

## 4.3 BIOLOGICAL RESOURCES

This section of the EIR analyzes the potential environmental effects on biological resources from implementation of the proposed project. Data for this section were taken from the Biogeographic Information and Observation System, California Native Plant Society (CNPS) Electronic Inventory, California Natural Diversity Database (CNDDDB), the California Essential Habitat Connectivity Project, National Wetland Inventory (NWI), Glendale General Plan, and Google Earth Imagery. The entirety of the analysis is based on desktop research and no biological surveys were conducted. Full reference-list entries for all cited materials are provided in Section 4.3.5 (References).

### 4.3.1 Environmental Setting

#### ■ Regional Setting

The City is located in the Southern California/Northern Baja Coast Level III ecoregion, as well as the Ventura-Angelino Coastal Hills and Los Angeles Plain Level IV ecoregions (USGS 2016). The Southern California/Northern Baja Coast ecoregion is characterized by coastal and alluvial plains, marine terraces, and low hills. The region spans 200 miles south into Baja California. Coastal sage scrub and chaparral were once the dominant vegetation communities in the region, but much of the area has been cleared for agriculture or developed. The Ventura-Angelino Coastal Hills ecoregion is characterized by shrub covered hills and mountains with elevations ranging from sea level to greater than 3,000 feet. Interspersed between the hills and mountain ranges are large flat plains and valleys that have been heavily urbanized. The vegetation communities in this ecoregion are annual grasslands, sagebrush, and chaparral communities. The Los Angeles Plain ecoregion is characterized by level floodplains and terraces and gently sloping alluvial fans including the San Fernando and San Gabriel valleys. Typical vegetation in this ecoregion has included annual grasslands, sagebrush, and chaparral communities, however; the region has been heavily developed and converted to urban and residential uses.

The City is bordered by several hills and mountain ranges including the San Gabriel Mountains to the north, San Rafael Hills to the east, the Repetto Hills to the southeast, the Santa Monica Mountains to the southwest, and the Verdugo Mountains to the northwest. Topography within the City limits is gently sloping with elevations ranging 420 feet to 4,774 feet above mean sea level. The topography of the area defined the growth pattern of the city, limiting development to two areas: Crescenta Valley and Verdugo Canyon. The majority of land cover in Glendale is classified as developed. As of 2005, only 13 percent vacant land remained within the City boundaries, with 57 percent of the undeveloped land occurring on hillsides with slopes that are greater than 50 percent (Glendale 2005). South Glendale is the area in which Glendale was first established in 1887 and incorporated in 1906. South Glendale is highly urbanized with only a few areas of undeveloped land. Glendale's climate is similar to most other valleys in the region, with moderate to warm, dry summers, precipitation typically occurring in the winter and spring months, and average annual rainfall of approximately 17 inches. Temperatures range from a mean of 51 degrees in the winter to a mean of 77 degrees in the summer, and prevailing wind direction is primarily from the southwest (Glendale 2005).

#### ■ Vegetation Communities

Historically the proposed SGCP area was composed of native chaparral and inland scrub communities; however, due to the high level of development and urbanization, native vegetation communities no longer exist within the proposed SGCP area. According to the National Landcover Dataset, the

proposed SGCP area is composed nearly entirely of high intensity and medium intensity land uses. Patches of low intensity development is depicted in areas where parks or cemeteries are located, none of which are suitable for natural vegetation communities (USGS 2011).

Native species such as oaks, bay, and sumac trees are scattered in the Adams Hill neighborhood and as street trees along Verdugo Road. Areas within the proposed SGCP area that have steep slopes or hills remain undeveloped and support small patches of native oaks and laurel sumac (*Malosma laurina*), surrounded by disturbed, non-native grasslands.

## ■ Wetlands and Riparian Areas

There are no drainages under the regulatory authority of the U.S. Army Corps of Engineers (USACE), State Water Resources Control Board (SWRCB), or the CDFW within the proposed SGCP area. Additionally, there is no riparian habitat in the proposed SGCP area (USFWS 2016). According to the NWI a single mapped wetland is located within the proposed SGCP area. The wetland is identified as palustrine, unconsolidated bottom, artificially flooded, artificial substrate (USFWS 2016). According to Google Earth Imagery, the NWI identified wetland appears to be the Heron Fountain within the Forest Lawn Memorial Park; a man-made hardscaped water fountain (GEI 2015). No other mapped NWI wetlands occur within the proposed SGCP area. A review of Google Earth Imagery shows no signs of natural ponds, lakes, rivers, streams or associated riparian habitat within the proposed SGCP area; however, the Los Angeles River is located immediately west of the proposed SGCP area and the Verdugo Wash, a concrete lined flood control channel, is located adjacent to the northern boundary of the proposed SGCP area, but a small portion is within the proposed SGCP area south of Glenoaks Boulevard in the northwestern section of the DSP area. The Verdugo Wash supports non-contiguous vegetation atop the channelized banks, and the Los Angeles River supports contiguous riparian habitat within the channel.

## ■ Wildlife

The proposed SGCP area is highly developed and urbanized and does not contain habitat suitable for supporting wildlife communities. The presence of wildlife is limited within the proposed SGCP area due to heavy development and general lack of suitable habitat (CDFW 2010, CDFW 2017, USFWS 2017, USGS 2011).

## ■ Wildlife Movement Corridors

In partnership with Caltrans, the CDFW conducted a statewide assessment of habitat connectivity to identify large remaining tracts of habitat and linkages between natural landscapes to be maintained for wildlife movement corridors (CDFW 2010). As part of this effort, spatial data were prepared to assist with planning purposes that show locations of natural landscape block areas and essential habitat connectivity areas. Two natural landscape blocks were identified in the vicinity of the proposed SGCP area, including one in the Verdugo Mountains and another in Griffith Park (CDFW 2017). No essential habitat connectivity areas were identified connecting the landscape blocks. In addition, no essential connectivity areas, natural landscape blocks or potential riparian connections were located within or adjacent to the proposed SGCP area.

## ■ Sensitive Biological Resources

Sensitive biological resources include those habitats or natural communities, plants and wildlife, and other sensitive resources that are governed under federal, state, and local laws and policies. The following section identifies which sensitive biological resources have the potential or are known to occur within the project area.

A desktop review of existing CNDDDB data and CNPS data was conducted. These databases include cataloged information (written and spatial) regarding federal and State identified sensitive biological resources. A list of species identified in the databases, and potentially present within the SGCP area, is presented in Table 4.3-1; notes following Table 4.3-1 provide details regarding acronyms and sensitivity statuses.

**Table 4.3 1 Sensitive Biological Resources within 1 mile of the SGCP Area**

Scientific/Common Name	Sensitivity Status	Habitat	Potential for Occurrence in the proposed SGCP
<b>Plants</b>			
<i>Berberis nevini</i> Nevin's barberry	Federal: FE State: N/A CNPS: List 1B.1	Usually found on steep, north-facing slopes or in low grade sandy washes. Associated with chaparral, cismontane woodland, coastal scrub and riparian scrub. Elevation 950-5,170 ft; blooms March-April.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Calochortus plummerae</i> Plummer's mariposa-lily	Federal: N/A State: N/A CNPS: List 1B.2	Occurs on rocky and sandy sites, usually of granitic or alluvial material, can be very common after fire. Associated with coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, and lower montane coniferous forest. Elevation 295-5,300 ft; blooms May-July.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Centromadia parryi</i> ssp. <i>Australis</i> Southern tarplant	Federal: N/A State: N/A CNPS: List 1B.1	Often found in disturbed sites near the coast at marsh edges; also in alkaline soils sometimes with saltgrass. Associated with marshes, swamps and valley and foothill grassland. Blooms May-November.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	Federal: N/A State: N/A CNPS: List 1B.1	Usually found on dry slopes and flats; sometimes at the interface of two vegetation types, such as chaparral and oak woodland. Associated with coastal scrub, chaparral and dry, sandy soils. Elevation 130-5,600 ft; blooms April-June.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Dodecahema leptoceras</i> Slender-horned spineflower	Federal: FE State: N/A CNPS: List 1B.1	Associated with chaparral, coastal scrub (alluvial fan sage scrub). Often found along flood deposited terraces and washes. Elevation 660-2,500 ft; blooms April-June.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Helianthus nuttallii</i> ssp. <i>parishii</i> Los Angeles sunflower	Federal: N/A State: N/A CNPS: 1A	Associated with marshes and swamps (coastal salt and freshwater). Historically from southern California but now thought to be extinct. Elevation 16-5,500 ft; blooms August-October.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.

**Table 4.3 1 Sensitive Biological Resources within 1 mile of the SGCP Area**

<b>Scientific/Common Name</b>	<b>Sensitivity Status</b>	<b>Habitat</b>	<b>Potential for Occurrence in the proposed SGCP</b>
<i>Horkelia cuneata</i> var. <i>puberula</i> Mesa horkelia	Federal: N/A State: N/A CNPS: List 1B.1	Found on sandy or gravelly sites. Associated with chaparral, cismontane woodland and coastal scrub. Elevation 230-2,700 ft; blooms February-June (and rarely in September).	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's goldfields	Federal: N/A State: N/A CNPS: List 1B.1	Occurs in salt-marshes, playas, vernal pools or coastal marshes (Calflora 2017a). Blooms February-June.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Linanthus concinnus</i> San Gabriel linanthus	Federal: N/A State: N/A CNPS: List 1B.2	Occurs in dry, rocky areas of chaparral and forest communities that are dominated by red fir and yellow pine (Calflora 2017b). This species is endemic to San Gabriel Mountains and the Los Angeles area. Blooms April-July.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Pseudognaphalium leucocephalum</i> White rabbit-tobacco	Federal: N/A State: N/A CNPS: List 2B.2	Associated with riparian woodland, cismontane woodland, coastal scrub, chaparral and sandy, gravelly sites. Elevation 0-6,900 ft; blooms July to December.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Ribes divaricatum</i> var. <i>parishii</i> Parish's gooseberry	Federal: N/A State: N/A CNPS: List 1A	Associated with riparian woodland. Blooms February-April.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Symphotrichum greatae</i> Greata's aster	Federal: N/A State: N/A CNPS: List 1B.3	Associated with chaparral, cismontane woodland. Usually found in mesic canyons. Elevation 2,600-5,000 ft; blooms April-June.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<b>Plant Communities</b>			
California Walnut Woodland	Federal: N/A State: SPC CNPS: N/A Holland Code: 71210	Found along north facing slopes; commonly found in shady, moist canyon areas; rarely, but sometimes found in riparian areas; limited distribution in Southern California dominated by California walnut ( <i>Juglans californica</i> ).	<b>None;</b> this community type is not located in the proposed SGCP area.
Southern Sycamore Alder Riparian Woodland	Federal: N/A State: SPC CNPS: N/A Holland Code: 62400	Found along perennial and intermittent rivers and streams at higher elevations; dominated by southern sycamore ( <i>Platanus racemosa</i> ) and alder ( <i>Alnus rhombifolia</i> ).	<b>None;</b> no riparian areas occur in the proposed SGCP area.
<b>Insects</b>			
<i>Bombus crotchii</i> Crotch bumble bee	Federal: N/A State: N/A CNPS: N/A	Inhabits open grasslands and scrub habitats, nesting in underground rodent burrows.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<b>Reptiles</b>			
<i>Phrynosoma blainvillii</i> Coast horned lizard	Federal: N/A State: SSC CNPS: N/A	Frequents a wide variety of habitats; most commonly found in lowlands along sandy washes with scattered low bushes; prefers open areas for sunning, bushes for cover, patches of loose soil for burial and abundant supply of ants and other insects.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.

**Table 4.3 1 Sensitive Biological Resources within 1 mile of the SGCP Area**

Scientific/Common Name	Sensitivity Status	Habitat	Potential for Occurrence in the proposed SGCP
<b>Birds</b>			
<i>Athene cunicularia</i> Burrowing owl	Federal: N/A State: SSC CNPS: N/A	Found in open, dry annual or perennial grasslands, deserts and scrublands characterized by low growing vegetation; subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area with human activity likely to deter burrowing owls from nesting nearby.
<i>Empidonax traillii extimus</i> Wouthwestern willow flycatcher	Federal: FE State: N/A CNPS: N/A	Found in riparian woodlands in southern California.	<b>None;</b> no riparian habitat occurs in the proposed SGCP area.
<i>Falco peregrinus anatum</i> American peregrine falcon	Federal: FD State: N/A CNPS: N/A	Found near wetlands, lakes, rivers or other water habitats; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape, depression or ledge in an open site.	<b>Unlikely;</b> only a small portion of the Verdugo Wash intersects the northern portion of the proposed SGCP area.
<i>Riparia</i> Bank swallow	Federal: State: CNPS: N/A	Nests in colonies on vertical banks or bluffs or friable soils suitable for burrowing (Garrison et al 1998). Historically nested in coastal counties of southern California, but now are extinct with the exception of a population documented in Ventura County.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Vireo bellii pusillus</i> Least Bell's vireo	Federal: State: CNPS: N/A	Nests in early to mid-successional riparian habitat with dense shrub cover and structurally diverse canopy (Kus et al 2002).	<b>None;</b> no riparian habitat occurs in the proposed SGCP area.
<b>Mammals</b>			
<i>Lasiurus xanthinus</i> western yellow bat	Federal: N/A State: SSC CNPS: N/A	Found in valley foothill riparian, desert riparian, desert wash and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and around trees.	<b>None;</b> no riparian habitat occurs in the proposed SGCP area.
<i>Eumops perotis californicus</i> western mastiff bat	Federal: N/A State: SSC CNPS: N/A	Found in open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.
<i>Taxidea taxus</i> American badger	Federal: N/A State: SSC CNPS: N/A	Found in drier, open areas of most shrub, forest and herbaceous habitats, with friable soils. Requires sufficient food, and open, uncultivated ground with friable soils for digging burrows. Preys on burrowing rodents.	<b>Unlikely;</b> the proposed SGCP area is located in a developed and disturbed urban area that is primarily composed of landscaped, ornamental vegetation.

**Federal Status** (listed under the Endangered Species Act) – **FE** = Federally Endangered; **FD** = Delisted

**State Status** (listed under California Endangered Species Act) – **SSC** = State Species of Special Concern

**CRPR** (California Rare Plant Ranks, formerly known as CNPS lists) – **1A** = Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere; **1B** = Plants Rare, Threatened, or Endangered in California and Elsewhere; **2A** = Plants Presumed Extirpated in California, But Common Elsewhere; **2B** = Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere; **3** = Plants in need of more information; **4** = Plants of limited distribution. **x.1** = Seriously threatened in California (>80% of occurrences threatened or high degree and immediacy of threat). **x.2** = Moderately threatened in California (20-80% of occurrences threatened or moderate degree and immediacy of threat). **x.3** = Not very endangered in California (<20% of occurrences threatened or low degree and immediacy of threat or no current threats known)

Source: CNDDDB 2016; CNPS 2016

## ■ Threatened and Endangered Species

The U.S. Fish and Wildlife Service (USFWS) does not identify any critical habitat for threatened or endangered species within a 5-mile radius of the proposed SGCP area (USFWS 2017).

## ■ Habitat Conservation Plans and Other Local/Region Plans

There are no Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional or state habitat conservation plans located within or near the proposed SGCP area (SCAG 2016).

### 4.3.2 Regulatory Framework

This Biological Resources section was prepared with consideration for the following federal, State, regional and local regulations.

#### ■ Federal

##### ***Endangered Species Act***

The Federal Endangered Species Act (FESA) of 1973, as amended, provides the regulatory framework for the protection of plant and animal species (and their associated critical habitats), which are formally listed, proposed for listing, or candidates for listing as endangered or threatened under the FESA. The FESA has the following four major components: provisions for listing species, requirements for consultation with the USFWS and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), prohibitions against "taking" (meaning harassing, harming, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or attempting to engage in any such conduct) of listed species, and provisions for permits that allow incidental "take." The FESA also discusses recovery plans and the designation of critical habitat for listed species. Both the USFWS and the NOAA Fisheries Service share the responsibility for administration of the FESA.

The lead agency for implementing the FESA is the USFWS. The law requires federal agencies, in consultation with the USFWS, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat.

##### ***Migratory Bird Treaty Act of 1918***

The federal Migratory Bird Treaty Act (MBTA) (16 USC 703 et seq.), Title 50 Code of Federal Regulations (CFR) Part 10, prohibits taking, killing, possessing, transporting, and importing of migratory birds, parts of migratory birds, and their eggs and nests, except when specifically authorized by the Department of the Interior. As used in the act, the term "take" is defined as meaning, "to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires." With a few exceptions, most birds are considered migratory under the MBTA. Disturbances that causes nest abandonment and/or loss of reproductive effort or loss of habitat upon which these birds depend would be in violation of the MBTA.

All wild birds are protected under the MBTA, except non-native, human-introduced species and a few families not mentioned in the underlying treaties. The USFWS is responsible for implementing the requirements of the MBTA.

## **Bald and Golden Eagle Protection Act of 1940**

The Bald and Golden Eagle Protection Act (BGEPA) provides for the protection of bald and golden eagles (*Haliaeetus leucocephalus* and *Aquila chrysaetos*, respectively) by prohibiting the taking, possession, or commerce of these birds. The USFWS is responsible for implementing the requirements of the BGEPA.

## **Section 404 of the Clean Water Act**

Section 404 of the Clean Water Act (CWA) authorizes the Secretary of the Army to issue permits for the discharge of dredged or fill material into ‘waters of the U.S.’ The USACE and EPA are responsible for making all final jurisdictional determinations. Under Section 404 of the federal CWA, the USACE and the EPA reserve the right to determine jurisdiction on a case-by-case basis (CFR, Volume 41, Number 219). According to 33 CFR 328.4(c), the limits of jurisdiction in non-tidal waters are as follows:

1. In the absence of adjacent wetlands, the jurisdiction extends to the ordinary high water mark, or
2. When adjacent wetlands are present, the jurisdiction extends beyond the ordinary high water mark to the limit of the adjacent wetlands.
3. When the water of the United States consists only of wetlands, the jurisdiction extends to the limit of the wetland.

For delineation purposes, wetlands are defined as:

Those areas that are inundated or saturated by surface or groundwater 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, 40 CFR 230.3).

Ordinary high water mark is defined as:

The term “ordinary high water mark” means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328.3(e)).

## ■ **State**

### **California Endangered Species Act**

The State of California enacted similar laws to the FESA, the California Native Plant Protection Act (NPPA) in 1977, and the California Endangered Species Act (CESA) in 1984. The CESA expanded upon the original NPPA and enhanced legal protection for plants, but the NPPA remains part of the California Fish and Game Code. To align with the FESA, CESA created the categories of “threatened” and “endangered” species. It converted all “rare” animals into the CESA as threatened species, but did not do so for rare plants. Thus, these laws provide the legal framework for protection of California-listed rare, threatened, and endangered plant and animal species. The CDFW implements NPPA and CESA, and its Wildlife and Habitat Data Analysis Branch maintains the CNDDDB, a computerized inventory of information on the general location and status of California’s rarest plants, animals, and natural communities.

## **California Fish and Game Code**

The California Fish and Game Code regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the State. It includes the CESA (Sections 2050-2115) and Streambed Alteration Agreement regulations (Sections 1600-1616), which are both discussed in more detail below, as well as provisions for legal hunting and fishing, and tribal agreements for activities involving take of native wildlife. The Code also includes protection of birds (3500 et seq.) and the California NPPA of 1977 (Sections 1900-1913), which directed CDFW to carry out the Legislature's intent to “preserve, protect and enhance rare and endangered plants in this State.”

## **Lake and Streambed Alteration Program**

California Fish and Game Code Section 1602 requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: (1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or (2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of “lakes, rivers, and streams” includes all rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

## **Porter-Cologne Water Quality Act**

The Porter-Cologne Water Quality Control Act provides for statewide coordination of water quality regulations. The Act established the California SWRCB as the statewide authority and nine separate RWQCBs to oversee smaller regional areas within the state. The Act authorizes the SWRCB to adopt, review, and revise policies for all waters of the State (including both surface and ground waters); and directs the RWQCBs to develop regional Basin Plans. Section 13170 of the California Water Code also authorizes the SWRCB to adopt water quality control plans on its own initiative. The Basin Plan for the Los Angeles Region is designed to preserve and enhance the quality of water resources in the Los Angeles region for the benefit of present and future generations. The purpose of the plan is to designate beneficial uses of the Region’s surface and ground waters, designate water quality objectives for the reasonable protection of those uses, and establish an implementation plan to achieve the objectives.

## **California Native Plant Protection Act**

The California NPPA requires state agencies to design and implement programs to conserve endangered and rare native plants. Part of the NPPA prohibits take of listed plants from the wild, and requires notification of CDFW at least 10 days in advance before any change in land use may occur so that CDFW may salvage plants that would otherwise be destroyed.

## **Natural Community Conservation Planning Act 1991**

The Natural Community Conservation Planning Act is designed to conserve natural communities at the ecosystem scale while accommodating compatible land uses. CDFW is the principal state agency implementing the NCCP Program. California Fish and Game Code Section 2800 et seq addresses NCCPs and a 2835 permit is issued by CDFW for all NCCPs. The Act established a process to allow for comprehensive, regional multi-species planning in a manner that satisfies the requirements of the state and federal ESAs (through a companion regional HCP). The NCCP program has provided the framework for innovative efforts by the state, local governments, and private interests to plan for the

protection of regional biodiversity and the ecosystems upon which it depends. NCCPs seek to ensure the long-term conservation of multiple species, while allowing for compatible and appropriate economic activity to proceed.

## ■ Regional

### ***Los Angeles County General Plan***

The Los Angeles County General Plan (2015) incorporates management of Significant Ecological Areas (SEA), which is land within Los Angeles County that has been identified as having irreplaceable genetic or biological resources essential for sensitive species and/or other wildlife. The SEAs are preserved by designated Special Management Areas, which are located on a mixture of private and public lands that have development restrictions. The County regulates all development within the SEAs, making sure that projects are compatible with long-term goals of SEAs. The two SEAs nearest to the proposed SGCP area are SEA-37 Griffith Park and SEA-40 Verdugo Mountains. There are no SEAs identified by the county in the proposed SGCP area.

## ■ Local

### ***Glendale General Plan***

The following Glendale General Plan policies, goals and objectives located in the Open Space and Conservation and Recreation Elements are applicable to biological resources.

#### Open Space and Conservation Element

- **Policy 1:** Natural resources, including open spaces, biological habitats and native plant communities should be maintained and, where necessary, restored.
- **Policy 5:** Proper management of environmental resources, especially natural resources, can assist in reducing hazards to the life and property of city residents and should be considered in project planning.
- **Goal 2:** Protect vital or sensitive open space areas including ridgelines, canyons, streams, geologic formations, watersheds and historic, cultural, aesthetic and ecologically significant areas from the negative impacts of development and urbanization.
  - **Objective 1:** Prioritize acquisition of open space land according to its environmental sensitivity, ecological, historic or cultural value, impact on surrounding areas, development potential, traffic impacts and its uniqueness or relationship to other open space areas.
- **Goal 4:** Develop a program that sustains the quality of Glendale's natural communities.
  - **Objective 1:** Develop a program for the on-going monitoring of those natural resources identified by the California Department of Fish and Game Natural Diversity Data Base and those sensitive habitats identified in the Element's biological assessment report.
  - **Objective 2:** Prevent development that jeopardizes or diminishes the integrity and value of native plant and animal communities.
  - **Objective 3:** Encourage acquisition of parcels integral to the integrity of the larger ecosystem.

- **Objective 4:** Naturalize, through native revegetation programs, disturbed areas, and prevent the invasion of exotic plant materials.
- **Objective 5:** Encourage the development of landscape plans that incorporate native species in those areas adjoining open space land.
- **Objective 6:** Evaluate and monitor the impact of public access on habitat.
- **Goal 7:** Continue programs which enhance community design and protect environmental resources quality.
  - **Objective 3:** Continue to implement Glendale’s comprehensive streetscape program.
  - **Objective 6:** Foster design objectives which ensure development that respects the character of the existing neighborhoods and the natural setting.

#### Recreation Element

- **Objective 10:** The City shall continue local street enhancement and beautification programs.
  - **Policy 10-1:** The City shall continue to provide for enhancement, maintenance, and replacement of street trees and parkway improvements as needed.
  - **Policy 10-2:** The City shall require the incorporation of new street trees and parkway improvements as requirements in the development approval process.

### Glendale Municipal Code

Glendale Municipal Code Chapter 12.44 protects indigenous coastal live oak (*Quercus agrifolia*), mesa oak (*Q. engelmannii*), scrub oak (*Q. dumosa*), valley oak (*Q. lobata*), California sycamore (*Platanus racemose*), and California bay (*Umbellularia californica*) trees within the City from mutilation, indiscriminate cutting, damage, destruction, or removal. Indigenous trees (species listed above) with a trunk diameter of six inches or greater meet the minimum size qualifying for protection under this code.

## 4.3.3 Project Impacts and Mitigation

### ■ Analytic Method

Information about environmental setting for biological resources was evaluated using desktop data from the following sources:

- CNDDDB (CNDDDB 2016)
- CNPS (CNPS 2016)
- California Essential Habitat Connectivity Project (CDFW 2010)
- Biogeographic Information and observation System (CDFW 2017)
- National Land Cover Database (USGS 2011)
- National Wetland Inventory (NWI) (USFWS 2016)
- Google Earth Imagery (GEI 2015)
- USGS Digital Raster Graphic, Topographic Map of Los Angeles County (USGS 2011)
- Glendale General Plan Open Space and Conservation Element (Glendale 2005)

## ■ Thresholds of Significance

The following thresholds of significance are based on the 2017 CEQA Guidelines Appendix G. For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on biological resources if it would do any of the following:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- 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;
- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; or
- Result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern.

## ■ Effects Found Not Significant

Threshold	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
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The proposed SGCP area consists of an urbanized environment with very few undeveloped lots available for development. According to the NWI and the CNDDDB, no riparian habitat or other sensitive natural communities are located within the proposed SGCP area (USFWS 2016, CNDDDB 2016); therefore, implementation of the proposed project would have no impact on riparian habitat or other sensitive natural communities.

Threshold	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?
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The proposed SGCP area is located along the eastern portion of the San Fernando Valley. Natural vegetation communities are located north in the Verdugo Mountains, to the east in the San Rafael Hills,

and to the west in Griffith Park; however, the proposed SGCP area has been developed for the past century and consists of an urban environment.

The CDFW’s Essential Habitat Connectivity Project (2010) provides an assessment of habitat connectivity that identifies linkages between natural landscapes. The project did not identify any wildlife movement corridors or linkages within the proposed SGCP area. The heavy commercial, industrial, and residential development discourages big game and other wildlife from travel through the proposed SGCP area.

Since there are no wildlife movement corridors or natural landscape blocks located in the proposed SGCP area, and no suitable habitat connecting the proposed SGCP area with landscape blocks located outside the proposed SGCP area, implementation of the proposed project would have no impact on designated wildlife movement corridors.

Threshold	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?
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There are no applicable HCP, NCCP or other approved local, regional or State habitat conservation plans located near the proposed SGCP area (SCAG 2016). The proposed SGCP area currently consists of a built urban environment. Implementation of the proposed project would have no impact on such plans.

### ■ Less Than Significant Impacts

Threshold	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?
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**Impact 4.3-1      Implementation of the proposed project would not adversely affect 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, fill, hydrological interruption or other means. This would be a *less than significant* impact.**

The proposed SGCP area consists of an urbanized environment with very few undeveloped lots available for development. Based on a review the of the NWI, one isolated water feature was identified within the proposed SGCP area (USFWS 2016). According to Google Earth Imagery (GEI 2015), the NWI identified water feature appears to be the Heron Fountain, a man-made landscaped water fountain within the Forest Lawn Memorial Park (GEI 2015). The proposed SGCP does not propose any land use or zoning changes to the Forest Lawn Memorial Park. No other mapped NWI wetlands/water features occur within the proposed SGCP area. Furthermore, a review of Google Earth Imagery shows no signs of natural ponds, lakes, rivers, streams, creeks or associated riparian habitat within the proposed SGCP area; however, a small portion of the Verdugo Wash, south of Glenoaks Boulevard in the northwestern section of the DSP area, is within the proposed SGCP area. The portion of the Verdugo Wash located within the proposed SGCP area is concrete lined and does not contain an identified wetland feature. Implementation of the proposed project would have less than significant impact on wetlands or other

waters of the U.S. through direct removal, filling, hydrological interruption, or other means, and no mitigation is required.

Threshold	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
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**Impact 4.3-2 Implementation of the proposed project could result in the loss of indigenous trees that are protected by the Glendale Municipal Code; however, adherence to the city permitting process and implementation of mitigation measure would ensure that this impact remains *less than significant*.**

Glendale Municipal Code Section 12.44.020 provides the following definition of a protected indigenous tree: (1) a Southern California native tree species including a California live oak (, scrub oak, valley oak, *mesa oak*, California bay, and California sycamore; and (2) a tree with a trunk which is 6 inches or more in diameter as measured at the height of 54 inch increase above the lowest point where the trunk meets the soil (or in the case of a tree with more than one trunk, whose combined diameter of any two trunks is at least 8 inches in diameter as measured at a height of 54 inches above the lowest point where each trunk meet the soil). Glendale Municipal Code Chapter 12.44 (Ordinance No. 5719) states that cutting, removal, or encroachment of indigenous trees including oak, bay, and sycamore trees requires a permit issued by the Director of Public Works. Future development under the proposed SGCP could entail the removal of indigenous trees protected under Glendale Municipal Code Chapter 12.44.

The removal of an indigenous tree does not necessarily mean the destruction of that tree, as the tree could be transplanted to another location (as deemed appropriate by the Director of the Department of Public Works). It is the applicant’s responsibility to work with the Director to achieve a plan that is feasible and satisfies all parties. The Department of Public Works has the authority to approve, conditionally approve or deny the application to cut down, remove or move any indigenous tree or trees, and may impose conditions deemed necessary to implement the provisions of Chapter 12.44 of the Glendale Municipal Code. Due to compliance with Glendale Municipal Code Chapter 12.44, this impact is considered less than significant, and no mitigation is required.

Threshold	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
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**Impact 4.3-3 Implementation of the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. This is considered a potentially significant impact. However, implementation of Glendale General Plan Policies would reduce this impact to *less than significant*.**

Although the majority of the proposed SGCP area is developed, there are a few remaining undeveloped parcels that may contain suitable habitat for candidate, sensitive or special status species in the proposed SGCP area (refer to Table 4.3-1). As a result, future development would require site specific environmental review to determine the presence of candidate, sensitive or special status species. Any potential impacts and applicable mitigation measures to reduce risks to candidate, sensitive or special

status species would be identified at that time. Environmental review of development projects associated with the proposed SGCP would identify any potential impacts associated with candidate, sensitive or special status species. Compliance with the Glendale General Plan Open Space and Conservation Element, Policies 1 and 5 and Goals 2 and 4, would reduce any potentially significant impacts to a level below significant; therefore, impacts to candidate, sensitive or special status species would be less than significant and no mitigation is required.

## ■ Potentially Significant Impacts

Threshold	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
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**Impact 4.3-4**     **Implementation of the proposed project would result in a potential reduction in nesting opportunities for resident and migratory avian species of special concern. This is considered a potentially significant impact. However, implementation of mitigation measure would reduce this impact to *less than significant*.**

Natural habitats for sensitive bird species are not expected to occur within the proposed SGCP area due to the dense urban development; however, mature landscaped trees line the streets within the proposed SGCP area. Migratory bird species, such as raptors, may utilize the existing landscaped trees for nesting. The MBTA prohibits the disturbance of migratory birds, including raptors. In addition, the BGEPA limits impacts to bald eagles and golden eagles. The loss of a special status species, an occupied nest or substantial interference with roosting and foraging for migratory species of special concern or raptors, as a result of future construction or demolition activities, would result in a potentially significant impact. However, implementation of mitigation measure *MM 4.3-1* would require biological surveys prior to construction to determine the presence of a resident or migratory avian species, and reduce potential impacts to less than significant.

## ■ Mitigation Measures

***MM 4.3-1***     *If future projects implemented under the SGCP are constructed during the bird-nesting season (January 1-July 31) a Biological Monitor shall survey the construction area and establish a buffer area for nesting activity or juvenile birds. Surveys shall be conducted 5 days prior to any construction activity. If protected bird species are observed nesting within 100 feet for non-raptors and 300 feet for raptor species of the nearest work site, the biological monitor shall establish a buffer around the tree, and no construction activities shall be permitted within the restricted area, unless directly related to the management or protection of the protected species. If the tree is designated for removal, the removal shall be deferred until after August 30<sup>th</sup>, or until the adults and young have fledged or left the nest.*

## ■ Level of Significance After Mitigation

Implementation of mitigation measure *MM 4.3-1* would reduce potential impacts to migratory avian species to less than significant.

### 4.3.4 Cumulative Impacts

Threshold	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
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The cumulative context for adverse effects on any species identified as candidate, sensitive or special status species is past, existing, and foreseeable development within the proposed SGCP area. As noted in the discussion of Impact 4.3-4, the proposed SGCP area is nearly fully developed with few undeveloped areas remaining. Cumulative projects have the potential to disturb re-established vegetation communities that potentially contain candidate, sensitive or special status species. In addition, removal of large trees within the proposed SGCP area could result in direct impacts to sensitive bird species, and construction activities located adjacent to nesting birds or juvenile birds would result in a potentially significant indirect impact to sensitive bird species. Implementation of mitigation measure 4.3-1 would reduce potential impacts to less than significant. Furthermore, development of cumulative projects listed in Chapter 3 would require site specific environmental review to determine the presence of candidate, sensitive, or special status species. Environmental review of cumulative project development, which would include biological resource surveys, and compliance with Glendale General Plan Open Space and Conservation Policies 1 and 5 and Goals 2 and 4 would further reduce potential cumulative impacts below a level of significance.

Threshold	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
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As stated above in Effects Found Not Significant, no riparian habitat or other sensitive natural communities are located within the proposed SGCP area; therefore, the proposed project would not contribute to a cumulative impact associated with riparian habitat or other sensitive natural communities.

Threshold	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?
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The cumulative context for adverse effects on federally protected wetlands is past, existing, and foreseeable development within the proposed SGCP area. As noted in the discussion of Impact 4.3-1, the proposed SGCP area is nearly fully developed with few undeveloped areas remaining. Cumulative projects have the potential to have an adverse effect on federally protected wetlands; however, development of cumulative projects listed in Chapter 3 would require site specific environmental review to determine the presence of federally protected wetlands. Environmental review of cumulative project development, which would include biological resource surveys and wetland delineations, and compliance with existing regulations associated with federally protected wetlands would reduce potential impacts below a level of significance.

Threshold	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?
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As stated above in Effects Found Not Significant, no wildlife corridors or wildlife nursery sites are identified within the proposed SGCP area; therefore, the proposed project would not contribute to a cumulative impact associated with wildlife corridors or wildlife nursery sites.

Threshold	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
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As noted in the discussion of Impact 4.3-2, the Glendale Municipal Code (Ordinance No. 5719) prohibits the cutting, removal or encroachment of any indigenous tree without first obtaining a permit from the Director of Public Works. Pursuant to the Glendale Municipal Code, any cumulative project identified in Chapter 3 is required to address potential impacts of any indigenous tree through an application and permit process with the City. Adherence with the ordinance would reduce potential impacts associated with the removal of an indigenous tree below a level of significance.

As stated in Impact 4.3-2, implementation of the proposed project would result in less than significant impacts associated with an ordinance protecting biological resources. The proposed project contribution to a conflict with an ordinance protecting biological resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

Threshold	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?
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As stated above in Effects Found Not Significant, the proposed SGCP area is not identified in any adopted HCP or NCCP plan; therefore, the proposed project would not contribute to a cumulative impact associated with an adopted HCP or NCCP.

### 4.3.5 References

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