting, dust, and noise resulting from project activities are minimized and kept at a level that would not be expected

to have a measurable effect on any identified sensitive wildlife species on the Project site.

E. Tree and Riparian Scrub Removal. Removal of native or non-native trees and riparian scrub vegetation shall be scheduled, as possible, for removal outside the nesting season to avoid impacts to nesting birds. If avoidance of removal of trees or riparian scrub during the recommended periods is not possible, a City-approved biologist shall perform a survey to ensure that no nesting birds are present prior to removal. If for any reason a nest must be removed during the nesting season, copies of any documentation provided to or received from the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife demonstrating compliance with applicable requirements, authorization of the nest relocation, and all relocation efforts, shall be provided to the Community Development Director.

F. Habitat Restoration. Within 60 days of completing Drilling Project activities that impact sensitive natural habitat, the Operator shall begin habitat restoration consistent with the approved Special Status Species and Habitat Protection Plan. Restoration priority shall be given to areas of degraded habitat connecting areas of higher quality habitat and where restoration would produce larger corridors to support the migration and movement of wildlife. The Operator shall replace any loss of sensitive natural habitat at the following ratios:

1. 1:1 for each acre of native scrub vegetation including but not limited to coastal sagebrush, coyote bush scrub, California sagebrush, and California buckwheat scrub.

2. 2:1 for each acre of riparian scrub or oak woodland.

3. 2:1 for each individual special status plant species.

G. Jurisdictional Resources. Prior to implementing Project activities, a qualified biologist shall assess proposed disturbance areas for presence or absence of drainage features potential regulated by the USACE, the CDFW, and the RWQCB pursuant to Section 404 of the Clean Water Act and Sections 1600 et seq. of the California Fish and Game Code. If present, a jurisdictional determination report identifying and describing such areas per agency requirements shall be prepared. If the project activities would impact these features directly or indirectly, the applicable regulatory permits will be obtained prior to commencing with project impacts to jurisdictional drainages. Mitigation shall be incorporated with agency permits and will include a minimum 1:1 replacement ratio of permanent lost jurisdictional drainage and associated resources.

Regulatory Requirements

Applicable regulatory requirements are adequately referenced and incorporated into the Drilling Regulations, as discussed above.

4.3.5 THRESHOLDS OF SIGNIFICANCE

The Initial Study for the Project concludes that additional Project-level analysis of the following thresholds of significance is required in this EIR. According to Appendix G of the CEQA Guidelines, a Project would result in a significant adverse impact related to biological resources if it would:

Threshold 3-1: Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Threshold 3-2: 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 Wildlife or U.S. Fish and Wildlife Service?

Threshold 3-3: 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?

Threshold 3-4: 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?

Threshold 3-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Threshold 3-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The following discussion examines the potential direct and indirect impacts to plant and wildlife resources, based on the thresholds above, that may occur as a result of implementing the Project's Maximum Buildout Scenario. Direct impacts are considered to be those that involve the loss or disturbance of plant communities, which in turn, directly affect the flora and fauna of those habitats. Direct impacts also include the destruction of individual plants or wildlife, which may also directly affect regional population numbers of a species or result in the physical isolation of populations, thereby reducing genetic diversity and population stability.

Indirect impacts to existing plant or animal species can occur even when those individuals are not directly removed by development of the Project's Maximum Buildout Scenario. Indirect impacts can result in effects to plant and animal species, such as increases in ambient levels of noise or light; unnatural predators (i.e., domestic cats and other non-native animals); competition with exotic plants and animals; and increased human disturbance to habitats used by plant and animal species through increased human, mechanical, and vehicular activity. Indirect impacts may be short-term or long-term in their duration. These indirect impacts are commonly referred to as "edge effects" and may result in a slow replacement of native plants by exotics; changes in wildlife behavioral patterns; and reduced wildlife diversity and abundance in habitats adjacent to a project site. In order to evaluate whether an impact on biological resources would result in a "substantial

adverse effect", both the resource itself and how that resource fits into a regional context is considered.

4.3.6 IMPACT ANALYSIS

Threshold 3-1: Would the Project have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Of the special status plant species known to occur in the vicinity of the Project Site (listed in Table 4.3-1), eight have the potential to occur on the Project Site. There are no State or federally-listed Threatened or Endangered plant species with the potential to occur on the Project Site. Impacts on small numbers of non-listed special status plant species may not meet the significance criteria under State CEQA Guidelines if the impacts are negligible on regional population abundance and distribution, since generally speaking non-listed species tend to be more wide spread than Threatened or Endangered species.

Due to the geographically isolated nature of the natural habitats within the Project Site, impacts on non-listed special status plant species may be potentially significant. However, by complying with Drilling Regulations Section 29, impacts to non-listed special status plant species would be less than significant. No mitigation would be required.

A number of special status wildlife species are known to occur in the region and may occur on the Project Site, as listed in Table 4.3-2, Special Status Wildlife Species. The only State or federally-listed Threatened or Endangered wildlife species with the potential to occur on the Project Site is the coastal California gnatcatcher (*Polioptila californica californica*).

If the coastal California gnatcatcher were to be present on the Project Site, activities on the City IOF could potentially result in the harm or loss of individuals of this species due to activities such as earthmoving, vegetation removal, equipment staging, and vehicular traffic. Any impacts to the gnatcatcher would be considered significant. However, Drilling Regulations Section 29 requires the preparation of a Special Status Species and Habitat Protection Plan and focused surveys for listed species such as the California gnatcatcher prior to implementing any activities within native habitat areas. Additionally, if the species is present, compliance with applicable U.S. Fish and Wildlife Service and California Department of Fish and Wildlife rules and regulations and provision of a minimum 3:1 replacement of occupied habitat with occupied habitat is required. By complying with Section 29, impacts would be less than significant to the coastal California gnatcatcher. No mitigation would be required.

If any non-listed special status wildlife species as identified in Table 4.4-2 or the species of local concern (mentioned above under Section 4.3.2 Special Status Wildlife) were to be present on the Project Site, activities on the City IOF have the potential to adversely affect these special status species. Project activities, such as vehicular movement, vehicular staging, and vegetation removal could result in direct impacts (i.e. the loss of individuals). If present on or adjacent to the Project Site, concentrations of these non-listed species are expected to be low due to very limited potential suitable habitat, and potential for high frequency of direct impacts would be limited. However, as mentioned above for special status plants species, the geographically isolated nature of the Project Site may heighten any impacts to these species. Direct or indirect impacts to these special status wildlife species may be potentially significant due to relative rarity in the area. However, Drilling Regulations Section 29 requires the preparation of a Special Status

Species and Habitat Protection Plan and surveys for sensitive species within native habitat areas prior to disturbance. Additionally, if sensitive species are present, protective measures such as monitoring, relocation, exclusionary fencing, and a worker-training program shall be required as specified in the Special Status Species and Habitat Protection Plan. By complying with Drilling Regulations Section 29, impacts to special status wildlife species would be less than significant. No mitigation would be required.

The bat species listed in Table 4.4-2 have potential to develop maternity roosts on the Project Site. Direct impacts to maternity roost of bat species would potentially occur if roosting habitat was removed. If the Project's Maximum Buildout Scenario results in the removal of mature trees or other suitable structures (e.g., dark, enclosed or partially enclosed, undisturbed spaces with appropriate roosting substrate such as wood or concrete) that may represent potential bat roosting habitat, this may result in a potentially significant impact on special status bat species. MM BIO-1 would require that a qualified Biologist conduct a pre-construction bat habitat assessment of the trees or structures marked for potential removal. If the potential for colonial roosting is present, those trees or structures would not be removed during the bat maternity roost season (March 1 to July 31). Outside the maternity roost season, the trees/structures potentially supporting solitary roosts could be removed via a two-step removal process that allows bats to escape during the darker hours prior to habitat removal. Compliance with MM BIO-1, would reduce potentially significant direct impacts to special status bat species to less than significant.

Indirect impacts to special status wildlife species during activities on the City IOF may include increased noise levels, increased fugitive dust, artificial lighting/nighttime lighting, and other potential disturbance to adjacent on or off site habitats potentially supporting special status wildlife species, as identified in Table 4.4-2. These potential impacts resulting from reduced functionality of habitat located adjacent to City IOF areas undergoing earthmoving, drilling, or other noisy activities would be minimized with compliance of Drilling Regulation Section 29, Biological Resources. Section 29 requires the preparation of a Special Status Species and Habitat Protection Plan and surveys for sensitive species within native habitat areas prior to disturbance. Additionally, if sensitive species are present, protective measures such as monitoring, relocation, exclusionary fencing, a worker-training program, and minimization of night lighting, dust, and noise resulting from project activities shall be required as specified in the Special Status Species and Habitat Protection Plan. Indirect impacts on special status wildlife species are therefore considered less than significant. No mitigation is required.

Nesting birds are protected under the provisions of the MBTA. The USFWS periodically publishes the list of migratory birds covered by the provisions of this statute, but essentially all naturally occurring bird species in North America are considered to be migratory and included on the list. Suitable nesting habitat for migratory birds is present throughout all habitats of the Project Site and adjacent areas and could be adversely impacted either directly or indirectly. The loss of an active nest may be considered a violation of the MBTA as well as the *California Fish and Game Code* protecting nesting birds. Drilling Regulation Section 29 requires the preparation of a Special Status Species and Habitat Protection Plan inclusive of measures to avoid impacts to nesting birds for activities occurring during the breeding season (February 1 to August 31 for raptors, and March 15 to September 15 for sensitive/common birds). Additionally, if nesting birds are present, protective measures such as monitoring and establishment a 300-foot buffer around any active breeding bird nests within which Project activities will be severely restricted to prevent nesting disturbance. By complying with Drilling Regulations Section 29, impacts on nesting birds would be less than significant. No mitigation is required.

Threshold 3-2: 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?

Three special status vegetation types, California sagebrush scrub, giant wild rye grassland, and needle grass grassland have been previously mapped within the Project Site (MRS 2008, Psomas 2016). There is potential for additional special status vegetation types to occur in the un-mapped portion of the Project Site. In order to map the acreage of vegetation, and particularly special status vegetation types, on the Project Site, a site visit to map the un-mapped portion of the Project Site (and to confirm the mapped portions) would need to be conducted prior to the issuance of any permits for activities on the Project Site. Drilling Regulation Section 29 requires the preparation of a Special Status Species and Habitat Protection Plan, which includes measures to protect and replace lost native vegetation types. Prior to any disturbance of sensitive natural habitat areas, the biologist is required to conduct a survey to determine if impacts to sensitive natural habitat will occur. If the biologist determines that impact to sensitive natural habitat will occur, habitat restoration and revegetation measures shall be incorporated into the Plan. No removal of sensitive natural habitat shall occur until the Plan has been approved by the City. By complying with Drilling Regulations Section 29, impacts to special status vegetation would be reduced. However, Section 29 does not describe the specifics to be included within restoration plans to ensure success, therefore, mitigation is required; therefore, additional mitigation is required. With implementation of MM BIO-2, which lists requirements of restoration planning effort, the impact would be reduced to less than significant.

In addition, there are mitigation measures in the DOGGR's Draft Mitigation Policy Manual prepared pursuant to the SB4 EIR, which is included in Appendix B-2 of this Draft EIR, that are applicable to the analysis of biological resources. DOGGR encourages Lead Agencies to include mitigation measures in their CEQA documentation that are feasible and meet or are substantially consistent with the Draft Mitigation Policy Manual, where such measures are relevant and applicable. The number and title of these DOGGR SB4 measures are listed below (DOC 2015):

- SB4 BIOT-1a Evaluate Impacts to Native Vegetation and Fish and Wildlife Habitat.
- SB4 BIOT-1b Minimize Impacts to Native Vegetation and Habitat.
- SB4 BIOT-1c Replace or Offset Loss of Sensitive Habitat.
- SB4 BIOT-2a Prevent Hazards to Fish and Wildlife
- SB4 BIOT-3a Minimize and Mitigate Impacts to Special-status Fish and Wildlife.
- SB4 BIOT-3b Minimize and Mitigate Impacts to Special-status Plants.
- SB4 BIOT-4a Minimize and Mitigate Impacts to All Species Identified as a Candidate, Sensitive, or Special-status Species in Local or Regional Plans, Policies, or Regulations, or by CDFW or USFWS.
- SB4 BIOT-4b Minimize Impacts to Protected Birds.
- SB4 BIOT-6a Protect Jurisdictional Waters.
- SB4 BIOT-7a Prevent or Mitigate Habitat Fragmentation and Impacts to Fish and Wildlife Movement.
- SB4 BIOT-8a Coordinate with Local Agencies and Jurisdictions Regarding Local Policies and Conservation Plans.

The intent of these DOGGR SB4 measures are already incorporated into requirements set forth in the Specific Plan, and no new or additional measures related to these SB4 measures are required. Compliance with Drilling Regulations Section 29, which requires the minimization of impacts to biological resources and jurisdictional waters, would reduce impacts to a less than significant level.

Additionally, activities on the City IOF have the potential to indirectly impact California sagebrush scrub and California sagebrush-California buckwheat scrub through fugitive dust from grading and truck traffic and from erosion and sedimentation due to earthmoving activities. These indirect impacts could have an adverse effect on the ecology and natural function of the plants that comprise these vegetation types, resulting in a potentially significant impact. By complying with Drilling Regulations Section 29, these impacts would be reduced. With implementation of MM BIO-2, which lists requirements of restoration planning efforts, the impact would be reduced to less than significant. Impacts would be further reduced with the implementation of mitigation measures discussed in Section 4.2, Air Quality that reduce fugitive dust, and Section 4.8, Hydrology and Water Quality that protect surface waters from erosion and sedimentation.

The State's Oak Woodland Conservation Act would not be affected by the Project's Maximum Buildout Scenario because oak woodlands defined as "an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover" are not expected to occur on the Project Site (*California Fish and Game Code,* Section 1361[h]).

Threshold 3-3: Would the Project 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?

As previously stated, potential jurisdictional features have been identified on the Project Site based on the presence of previously mapped open water areas or areas where open water or other topographic drainage features are clearly visible, or likely, in aerial photographs. For example, the large retention basin and storm drain channel (Dabney Lloyd Basin #002) on the easternmost edge of the Project Site (see Exhibit 2-3, Specific Plan Boundary and Adjacent Land Uses in Section 2.0, Environmental Setting) may be considered jurisdictional. Constructed lakes, ponds, and storm water control features created on dry land are not under USACE jurisdiction; therefore, Dabney Lloyd Basin #002 would not be considered a "water of the U.S." However, it may be considered under the jurisdiction of the RWQCB and/or the CDFW. A jurisdictional delineation has not been conducted, and would be required to assess the extent and quality of these potential features on the Project Site. Drilling Regulations Section 29 requires that a qualified biologist determine whether there are drainage features present that would be subject to the jurisdiction of the USACE, RWQCB, and/or CDFW, and that if impacts would occur, mitigation must be incorporated at a minimum 1:1 ratio to replace the loss of any resources. With compliance of Drilling Regulations Section 29, these impacts would remain less than significant and no mitigation is required.

Threshold 3-4: 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?

The Project Site's ability to support regional wildlife movement has been historically compromised by the extensive development that dominates the Los Angeles Basin. Additionally, the Project Site is fully fenced in around the perimeter. As a result, the Project Site is expected to support local wildlife movement almost exclusively, with very little potential for regional wildlife movement. Implementation of the Project's Maximum Buildout Scenario is not expected to further limit local wildlife movement through the City IOF due to the lack of any new substantial obstructions. Furthermore, indirect effects on movement such as increased night lighting, increased noise, or other increases associated with increased human activity would be considered negligible and unlikely to further degrade the quality of the open spaces on site and other local travel routes used by wildlife in the Project Site. Direct and indirect impacts, such as noise pollution and human activity, on wildlife movement within the Baldwin Hills are considered adverse, but less than significant since the loss of local movement areas is expected to be extremely minimal, and would not have a substantial effect on regional wildlife populations. Therefore, no mitigation would be required.

Threshold 3-5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The Project Site is located within the City of Culver City and is not subject to any tree preservation policies or ordinances and no tree mitigation would be required. The Project's Maximum Buildout Scenario would not be in conflict with any local policies or ordinances protecting biological resources.

Threshold 3-6: 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?

The Project Site is not subject to any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and therefore no mitigation would be required.

4.3.7 CUMULATIVE IMPACTS

This cumulative impact analysis considers potential impacts to sensitive biological resources that would result from combined, incremental impacts of the Project's Maximum Buildout Scenario when added to other past, present, and reasonably foreseeable future projects having closely related impacts. The following cumulative impact analysis is based on a review of related projects in the vicinity of the Project Site (refer to Table 2-6 in Section 2.6, Cumulative Projects, of this Draft EIR), the Project's direct and indirect impacts with implementation of mitigation measures, existing conditions in the Project vicinity, and an analysis of aerial photographs.

The Project's Maximum Buildout Scenario would have some adverse impacts on biological resources. Mitigation measures MM BIO-1 and MM BIO-2 would be implemented to avoid and/or reduce these impacts to less than significant levels. The cumulative projects listed in Section 2.6 are expected to have various degrees of potential impacts on biological resources in the Baldwin Hills due to construction and operation project activities. The cumulative impact on biological

resources such as special status species, sensitive habitat, jurisdictional resources, and wildlife movement of the region would be considered to be greater than the Project's Maximum Buildout Scenario. However, when considering all of the proposed and existing projects in the Project area, the activities allowed under the Project's Maximum Buildout Scenario within the City IOF contributes a very small portion of the impacts in the area due to its relatively small impact acreage, and the relatively low-impact nature of the Project activities.

The Park to Playa Trail Project, a regional trail system and greenway, runs through the northern portion of the City IOF. The impacts to biological resources incurred from the Park to Playa Trail Project includes conditions for avoiding impacts to nesting birds, sensitive vegetation types, jurisdictional resources, and general wildlife. Mitigation measures included in this Draft EIR are consistent with those found in the Park to Playa Trail Project Initial Study/Mitigated Negative Declaration, and would not conflict with the objectives of the Park to Playa Trail Project. Although the activities of the Project and the Park to Playa Trail Project could be essentially adjacent, depending on the eventual locations of Project components, the application of mitigation measures by both projects would be adequate to ensure the Project's incremental contribution to biological resources impacts would not be cumulatively considerable.

The Project's Maximum Buildout Scenario is not expected to contribute a significant cumulative impact to the Project area with the inclusion of the Drilling Regulations and the recommended mitigation for direct impacts. Incremental impacts would not be cumulatively considerable and no additional mitigation is required.

4.3.8 MITIGATION MEASURES

MM BIO-1 Prior to any disturbance of a tree or a structure, a qualified Biologist, approved by the Community Development Director, shall conduct a pre-disturbance bat habitat assessment of any tree or other suitable structures (e.g. dark, enclosed or partially enclosed, undisturbed spaces with appropriate roosting substrate such as wood or concrete) marked for potential removal or repair. Potential for roosting shall be categorized by (1) potential for solitary roost sites and (2) potential for colonial roost sites (i.e., ten bats or more). If the potential for colonial roosting is determined, a focused survey for roosting bats shall be conducted by a qualified bat biologist, approved by the Community Development Director, during the maternity season (March 1 – July 31) within the year prior to removal/repair activities. The survey shall cover all trees and suitable structures (as described above) proposed for removal/repair with potential day-roosting habitat. If an active day-roosting colony is observed, then passive acoustic surveys and acoustical monitoring methods shall be used to identify the species and population size(s) present.

If active bat day-roosts occur within structures proposed for removal/repair, then exclusionary measures, such as barriers with one-way doors, shall be installed outside of the bat maternity and bat hibernation season (i.e., September to November) under the supervision of the qualified bat biologist. If active bat day-roosts occur within trees/structures proposed for removal/repair, then removal/repair should be conducted between September and November to avoid the bat maternity and the bat hibernation season. If avoidance of bat hibernation and bat maternity season is not feasible, then exclusionary measures, such as netting or phased tree trimming, shall be implemented after the evening roost emergence under the supervision of the qualified bat biologist. Once bats have

been excluded from the trees/structures to be removed, then tree/structure removal/repair can proceed.

MM BIO-2 The Habitat Restoration Plan (HRP) component of the Special Status Species and Habitat Protection Plan, as required by Drilling Regulations Section 29, shall include the following:

a. **Responsibilities and Qualifications.** The responsibilities and qualifications of the restoration specialists and restoration (landscape) contracting personnel who will implement the HRP shall be specified. At a minimum, the HRP shall specify that the restoration specialists and contractors have performed successful installation and long-term monitoring and maintenance of southern California native habitat mitigation/restoration programs. If/when restored habitat is associated with conditions of regulatory permits, a successful program shall be defined as one that has been signed off on by the permitting agency.

b. **Performance Criteria.** Mitigation performance criteria to be specified in the HRP shall conform to standard expectations of resource agencies such as USACE and CDFW.

c. **Seed Materials Procurement.** At least one year prior to mitigation implementation, the Oil Field Operator or its consultants/contractors shall initiate collection of the native seed materials specified in the HRP. All seed mixes shall be of local origin; i.e., collected within 30 miles, and within the same Watershed, as the selected restoration/enhancement site(s), to ensure genetic integrity. No seed materials of unknown or non-local geographic origin shall be used. Seed collection shall be prioritized according to habitat area, in the following order: (a) project impact areas (highest priority); (b) other on-site habitat areas; and (c) off-site habitat areas (lowest priority), assuming availability of seed species in multiple locations.

d. **Site Preparation and Plant Materials Installation.** Mitigation site preparation shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) installation of protective fencing and/or signage (as needed); (c) initial trash and weed removal (outside the nesting bird season) and methods; (d) soil treatments, as needed (i.e., imprinting, de-compacting); (e) installation of erosion-control measures (i.e., fully natural/bio-degradable [not 'photo-degradable'] fiber roll); (f) application of salvaged native plant materials (i.e., coarse woody debris), as available and supervised by a biological monitor; (g) temporary irrigation installation; (h) a minimum one-year preliminary weed abatement program (prior to the installation of native plant and seed materials)—including specification of approved herbicides; (i) planting of container plant and cutting species; and (j) seed mix application.

e. **Schedule.** An implementation schedule shall be developed that includes planting and seeding to occur in late fall and early winter (i.e., between November 1 and February 15) and the frequency of long-term maintenance and monitoring activities (including the dates of annual quantitative surveys, as described below).

f. **Maintenance Program.** The Maintenance Program shall include (a) protection of existing native species and habitats (including compliance with seasonal

restrictions, if any); (b) maintenance of protective fencing and/or signage; (c) trash and weed removal—including specification of approved herbicides; (d) maintenance of erosion-control measures; (e) inspection/repairs of irrigation components; (f) replacement of dead container plant and cuttings (as needed); (g) application of remedial seed mixes (as needed); (h) herbivory control; and (i) removal of all non-vegetative materials (i.e., fencing, signage, irrigation components) upon project completion. The mitigation site shall be maintained for a period of five years to ensure the successful habitat establishment within the restored/enhanced sites.

g. **Monitoring Program.** The Monitoring Program shall include (a) qualitative monitoring (i.e., general habitat conditions, photo-documentation from established photo stations); (b) quantitative monitoring; and (c) annual monitoring reports, which shall be submitted to the CDFW for five years or until project completion; and (d) wildlife surveys and monitoring as required per Section 29 of the Specific Plan. The annual monitoring reports shall include a detailed discussion of mitigation site performance (e.g., measured vegetation coverage and diversity) and compliance with required performance criteria, a discussion of wildlife species' use of the restored and/or enhanced habitat area(s), and a list of proposed remedial measures to address non-compliance with any performance criteria. The site shall be monitored for five years.

h. **Long-term preservation.** Long-term preservation of the sites shall be outlined in the HRP to ensure that the mitigation sites are not impacted by future activities. A conservation easement and a performance bond shall be secured prior to implementation of the mitigation program.

i. **Invasive Species Management.** Methods to minimize or avoid invasive species establishment within project disturbed areas or habitat restoration areas shall be described in detail.

4.3.9 LEVEL OF SIGNIFICANCE

With incorporation of the Drilling Regulations and MM BIO-1 and MM BIO-2, direct, indirect, and cumulative impacts to biological resources related to implementation of the Project's Maximum Buildout Scenario would be reduced to levels less than significant. Table 4.3-2 below summarizes the significance finding of each threshold addressed in this section before and after mitigation, where applicable.

TABLE 4.3-3
SIGNIFICANCE SUMMARY

Threshold		Project Level of Significance	Mitigation Measure(s)	Level of Significance after Mitigation
3-1	Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Potentially Significant	MM BIO-1	Less than Significant With Mitigation
3-2	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 Wildlife or U.S. Fish and Wildlife Service?	Potentially Significant	MM BIO-2	Less than Significant With Mitigation
3-3	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?	Less than Significant	N/A	Less than Significant
3-4	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?	Less than Significant	N/A	Less than Significant
3-5	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	N/A	Less than Significant
3-6	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Less than Significant	N/A	Less than Significant
N/A: not applicable				

4.3.10 REFERENCES

Atwood, J.L. 1992. Rare, Local, Little-Known, and Declining North American Breeders – A Closer Look. *Birding* 25: 228–233. Colorado Springs, CO: American Birding Association.

———. 1990. *Status Review of the California Gnatcatcher (*Polioptila californica*)*. Manomet, MA: Manomet Bird Observatory.

———. 1980. The United States Distribution of the California Black-Tailed Gnatcatcher. *Western Birds* 11:65–78. San Diego, CA: Western Field Ornithologists.

Bennett, A.F. 1990. Habitat Corridors and the Conservation of Small Mammals in the Fragmented Forest Environment. *Landscape Ecology* 4:109–122. New York, NY: International Association for Landscape Ecology.

California Department of Conservation (DOC). 2015 (July). *Draft Mitigation Policy Manual for Well Stimulation Treatment Permits* (Prepared Pursuant to Senate Bill 4 (2013 Pavley)). Sacramento, CA: DOC. ftp://ftp.consrv.ca.gov/pub/oil/CEQA/Oil%26Gas/Mitigation_Policy_for_WST-Draft.pdf.

California Department of Fish and Wildlife (CDFW). 2017. California Natural Diversity Database. Records of Occurrence for the USGS Beverly Hills and Hollywood 7.5-Minute Quadrangles. Sacramento, CA: CDFW, Natural Heritage Division.

———. 2016 (January). *Special Animals.* Sacramento, CA: CDFW, Natural Heritage Division.

California Native Plant Society (CNPS). 2017. Locational Inventory of Rare and Endangered Vascular Plants of California. Records of Occurrence for the USGS Beverly Hills and Hollywood 7.5-minute quadrangles Sacramento, CA: CNPS. CNPS. http://www.cnps.org/inventory.

Culver City, City of. 2017 (September). *Oil Drilling Regulations for the Culver City Portion of the Inglewood Oil Field* ("Inglewood Oil Field Specific Plan"). Culver City, CA: the City.

eBird. 2014 (December 8, access date). eBird: An online database of bird distribution and abundance [web application]. Records of Occurrence for coastal California gnatcatcher in Los Angeles County, California. Ithaca, NY: eBird. http://ebird.org/ebird/map/.

Farhig, L. and G. Merriam. 1985. Habitat Patch Connectivity and Population Survival. *Ecology* 66:1792–1768. Tempe, AZ: The Ecological Society of America.

Garrett, K.L. 2001 (February). Birds of the Baldwin Hills (pages 77–126). *The Biota of the Baldwin Hills: An Ecological Assessment* (K.C. Molina, Ed.). Los Angeles, CA: Natural History Museum of Los Angeles County. http://www.bhc.ca.gov/documents_1.html.

Harris, L.D. and P.B. Gallagher. 1989. New Initiatives for Wildlife Conservation: The Need for Movement Corridors. *Preserving Communities and Corridors* (G. Mackintosh, Ed.). Washington, D.C.: Defenders of Wildlife.

Leatherman BioConsulting. 2012. *Results of California Gnatcatcher Survey for the Park to Playa Trails Project near Baldwin Hills, Los Angeles County, California.* Yorba Linda, CA: Leatherman BioConsulting, Inc.

Los Angeles, County of, Department of Regional Planning (LACDRP). 2008 (October). *Final Environmental Impact Report, Baldwin Hills Community Standards District.* Los Angeles, CA: LACDRP. http://www.inglewoodoilfield.com/res/docs/baldwin_hills_community_standards_district_final_eir%20.pdf.

Marine Research Specialists (MRS). 2008 (October). *Final Environmental Impact Report Baldwin Hills Community Standards District*. Ventura, CA: MRS

MacArthur, R.H. and E.O. Wilson. 1967. *The Theory of Island Biogeography*. Princeton, NY: Princeton University Press.

McCreary, D. 2004. Oak Woodland Conservation Act of 2001. Davis, CA: Sierra Foothill Research & Extension Center, University of California.

Noss, R.F. 1983. A Regional Landscape Approach to Maintain Diversity. *BioScience* 33(11): 700–706. Washington, D.C.: American Institute of Biological Sciences.

Psomas. 2016 (November). *Revised Initial Study/Mitigated Negative Declaration.* Pasadena, CA: Psomas.

Simberloff, D. and J. Cox. 1987. Consequences and Costs of Conservation Corridors. *Conservation Biology* 1(1):63–71. Boston, MA: Blackwell Scientific Publications.

Soule, M.E. 1987. *Viable Populations for Conservation*. New York, NY: Cambridge University Press.

Unitt, P. 1984. *The Birds of San Diego County* (Memoir 13). San Diego, CA: San Diego Society of Natural History.

Walker, G. 2013 (March 28, posted). Conservationists happily welcome threatened bird back to the area. Argonaut Online. Pasadena, CA: Southland Publishing. http://argonautnews.com/ conservationists-happily-welcome-threatened-bird-back-to-the-area/.

Woolley, J. and G. Peters. 2017 (March, access date). William J. Clinton: Memorandum on Distribution of Eagle Feathers for Native American Religious Purposes, April 29, 1994. Santa Barbara, CA: UCSB, American Presidency Project. http://www.presidency.ucsb.edu/ws/?pid=50063.