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Biological Technical Report for  
The Links at Victoria Golf Course  
Los Angeles County, California



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## **Executive Summary**

The Links at Victoria Golf Course is an 18-hole public golf course that originally opened in 1966 and was renovated in 2001. At present, no details concerning any project activities for the site have been determined; however, the entire Project was surveyed to determine potential biological constraints for future project activities.

ECORP Consulting, Inc. (ECORP) conducted biological studies for the Links at Victoria Golf Course (Project) to collect information on the existing biological resources within the Project site. The studies included a general biological survey, vegetation mapping, plant and wildlife inventories, an evaluation of the potential for special-status plant and wildlife species to occur, a delineation of jurisdictional wetlands and waters, and focused surveys for coastal California gnatcatcher (CAGN; *Polioptila californica californica*).

The Project site contained a mix of developed space, previously disturbed natural habitats, and intact natural habitats. Six plant communities and land covers occur within the Project site: California sage scrub, freshwater marsh, non-native woodland, ruderal vegetation, developed, and urban planted and cultivated. Four special-status plant species, not federal or state listed but identified by CNPS as rare, Coulter's saltbush (*Atriplex coulteri*), Southern tarplant (*Centromadia parryi* ssp. *australis*), Mud nama (*Nama stenocarpa*), and San Bernardino aster (*Symphyotrichum difoliatum*), were found to have a potential to occur within the Project site. One federal-listed wildlife species, CAGN; one state-listed threatened and fully protected wildlife species, California black rail (*Laterallus jamaicensis coturniculus*); and three California Department of Fish and Wildlife (CDFW) Species of Special Concern (SSC), silvery legless lizard (*Anniella pulchra pulchra*), western pond turtle (*Emys marmorata*), and Western mastiff bat (*Eumops perotis*), were identified as having a potential to occur on the Project site. No special-status species were observed on the Project site during surveys.

The Project site was surveyed to determine if wetlands and/or waters jurisdictional to the U.S. Army Corps of Engineers (USACE), CDFW, and Regional Water Quality Control Board (RWQCB) were present on the site. The results of the jurisdictional delineation are presented in a separate report.

This biological technical report describes the results of the biological resources assessment for the Project and includes a summary of the literature review, a map of the vegetation communities and habitats present, a list of plant and wildlife species observed, and the results of focused CAGN surveys. The information presented herein will aid in future planning and determine the need for additional survey efforts or conservation measures for the Project.

## **1.0 Introduction**

The Links at Victoria Golf Course is an 18-hole public golf course that originally opened in 1966 and was renovated in 2001. It is located in the City of Carson, Los Angeles County, California (Figure 1). ECORP Consulting, Inc. (ECORP) conducted a biological resources assessment, a jurisdictional delineation, and focused coastal California gnatcatcher surveys (CAGN; *Polioptila californica californica*) for The Links at Victoria Golf Course (Project). The purpose of the biological resources assessment presented herein was to collect information on the existing biological resources within the proposed Project site. The assessment included a general characterization of habitat types, a list of plant and wildlife species observed, and an evaluation of the potential for special-status plant and wildlife species to occur within the Project site.

### **1.1 Project Location**

The Project site is located in the U.S. Geological Survey (USGS) 7.5-minute Torrance topographic quadrangle (Figure 2). The Project site is bounded by Victoria Park, residential development, and light industrial use areas to the north; residential developments to the east; and the Dominquez Channel, Interstate 405, undeveloped land, and light industrial and residential developments to the south and east.

### **1.2 Project Description**

The details concerning any project activities for the site have not yet been determined; however, the entire Project site was surveyed to determine potential biological constraints for future proposed activities.

### **1.3 Biological Resources**

Biological resources include plants (flora) and wildlife (fauna or animals) and the habitats in which they occur. This report presents a characterization of the existing biological resources within and immediately adjacent to the Project site. This report also presents a characterization of the major vegetation communities on and adjacent to the Project site, with special attention placed on habitat for special-status species (i.e., those afforded some level of federal, state, or local protection), and a discussion of the general wildlife species expected to occur on and adjacent to the Project site, again with emphasis placed on special-status species.

**Figure 1. Vicinity Map**

**Figure 2. USGS Topographic Map**

## **2.0 Methodology**

To characterize the conditions within the Project site, ECORP conducted a general biological survey, vegetation mapping, an assessment of special-status species potential for occurrence, a jurisdictional delineation, and focused coastal California gnatcatcher (CAGN) surveys. The study area for the assessment included the entire Project site and an approximately 300-foot buffer around the site. The methods for these studies are presented below.

### **2.1 General Biological Survey**

#### *2.1.1 Literature Review*

ECORP conducted a review of California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) (CDFW 2015a) and the Electronic Inventory of the California Native Plant Society (CNPS 2015) to determine whether special-status plant and wildlife species have been previously reported on or adjacent to the Project site. The search was conducted on the USGS 7.5-minute topographic quadrangle that encompasses the site (Torrance) and the surrounding quadrangles (Long Beach, San Pedro, Redondo Beach, Venice, Inglewood, and South Gate).

#### *2.1.2 Field Assessment*

The field assessment was conducted by biologists familiar with the habitats and environments located within the Project site. The assessment was conducted by walking systematically around the site and recording all plant and wildlife species observed. Areas where physical access was not possible were scanned using binoculars. Wildlife species were identified by direct visual observation or from vocalizations, tracks, scat, nests, or other sign.

Direct observation of wildlife was limited to diurnal species that are present during the season when the survey was completed. Nocturnal species present within the area may not have been recorded during the survey unless detected by sign. In addition, due to the spring timing of the survey some migrant or wintering species that could use the Project site would not have been observed.

All plant species observed during the field assessment were documented. The survey was conducted during the spring when many of the plants present on the site were blooming and easily identifiable. However, this was a year of low rainfall and the survey was limited to a single visit so some plant species potentially present may not have been observed.

Taxonomy of plant and wildlife species identified during the survey was based on the following sources:

- The American Ornithologists' Union (AOU) Checklist of North American Birds, 7th edition with 55th Supplement (AOU 1998, 2014);
- The Jepson Manual, Vascular Plants of California, second edition (Baldwin et al. 2012);
- A Manual of California Vegetation, 2nd Addition (Sawyer et al. 2009);
- Western Reptiles and Amphibians (Stebbins 2003); and
- Mammal Species of the World (Wilson and Reeder 2005).

In instances where a special-status species was observed, the date, species, and notes on location and habitat were recorded. Location coordinates of incidentally observed special-status species were recorded using a handheld Global Positioning System (GPS) unit in NAD 83, UTM coordinates, Zone 11 North.

### **2.2 Vegetation Mapping**

During the field assessment, the biologists mapped vegetation communities within the Project site. The boundaries of the vegetation communities were drawn on field maps by hand and then digitized into a Geographic Information System (GIS) to create the vegetation map. Vegetation community type descriptions followed a combination of descriptions from Holland (1986) and Sawyer et al. (2009).

### **2.3 Assessment of Potential for Special-status Species Occurrence**

ECORP evaluated the potential for special-status species to occur on or adjacent to the Project site using

information from the literature review and field assessment. The potential for special-status species occurrence was determined through consideration of their known geographical distributions in relation to the Project site, the proximity and timing of previous observations of individuals or populations of each species in relation to the Project site, and general habitat requirements of the species in relation to the habitat(s) observed in the Project site.

ECORP generated a list of special-status plant and wildlife species with the potential to occur within or immediately adjacent to the Project site. For the purposes of this assessment, special-status species are defined as plants or wildlife that:

- Have been designated as either rare, threatened, or endangered by CDFW or the U.S. Fish and Wildlife Service (USFWS), and are protected under either the California Endangered Species Act (CESA) or the Federal Endangered Species Act (FESA);
- are candidate species being considered or proposed for listing under these same acts;
- are fully protected by the California Fish and Game Code (FGC), Sections 3511, 4700, 5050, or 5515;
- are monitored by the CNDDDB or the CNPS and are considered to be those of greatest conservation need; or
- are of expressed concern to resource and regulatory agencies, or local jurisdictions.

In addition to special-status plant and wildlife species, the CNDDDB maintains records of the occurrences of several natural vegetation communities that are considered special-status. Special-status species and communities with records in the Project vicinity as determined in the literature review and/or for which suitable habitat occurs in the Project site were assessed for their potential to occur within or immediately adjacent to the site based on the following criteria:

- **Present.** Species was observed within the Project site during a site visit or focused survey.
- **High.** Habitat (including soils and elevation factors) for the species occurs within the Project site and a known occurrence has been recorded within 5 miles (8 kilometers) of the Project site.
- **Moderate.** Habitat (including soils and elevation factors) for the species occurs within the Project site and a documented observation occurs within the literature review, but not within 5 miles (8 kilometers) of the site; or a documented observation occurs within 5 miles (8 kilometers) of the site and marginal or limited amounts of habitat occurs in the Project site.
- **Low.** Limited habitat for the species occurs within the Project site and a documented observation occurs within the literature review, but not within 5 miles (8 kilometers) of the site; or suitable habitat strongly associated with the species occurs on the Project site, but no records were found within 5 miles (8 kilometers) of the area during the literature review.
- **Presumed Absent.** Species was not observed during a site visit or focused surveys conducted in accordance with protocol guidelines at an appropriate time for identification; habitat (including soils and elevation factors) does not exist on the Project site; or the known geographic range of the species does not include the Project site.

Location information for some special-status species listed in the CNDDDB may be of questionable accuracy or may be unavailable. Therefore, for the purposes of this evaluation, the environmental factors associated with species occurrence requirements may be considered sufficient reason to give a species a positive potential for occurrence. In addition, just because a record of a species does not exist in the databases does not mean it does not occur in the Project vicinity. In many cases, records may not be present in the databases because an area has not been surveyed for that particular species.

## **2.4 Jurisdictional Delineation**

A jurisdictional delineation was conducted for the Project site in accordance with the Corps of Engineers Wetlands Delineation Manual (USACE 1987) and the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual Arid West Region Supplement Version 2.0 (USACE 2008). The boundaries of potential waters of the U.S. were delineated through field assessment and in conjunction with research of



hydrological connectivity, soils data, aerial photograph interpretation, and sample point analyses.

## **2.5 Focused Coastal California Gnatcatcher Surveys**

Focused, protocol-level CAGN surveys were conducted within all potential habitat on the Project site and a surrounding 300-foot buffer. Surveys were conducted by a federal 10(a)(1)(A) permitted ECORP biologist in accordance with 1997 Coastal California Gnatcatcher Presence/Absence Survey Guidelines published by USFWS. Six surveys were conducted at least one week apart between May 21 and June 30 to determine the distribution and abundance of CAGN within the Project site. Weather conditions met USFWS survey protocol requirements designed to optimize CAGN detections (no excessive fog, wind, rain, cold [temperatures at or below 45 degrees (°) Fahrenheit], or heat [at or exceeding 100° Fahrenheit]).

Surveys consisted of slowly walking various survey routes and playing a taped recording of gnatcatcher vocalizations while scanning all potential habitat with binoculars for the presence of gnatcatchers and listening for vocal responses to the recording. General weather conditions, date of the survey, and start and end times were noted on field data sheets. All wildlife species encountered during the survey were also recorded on the field data sheets.

### **3.0 Results**

#### **3.1 General Biological Survey**

The field assessment was conducted on June 4, 2015, between 08:00 and 16:00 by ECORP biologists Shannan Shaffer and Scott Taylor. Weather conditions during the field assessment consisted of temperatures ranging from 67 to 78 degrees Fahrenheit, percent cloud cover ranging from 50 to 100 percent, and winds ranging from 1 to 4 miles per hour.

The site contained a mix of developed urban space, previously disturbed natural habitats, and intact natural habitats. Elevation on the site ranged from approximately 8 to 36 feet (ft) above mean sea level (msl).

##### *3.1.1 Vegetation*

Plant species observed in the Project site were characteristic of the region and consisted of a wide variety of native and non-native species. Rare, threatened, or endangered plant species were not observed within the Project site during the assessment. However, a focused plant survey was not conducted and the assessment was conducted outside of the flowering period of some special-status plants. A total of 22 native and 25 non-native plant species were documented within the Project site during the survey. A complete list of plant species observed during the survey is included in Appendix A.

##### *3.1.2 Wildlife*

The Project site and surrounding areas provide natural habitat for a number of wildlife species. Wildlife species occurring within the Project site are characteristic of those typically found within the vegetation communities identified on the site and many are typical of those found in or near urbanized areas. Birds were the most abundantly observed taxa, with a total of 21 species detected. Additionally, two butterfly, one reptile, and four mammal species were detected on the site. Amphibian species were not detected during the survey. A complete list of wildlife species observed during the survey is included in Appendix B.

#### **3.2 Vegetation Community Mapping**

Vegetation communities within the Project site included four plant communities: California sage scrub, coastal freshwater marsh, non-native woodland, and ruderal vegetation. Additionally, other areas mapped included developed areas and urban planted and cultivated areas. These other areas are not vegetation classifications but rather land cover types. Details of each plant community and land cover type are shown in Table 1 and on Figure 3 and are described below.

**Table 1. Vegetation Communities**

<b>Vegetation Community</b>	<b>Acreage</b>
Coastal Sage Scrub	13.649
Disturbed Coastal Sage Scrub	4.906
Disturbed Freshwater Marsh	4.757
Disturbed/Developed	12.769
Non-native Woodlands	7.206
Ruderal Vegetation	24.121
Urban Planted/Cultivated	104.223
<b>Total</b>	<b>171.630</b>

##### *3.2.1 Coastal Sage Scrub*

Communities mapped as coastal sage scrub represent a collection of several distinct vegetation alliances (Sawyer et al. 2009) that may provide suitable habitat for species such as the federally threatened coastal California gnatcatcher. Coastal sage scrub consists of low, mostly soft-woody shrubs, 1.6 to 6.6 feet tall, with a sparse herbaceous layer below (Holland 1986). Stands may be dominated by California sagebrush (*Artemisia californica*) or by California buckwheat (*Eriogonum fasciculatum*), with black sage (*Salvia*

**Figure 3. Vegetation Communities Map**

*mellifera*) and/or white sage (*S. apiana*) often occurring as associated species. Coastal sage scrub habitats were designated as disturbed in areas where shrubs were more sparse and a 25 percent or more cover of non-native species, such as thistle (*Salsola tragus*) and foxtail chess (*Bromus madritensis ssp. rubens*) have become established as part of the community. Approximately 13.65 acres of coastal sage scrub and 4.91 acres of disturbed coastal sage scrub occur in the western portion of the site and, in limited amounts, along portions of the southern and eastern borders of the Project site (Figure 3). Additionally, some of the coastal sage scrub habitat areas along the eastern border and throughout the western portion of the Project site displayed signs identifying them as environmentally sensitive areas.

### 3.2.2 Freshwater Marsh

Freshwater marsh communities occur where low-lying areas are seasonally or permanently flooded with freshwater. Freshwater marsh communities typically are dominated by cattails (*Typha* sp.) and sedges (*Carex* spp). Vegetation consists of herbs, shrubs and trees adapted to these wet conditions. Approximately 4.76 acres of freshwater marsh occur in the western portion of the Project site, just southeast of the Dominquez channel (Figure 3).

### 3.2.3 Non-native Woodland

Stands of either naturalized non-native tree species such as eucalyptus (*Eucalyptus* spp.), Brazilian pepper tree (*Schinus molle*), Peruvian pepper tree (*Schinus terebinthifolius*), and pines (*Pinus* spp.), or planted landscape ornamentals were mapped as non-native woodland. Only stands where trees are in close proximity to, or exist as discrete patches within natural open space and that could potentially support nesting raptors received this designation. Approximately 7.20 acres of non-native woodland occur along the northern, southern, and eastern borders and within the western portion of the Project site near the edges of the freshwater marsh habitat (Figure 3).

### 3.2.4 Ruderal Vegetation

Ruderal areas are typically dominated by pioneering herbaceous plants that readily colonize disturbed ground. The vegetation in these areas is adapted to living in compact soils where water does not readily penetrate the soil. The ruderal areas on the Project site supported non-native weedy species including Russian thistle, riggut grass (*Bromus diandrus*), and foxtail chess. Approximately 24.12 acres of ruderal vegetation occur along the eastern and western borders and within the northeast portion of the Project site (Figure 3).

### 3.2.5 Urban Planted/Cultivated

Urban planted and cultivated areas are characterized by herbaceous vegetation that has been planted or is intensively managed for the production of food, feed, or fiber; or is maintained in developed settings for specific purposes. This includes recreational grasses planted in developed settings for recreation, erosion control, or aesthetic purposes. This type of land cover does provide foraging habitat for more urbanized wildlife species, such as raptors and coyotes and, therefore, does have limited biological value. The urban planted and cultivated areas Project site are comprised of large areas of recreational turf grasses, including Bermuda grass (*Cynodon dactylon*) and creeping bentgrass (*Agrostis stolonifera*), used for the putting greens and fairways that support recreational activities. Approximately 104.22 acres of urban planted and cultivated areas are present on the Project site (Figure 3).

### 3.2.6 Developed

Developed areas encompass all areas with buildings, human dwellings, paved streets, sidewalks, industrial centers, commercial enterprises, residential neighborhoods, and similar changes made to the landscape by humans. These areas contain very little biological value, as they have mostly been cleared of native vegetation and support very little in the way of prey items for wildlife species. The main types of plants occupying developed areas consist of ornamental plantings and landscaped spaces. Developed areas on the Project site included parking lots, paved pathways, restrooms, retail and restaurant facilities, and maintenance buildings. Approximately 12.77 acres of developed areas occur on the Project site (Figure 3).

### 3.3 Special-Status Resources

Special-status plant and wildlife species were evaluated for their potential to occur within the Project site based on the results of the literature review and the field assessment. A total of 28 special-status plant species (Table 1) and 26 special-status wildlife species (Table 2) were evaluated for their potential to occur on or within the vicinity of the Project site. No special-status plant or wildlife species were observed during the survey.

#### 3.3.1 Special-Status Plant Species

The literature review resulted in a list of 28 special-status plant species that have been documented in the vicinity of the Project site. Special-status plant species include species that are federal- and/or state-listed threatened, endangered, or candidate, as well as species that are not federal or state listed, but are identified by CNPS as rare. Four of the 28 special-status plant species have at least a low potential to occur on the Project site. None of the species with a potential to occur are federal-and/or state-listed endangered, threatened, or candidate species but are CNPS listed species. The special-status plant species, their current status, habitat requirements, and potential for occurrence are summarized in Table 2. The four species that were determined to have a potential to occur within the Project site are discussed in more detail below.

**Table 2. Special-status Plant Species Potential for Occurrence**

Scientific Name Common Name	Status		Flowering Period Elevation (feet)	Habitat	Potential for Occurrence
<i>Aphanisma blitoides</i> aphanisma	Fed: Ca: CNPS:	none none 1B.2	March- June 3-1,000	Found in sandy clay soils on bluffs and slopes near the ocean in coastal bluff scrub, coastal dunes, and coastal scrub habitat.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i> Ventura Marsh milk-vetch	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.1	June- October 3-115	Occurs within reach of high tide or protected by barrier beaches in coastal dunes, coastal scrub, and marshes and swamps. Occasionally found near seeps on sandy bluffs.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Astragalus tener</i> var. <i>titi</i> coastal dunes milk- vetch	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.1	March-May 3-165	Occurs near the ocean in moist, sandy depressions of bluff or dunes and on clay terraces within coastal bluff scrub and dunes.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.

Scientific Name Common Name	Status		Flowering Period Elevation (feet)	Habitat	Potential for Occurrence
<i>Atriplex coulteri</i> Coulter's saltbush	Fed: Ca: CNPS:	none none 1B.2	March- October 10-1,500	Found in alkaline or clay soils in coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grassland habitats.	<b>Low;</b> limited suitable habitat occurs within the western portion of the site. One record for this species exists from an undated collection in Long Beach. Due to development, the species is assumed to be extirpated from the area.
<i>Atriplex pacifica</i> south coast saltscale	Fed: Ca: CNPS:	none none 1B.2	March- October 3-460	Occurs in alkaline soils in coastal bluff scrub, coastal dunes, coastal scrub and playa habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Atriplex parishii</i> Parish's brittlescale	Fed: Ca: CNPS:	none none 1B.1	June- October 80-6,235	Occurs on drying alkali flats with fine soils in Chenopod scrub, playas and vernal pools.	<b>Presumed Absent;</b> Project site is well below the elevation range for this species.
<i>Atriplex serenana</i> var. <i> davidsonii</i> Davidson's saltscale	Fed: Ca: CNPS:	none none 1B.1	April- October 30-655	Occurs in alkaline soils within coastal bluff scrub and coastal scrub habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Centromadia parryi</i> ssp. <i> australis</i> Southern tarplant	Fed: Ca: CNPS:	none none 1B.1	May- November 0-1,575	Occurs at the boundaries of marshes and swamps and in vernal mesic valley and foothill grassland habitats.	<b>High;</b> suitable habitat occurs within the western portion of the Project and this species was observed adjacent to the Project in 2009.
<i>Chaenactis glabriuscula</i> var. <i> orcuttiana</i> Orcutt's pincushion	Fed: Ca: CNPS:	none none 1B.1	January- August 0-330	Occurs in sandy soils in coastal bluff scrub and coastal dunes habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Chenopodium littoreum</i> coastal goosefoot	Fed: Ca: CNPS:	none none 1B.2	April- August 30-100	Occurs on coastal dunes.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Chloropyron maritimum</i> ssp. <i> maritimum</i> Salt marsh bird's-beak	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.2	May- October 0-100	Occurs in coastal salt water marshes and swamps.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<i>Chorizanthe parryi</i> var. <i> fernandina</i> San Fernando Valley spineflower	Fed: Ca: CNPS:	<b>CAN</b> <b>END</b> 1B.1	April-July 500-4,000	Occurs in sandy soils in coastal scrub and valley and foothill grassland habitats.	<b>Presumed Absent;</b> Project site is well below the elevation range for this species.

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Scientific Name Common Name	Status		Flowering Period Elevation (feet)	Habitat	Potential for Occurrence
<b><i>Crossosoma californicum</i></b> Catalina crossosoma	Fed: Ca: CNPS:	none none 1B.2	February- May 0-1,640	Found on rocky sea bluffs, wooded canyons and open sunny spots on rocky clay within chaparral and coastal scrub habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Dithyrea maritima</i></b> beach spectaclepod	Fed: Ca: CNPS:	none <b>THR</b> 1B.1	March-May 10-165	Occurs in coastal dunes and sandy coastal scrub habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Dudleya virens</i> ssp. <i>insularis</i></b> island green dudleya	Fed: Ca: CNPS:	none none 1B.2	April-July 15-990	Found in coastal bluff scrub and rocky coastal scrub habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Eryngium aristulatum</i> var. <i>parishii</i></b> San Diego button-celery	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.1	April-June 65-2,035	Occurs in mesic soils within coastal scrub, valley and foothill grassland, and vernal pool habitats.	<b>Presumed Absent;</b> Project site is below the known elevation range for this species.
<b><i>Lasthenia glabrata</i> ssp. <i>Coulteri</i></b> Coulter's goldfields	Fed: Ca: CNPS:	none none 1B.1	February- June 3-4,000	Occurs in alkali soils in coastal salt-marshes, playas, and vernal-pool habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Leptosyne maritima</i></b> sea dahlia	Fed: Ca: CNPS:	none none 2B.2	March-May 15-500	Occurs in sandy soil within coastal bluff scrub and dunes.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Lycium brevipes</i> var. <i>hassei</i></b> Santa Catalina island desert-thorn	Fed: Ca: CNPS:	none none 1B.1	June- August 33-990	Occurs within coastal bluffs and slopes.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site.
<b><i>Nama stenocarpa</i></b> mud nama	Fed: Ca: CNPS:	none none 2B.2	January- July 15-1,640	Occurs along lake shores, river banks, and intermittently wet areas in marsh and swamp habitats.	<b>Moderate;</b> suitable habitat occurs in the western portion of the site. The only occurrence of this species was recorded approximately 5 miles from the Project site in 1924.
<b><i>Navarretia fossalis</i></b> spreading navarretia	Fed: Ca: CNPS:	<b>THR</b> none 1B.1	April-June 100-2,150	Occurs in vernal pools, chenopod scrubs, marshes, swamps, and playa habitats.	<b>Presumed Absent;</b> Project site is well below known the elevation range for this species.

Scientific Name Common Name	Status		Flowering Period Elevation (feet)	Habitat	Potential for Occurrence
<b><i>Navarretia prostrata</i></b> prostrate vernal pool navarretia	Fed: Ca: CNPS:	none none 1B.1	April-July- 50-2,300	Occurs in mesic soils within coastal scrub, meadows and seeps, valley and foothill grassland (alkaline), and vernal pool habitats.	<b>Presumed Absent;</b> limited suitable habitat occurs within Project site; however, the site is below the known elevation range for this species and records indicate that the species was historically present but thought to have been extirpated when the Dominguez slough was channelized in the 1900s.
<b><i>Nemacaulis denudata var. denudate</i></b> coast woolly-heads	Fed: Ca: CNPS:	none none 1B.2	April- September 0-330	Occurs on coastal dunes.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project.
<b><i>Orcuttia californica</i></b> California orcutt grass	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.1	April- August 50-2,165	Occurs only in vernal pools and vernal pool-like habitats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project and the Project site is below the known elevation range for this species.
<b><i>Pentachaeta lyonii</i></b> Lyon's pentachaeta	Fed: Ca: CNPS:	<b>END</b> <b>END</b> 1B.1	March- August 100-2,070	Occurs in rocky or clay soils within chaparral, coastal scrub, or valley and foothill grassland habitats.	<b>Presumed Absent;</b> Project site is well below the elevation range for this species.
<b><i>Phacelia stellaris</i></b> Brand's star phacelia	Fed: Ca: CNPS:	none none 1B.1	March- June 3-1,315	Found in open areas in coastal dunes.	<b>Presumed Absent;</b> No suitable habitat for this species occurs within the Project.
<b><i>Suaeda esteroa</i></b> estuary seablite	Fed: Ca: CNPS:	none none 1B.2	May- January 0-15	Occurs in alkaline coastal marshes and swamps.	<b>Presumed Absent;</b> No suitable habitat for this species occurs within the Project.



Scientific Name Common Name	Status		Flowering Period Elevation (feet)	Habitat	Potential for Occurrence
<b><i>Symphotrichum defoliatum</i></b> San Bernardino aster	Fed: Ca: CNPS:	none none 1B.2	July- November 5-6,700	Occurs in a variety of habitats including cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, and valley and foothill grassland (vernally mesic). Often found near ditches, streams, and springs.	<b>Low</b> ; suitable habitat occurs within the western portion of the Project. Records indicate that the species was historically present within the Dominquez slough but is thought to have been extirpated from the area when the slough was channelized in the 1900s. The species has not been reported in the area since 1930.
<b>Federal Designations:</b> (Federal Endangered Species Act, United State Fish and Wildlife Service [USFWS]) <b>END:</b> Federally listed, endangered <b>THR:</b> Federally listed, threatened <b>CAN:</b> Candidate for listing		<b>California Rare Plant Ranks (CRPR):</b> <b>1A:</b> Presumed extirpated in California and rare or extinct elsewhere <b>1B:</b> Rare, threatened, or endangered in California and elsewhere <b>2A:</b> Presumed extirpated in California, but more common elsewhere <b>2B:</b> Rare, threatened, or endangered in California, but more common elsewhere		<b>State Designations:</b> (California Endangered Species Act, California Department of Fish and Wildlife [CDFW]) <b>END:</b> State-listed, endangered <b>THR:</b> State-listed, threatened	
<b>Sources:</b> California Natural Diversity Data Base (CDFW 2015a) and California Native Plant Society Electronic Inventory (CNPS 2015) Torrance, Long Beach, San Pedro, Redondo Beach, Venice, Inglewood, and South Gate 7.5- minute USGS topographic quadrangles.		<b>California Native Plant Society (CNPS) Threat Code:</b> <b>0.1:</b> Seriously threatened in California <b>0.2:</b> Moderately threatened in California <b>0.3:</b> Not very threatened in California			

**Coulter's saltbush** has no federal or state listing, but is identified by CNPS as a 1B.2 species. It is a perennial herb that flowers from March through October and occurs in coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grasslands between 10 and 1,500 feet above msl. One historic record for this species exists in the vicinity of the Project site; however the area of collection is now developed and the species is assumed to be extirpated from the area. The coastal scrub habitat within the Project site provides a limited amount of suitable habitat for this species within the Project site. Due to the limited amount of suitable habitat and the extirpation of all known species within the vicinity, Coulter's saltbush is considered to have a low potential to occur on the Project site.

**Southern tarplant** has no federal or state listing, but is identified by CNPS as a 1B.1 species. It is an annual herb that flowers from May to November and occurs at the boundaries of marshes and swamps and in vernal mesic valley and foothill grasslands up to 1,575 feet above msl. Recent historic records for this species exist adjacent to the Project site and suitable habitat occurs within the freshwater marsh habitat in the western portion of the site. Therefore, southern tarplant is considered to have a high potential to occur on the Project site.

**Mud nama** has no federal or state listing, but is identified by CNPS as a 2B.2 species. It is an annual to perennial herb that blooms from January to July and occurs in marshes and swamps and along lake and riverbank margins from 15 to 1,640 feet above msl. One historical record exists for this species approximately 5 miles from the Project site but was recorded in 1924. The freshwater marsh within the western portion of the Project site provides suitable habitat. Due to the lack of recent records of this species

in the vicinity of the Project site, mud nama is considered to have a moderate potential to occur.

**San Bernardino aster** has no federal or state listing, but is identified by CNPS as a 1B.2 species. It is a perennial rhizomatous herb that blooms from July to November and is often found near ditches, streams, and springs in a variety of habitats including cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, and vernally mesic valley and foothill grasslands from 5 to 6,700 feet above msl. The freshwater marsh within the western portion of the Project site provides suitable habitat. Records indicate that the species was historically present within the vicinity but is thought to have been extirpated from the area when the Dominguez slough was channelized in the 1900s. The species has not been reported in the area since 1930 and, therefore, San Bernardino aster is considered to have a low potential to occur.

*3.3.2 Special-Status Wildlife Species*

The literature review resulted in a list of 26 special-status wildlife species that have been documented in the vicinity of the Project site. Special-status wildlife species include species that are federal- and/or state-listed threatened, endangered, or candidate, as well as species that are not yet formally listed, but are listed as a Species of Special Concern (SSC) by the CDFW due to significant habitat loss or population declines. Five of the 26 special-status wildlife species have at least a low potential to occur on the Project site. One of the five species with a potential to occur is federal-listed threatened and listed as SSC; one species is state-listed threatened and fully protected; and the remaining three species are listed as SSC. The special-status wildlife species their current status, habitat requirements, and potential for occurrence are summarized in Table 3. The five species that were determined to have a potential to occur within the Project site are discussed in more detail below.

**Table 3. Special-status Wildlife Species Potential for Occurrence**

<i>Scientific Name</i> Common Name	<b>Status</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<b>CRUSTACEANS</b>			
<i>Streptocephalus woottoni</i> Riverside fairy shrimp	Fed: Ca:	END none	Occurs in in seasonally astatic pools filled by winter and spring rains in tectonic swales/earth slump basins within grassland and coastal sage scrub habitats.
<b>INSECTS</b>			
<i>Euphilotes battoides allyni</i> El Segundo blue butterfly	Fed: Ca:	END none	Species is restricted to remnant coastal dune habitat. Larvae and adults rely on the host plant <i>Ergonum parvifolium</i> .
<i>Glaucopsyche lygdamus palosverdesensis</i> Palos Verdes blue butterfly	Fed: Ca:	END none	This species is generally restricted to the cool, fog-shrouded seaward side of the Palos Verdes Peninsula. The larvae feed upon the seeds and flowers of the host plants ( <i>Lotus scoparius</i> and <i>Astragalus trichopodus</i> var. <i>lonchus</i> ), molting several times, and soon drop to the ground or enter locoweed seedpods to become pupae.

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<b>Scientific Name</b> Common Name	<b>Status</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<b>REPTILES</b>			
<b><i>Anniella pulchra pulchra</i></b> silvery legless lizard	Fed: Ca:	none SSC	Occurs in very moist, sandy or loose loamy soils under sparse vegetation.  <b>High;</b> suitable habitat exists within the Project site and observations of the species were recorded approximately 4 miles southwest of the Project in 2009.
<b><i>Emys marmorata</i></b> western pond turtle	Fed: Ca:	none SSC	Occurs in highly aquatic habitats including ponds, marshes, rivers, streams, and irrigation ditches usually with aquatic vegetation. Requires basking sites and sandy banks or grassy open fields within 0.5 kilometers from the water for egg-laying.  <b>Low:</b> Suitable habitat for this species occurs within the freshwater marsh in the western portion of the Project site however surrounding urban development and the channelization of the Dominquez slough in the early 1900s have removed linkages to surrounding wetland habitat. There are no historical record of this species occurring within 10 miles of the Project site.
<b><i>Phrynosoma blainvillii</i></b> coast horned lizard	Fed: Ca:	none SSC	Occurs in mostly along sandy washes with scattered low bushes with open areas for sunning, loose soil for burial, and an abundant supply of insects.  <b>Presumed Absent:</b> No suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b>FISH</b>			
<b><i>Siphateles bicolor mohavensis</i></b> Mohave tui chub	Fed: Ca:	END END FP	Species is endemic to the Mojave river basin, adapted to mineralized waters. Requires deep pools, ponds, or slough-like areas and vegetation for spawning.  <b>Presumed Absent:</b> No suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b>BIRDS</b>			
<b><i>Agelaius tricolor</i></b> tricolored blackbird	Fed: Ca:	none SSC	Highly colonial species that requires open water and emergent wetland vegetation with tall, dense cattails or bulrush that provides protected nesting.  <b>Presumed Absent:</b> Wetland vegetation on the Project site does not currently provide the suitable nesting habitat for this species and this species is not expected to occur.
<b><i>Athene cunicularia</i></b> burrowing owl	Fed: Ca:	none SSC	Occurs in open, dry annual or perennial grasslands, deserts, and scrublands characterized by low growing vegetation. This species typically nests in old burrows particularly belonging to ground squirrels; however, may dig their own burrow in soft soil.  <b>Presumed Absent:</b> No suitable habitat for this species occurs within the Project site and this species is not expected to occur.

<b>Scientific Name</b> Common Name	<b>Status</b>		<b>Habitat</b>	<b>Potential to Occur</b>
<b><i>Charadrius alexandrinus nivosus</i></b> western snowy plover	Fed: Ca:	THR none	Occurs on sandy beaches, salt pond levees, and shores of large alkali lakes. Requires sandy, gravelly, or friable soils for nesting.	<b>Presumed Absent:</b> No suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Coccyzus americanus occidentalis</i></b> Western yellow-billed cuckoo	Fed: Ca:	THR END	Occurs in riparian woodland with an abundance of cottonwoods and willows.	<b>Presumed Absent:</b> No suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Empidonax traillii extimus</i></b> southwestern willow flycatcher	Fed: Ca:	END END	Occurs in riparian woodlands in southern California.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Laterallus jamaicensis coturniculus</i></b> California black rail	Fed: Ca:	none THR FP	Occurs in freshwater marshes, wet meadows, and shallow margins of saltwater marshes bordering larger bays. Requires water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	<b>Moderate;</b> suitable habitat exists within the western portion of the site. Only one known observation of the species was recorded more than 10 miles from the Project in 1928.
<b><i>Passerculus sandwichensis beldingi</i></b> Belding's savannah sparrow	Fed: Ca:	none END	Occurs in coastal salt marshes and nests in <i>Salicornia</i> sp. on the margins or tidal flats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Polioptila californica californica</i></b> coastal California gnatcatcher	Fed: Ca:	THR SSC	Occurs in coastal sage scrub habitat.	<b>High;</b> suitable habitat for this species occurs within the Project site and this species was recorded less than 6 miles from the Project site.
<b><i>Riparia riparia</i></b> bank swallow	Fed: Ca:	none THR	Occurs in riparian and lowland habitats. Requires vertical bank or cliffs with fine-textured sandy soils near streams, rivers, lakes, or ocean to dig nest hole.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Sternula antillarum browni</i></b> California least tern	Fed: Ca:	END END FP	Colonial breeder that nests along the coast on bare or sparsely vegetated flat substrates within sand beaches and alkali flats.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site and this species is not expected to occur.
<b><i>Vireo bellii pusillus</i></b> least Bell's vireo	Fed: Ca:	END END	Occurs near water in willow-cottonwood forests, thickets, and scrub oak woodland.	<b>Presumed Absent;</b> no suitable habitat for this species occurs within the Project site and this species is not expected to occur.

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<b>Scientific Name</b> Common Name	<b>Status</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<b>MAMMALS</b>			
<i>Eumops perotis californicus</i> western mastiff bat	Fed: Ca:	none SSC	Found in a wide variety of habitats, including desert scrub, chaparral, woodlands, floodplains, and grasslands. Roosts in primarily natural substrates such as cliff faces, large boulders, trees, and exfoliating rock surfaces; less commonly found in artificial structures such as buildings and roof tiles.
<i>Microtus californicus stephensi</i> south coast marsh vole	Fed: Ca:	none SSC	Occurs in tidal marshes.
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	Fed: Ca:	none SSC	This species occurs in scrub habitats and prefers moderate to dense canopies. They are particularly abundant in rocky outcrops, cliffs, and slopes, within coastal sage scrub communities, it almost is invariably associated with prickly pear ( <i>Opuntia occidentalis</i> ).
<i>Nyctinomops femorosaccus</i> pocketed free-tailed bat	Fed: Ca:	none SSC	Occurs in rocky areas with high cliffs within a variety of habitats in arid areas.
<i>Nyctinomops macrotis</i> big free-tailed bat	Fed: Ca:	none SSC	Occurs in low-lying arid areas. Requires high cliffs or rocky outcrops for roosting sites.
<i>Perognathus longimembris pacificus</i> pacific pocket mouse	Fed: Ca:	END SSC	Occurs along narrow coastal plains and prefers soils of fine alluvial sands near the ocean.
<i>Sorex ornatus salicornicus</i> southern California saltmarsh shrew	Fed: Ca:	none SSC	Occurs in coastal marshes and requires dense vegetation and woody debris for cover.

<b>Scientific Name</b> Common Name	<b>Status</b>		<b>Habitat</b>	<b>Potential to Occur</b>
<b><i>Taxidea taxus</i></b> American badger	Fed: Ca:	none SSC	Occurs in burrows in drier open stages of most shrub, forest, and herbaceous habitats with friable soils, sufficient food, and open uncultivated ground. Preys on burrowing rodents.	<b>Presumed Absent;</b> although areas within the Project site could provide some habitat, this species would have a low tolerance to the surrounding urban development and high recreational activity within the Project site. Therefore, habitat within the Project site is no suitable for this species.
<b>Federal Designations:</b>			<b>State Designations:</b>	
(Federal Endangered Species Act, United State Fish and Wildlife Service [USFWS] Bureau of Land Management [BLM], United States Forest Service [FS]) <b>END:</b> Federally listed, endangered <b>THR:</b> Federally listed, threatened <b>CAN:</b> Candidate for federal listing			(California Endangered Species Act, California Department of Fish and Wildlife [CDFW]) <b>END:</b> State-listed, endangered <b>THR:</b> State-listed, threatened <b>SSC:</b> Species of Special Concern <b>WL:</b> Watch List <b>FP:</b> Fully Protected	
<b>Sources:</b> California Natural Diversity Data Base (CDFW 2015a) and California Native Plant Society Electronic Inventory (CNPS 2015) Torrance, Long Beach, San Pedro, Redondo Beach, Venice, Inglewood, and South Gate 7.5- minute USGS topographic quadrangles.				

**Silvery legless lizard** is a CDFW SSC. This species is found in chaparral, pine-oak woodlands, riparian woodlands, and also on beaches from sea level to around 5,100 feet. It occurs less commonly in desert scrub. Within these habitats, it prefers loose soils or sand for burrowing, moisture, warmth, and plant cover (Stebbins 2003). It forages in leaf litter during the day for insects such as termites, spiders, beetles, and larvae. Suitable habitat exists within the freshwater marsh area within the western portion of the Project site and recent observations of the species have been recorded approximately four miles southwest of the site. Therefore, this species is considered to have a high potential to occur on the Project site.

**Western pond turtle** is a CDFW SSC. This species has a relatively continuous distribution in most Pacific slope drainages from Klickitat County, Washington along the Columbia River to Arroyo Santo Domingo, northern Baja California, Mexico (Stebbins 2003). It is found in ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches, with abundant vegetation, and either rocky or muddy bottoms, in woodland, forest, and grassland. In streams, this species prefers pools to shallower areas. Logs, rocks, cattail mats, and exposed banks are required for basking. It may enter brackish water and even seawater. Habitat that would support this species is present on the Project site. However, due to the surrounding urban development and the channelization of the Dominguez slough in the early 1900s, large portions of wetland habitat were extirpated and connectivity to nearby aquatic habitat was removed. Additionally, the only historical occurrence was recorded in 1941 more than 10 miles from the Project site. This species is considered to have a low potential to occur on the Project site.

It should be noted that although this species has been largely identified with a change of genus to *Actinemys* and the species split in to two separate species (*Actinemys marmorata* and *Actinemys pallida*), the CDFW does not recognize these as valid and the CDFW 2015 Special Animals List lists this species as *Emys marmorata* (CDFW 2015b).

**California black rail** is listed as state threatened and is also a California fully protected species. It is most numerous in northern San Francisco Bay, but it is also found historically in other bays and lagoons along the coast of California as well as some desert areas, including the lower Colorado River and Salton Sea area. In the Salton Sea area, it is known to occur at Salt Creek and the Whitewater Delta. It inhabits salt, freshwater, and brackish marshes composed of pickleweed (*Salicornia* spp.), cattails, tule (*Schoenoplectus acutus* var.

*occidentalis*), saltgrass (*Distichlis spicata*), and/or bulrush (*Scirpus* spp.) at low elevations throughout its range. This species nests in high portions of salt marshes, shallow freshwater marshes, wet meadows, and flooded grassy vegetation. It breeds from February through July and normally lays one clutch of six eggs. Suitable habitat exists within the freshwater marsh area within the western portion of the Project site; however, no California black rails have been recorded within 10 miles. Therefore, this species is considered to have a moderate potential to occur.

**Coastal California gnatcatcher** is listed as federally threatened and is designated as a CDFW SSC. This species associates strongly with California sagebrush dominated habitats and also occurs in mixed scrub habitats with lesser percentages of this favored shrub. Other plant species important for the nesting and foraging of this species include California buckwheat, white sage, black sage, and chaparral broom (*Baccharis sarothroides*). Coastal California gnatcatchers are more abundant near sage scrub-grassland interface than where sage scrub grades into chaparral (Atwood and Bontrager 2001). Nest placement typically occurs in areas with less than 40 percent slope gradient (Mock 2004). Breeding season for CAGN occurs from February 15 to August 30. Suitable habitat for this species occurs in coastal sage scrub habitat within the Project site and this species has been recorded less than six miles from the Project site. CAGN were not observed during 2015 focused surveys on the Project site but the site is still considered to have a high potential for CAGN to occur.

**Western Mastiff Bat** is a CDFW SSC. It is a permanent resident throughout its range in southern California, southern Arizona, Texas, and south to South America. It roosts in small colonies or singly in primarily natural substrates such as cliff faces, large boulders, and exfoliating rock surfaces and is less commonly found in artificial structures such as buildings and roof tiles. It is found in a wide variety of habitats, including desert scrub, chaparral, woodlands, floodplains, and grasslands. Reasons for observed population declines are unknown. Only limited suitable roosting habitat occurs within the buildings and some trees present on the Project site and this species has not been recorded in the vicinity since 1987. Therefore, this species is considered to have a low potential to occur within the Project site.

### **3.4 Jurisdictional Delineation**

The Project site potentially supports wetlands and/or waters jurisdictional to USACE, CDFW, and the Regional Water Quality Control Board (RWQCB). A jurisdictional delineation was conducted on June 4, 2015, the results of which are detailed in a separate Jurisdictional Delineation report prepared for the Project.

### **3.5 Focused Coastal California Gnatcatcher Surveys**

A total of six CAGN surveys were conducted between May 21 and June 30, 2015 by federal 10(a)(1)(A) permitted ECORP biologist Shannan Shaffer (TE67555A-0). Table 4 summarizes the survey conditions during each of the surveys at the Project site.

**Table 4. Summary of CAGN Surveys and Weather Conditions**

Survey #	2015 Date	Surveyor*	Time		Temperature (°F)		% Cloud Cover		Wind Speed (mph)	
			Start	End	Start	End	Start	End	Start	End
1	May 21	SLS	0630	0830	61	65	0	0	0-2	2-4
2	June 1	SLS	0630	0835	63	68	25	10	0-1	3-5
3	June 8	SLS	0622	0835	65	74	30	0	0-1	0-3
4	June 15	SLS	0625	0835	65	70	100	70	1-3	3-7
5	June 23	SLS	0615	0820	68	76	0	0	0-1	2-4
6	June 30	SLS	0645	0850	68	76	0	0	0-2	0-2

\*SLS: Shannan Shaffer

CAGN were not observed within the Project site during the 2015 focused surveys and the Project site is not located within designated Critical Habitat for CAGN (USFWS 2015). Proposed project-related activities are not currently defined but are not expected to impact CAGN or designated Critical Habitat for CAGN at this time. Based on these survey results, this species is currently thought to be absent from the site. However, the site does contain habitat for the species, and based on the proximity of known populations of CAGN, the Project site is considered to have a potential for future occupancy by CAGN.



## **4.0 Regulatory Considerations**

Currently, no project activities have been identified for the Project site and, therefore, no potential impacts to sensitive biological resources are discussed within this report. However, should a project be defined for the site, a number of state and federal regulations that pertain to sensitive biological resources potentially occurring within and adjacent to the Project site should be taken into consideration. These are discussed below.

**Federal Endangered Species Act (FESA):** The FESA (16 USC Sections 1531 et. seq.) was established to protect and allow for recovery of species in danger of extinction and their associated habitat. Species are listed in the FESA as endangered or threatened. Endangered species includes those in danger of extinction throughout all or a large amount of its range. Threatened includes species likely to become endangered within the foreseeable future. The FESA also protects habitat considered critical to the existence and recovery of listed species. Projects with potential to affect a listed species or critical habitat are required to consult with the USFWS.

**California Endangered Species Act (CESA):** The purpose of CESA is to ensure that all native species of flora and fauna, including associated habitat, threatened by extinction and/or significantly declining populations that could lead to a threatened or endangered designation, are protected. The CESA delegates the responsibility of maintaining a list of state threatened and endangered species to the CDFW. CESA encourages consultation with CDFW if a proposed action may affect a state-listed species.

**California Fish and Game Code:** Raptors (birds of prey) and active raptor nests are protected by the California Fish and Game Code 3503.5, which states that it is "unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird" unless authorized (FGC 1991). Section 3503.3 of the California Fish and Game Code prohibits take, possession, or destruction of any birds in the orders Falconiformes (hawks) or Strigiformes (owls), or of their nests and eggs (FGC 1991).

**Migratory Bird Treaty Act (MBTA):** The purpose of the MBTA (16 USC Section 703 et. seq.) is to protect migratory birds. The MBTA states that it is unlawful to pursue, hunt, take, capture, or kill a migratory bird by any means, including any part, egg, or nest. The list of bird species protected by the MBTA is included in 50 CFR Section 10.13.

**Federal Clean Water Act:** The federal Clean Water Act's (CWA) purpose is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into Waters of the U.S. without a permit from USACE. The definition of Waters of the U.S. includes rivers, streams, estuaries, the territorial seas, ponds, lakes and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3 7b). The U.S. Environmental Protection Agency (EPA) also has authority over wetland determinations and consults together with the USACE for Section 404 review and enforcement.

Substantial impacts to wetlands may require an individual permit. Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the RWQCB.

**California Lake or Streambed Alteration Notification/Agreement:** Section 1602 of the FGC requires that a Notification of Lake or Streambed Alteration be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW reviews the proposed actions and jurisdictional data and, if necessary, submits to the Applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the Applicant is issued a Streambed Alteration Agreement. Often, projects that require a Streambed Alteration Agreement also require a permit from USACE under Section 404 of the CWA.

## **5.0 Certification**

*I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or the applicant's representative and that I have no financial interest in the project.*

DATE: September 4, 2015

SIGNED: Shanan Shaffer

Ms. Shannan Shaffer

## **6.0 Literature Cited**

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- [FGC] Fish and Game Code (1991). California Fish and Game Code Section 3503.5.
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# **APPENDIX A**

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Plant Compendium

## **APPENDIX B**

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Wildlife Compendium