

3.6 Biological Resources

3.6.1 Introduction

This section considers the effects on biological resources resulting from operation of the Expo Phase 2 project. In general, the proposed project is located in the highly urbanized portion of western Los Angeles County, and because of this setting, biological resources within the study area are limited. The study area supports urban landscaping and ruderal vegetation. Wildlife resources are limited to those species adapted to highly urbanized environments.

Greater detail on Biological Resources may be found in the *Natural Environment Study* prepared for this project. Full bibliographic references can be found in Appendix B (Bibliography).

3.6.2 Existing Conditions

Plant and wildlife field surveys of the entire study area were conducted by four qualified biologists on March 7, 2007, and December 19, 2007, and of the proposed maintenance facility site on May 6, 2008.

Vegetation Communities and Plant Species

A total of 148 vascular plant species including, but, not limited to, trees that are afforded protection (such as oak trees), were observed within the study area. The study area only exhibits two vegetation communities: urban landscape and ruderal. Of these communities, urban landscape is the dominant vegetation community. Vegetation within the urban landscaped portions of the study area is composed of ornamental trees, shrubs, groundcovers, herbaceous cultivars, and sod lawns. All of these are irrigated and subject to routine maintenance (i.e., mechanical, manual, and chemical controls, including mowing, spraying, and fertilizing). These landscape plantings occur along surface streets, sidewalks, and medians and at commercial businesses.

Ruderal vegetation, which is vegetation that grows on disturbed habitat, is found in the study area only within Segment 1 (Expo ROW), and only within the Expo ROW. Vegetation within this community consists primarily of introduced, short-lived annual grasses and herbaceous broadleaf weed species that persist in habitats that may undergo seasonal vegetation management (e.g., safety mowing, disking, spraying).

Table 3.6-1 (Acreage of Urban and Ruderal Landscape within the Study Area) presents the area of urban landscape and ruderal vegetation in each of the segments, as well as at the maintenance facility site.

Table 3.6-1 Acreage of Urban and Ruderal Landscape within the Study Area

Location	Urban Landscape (acres)	Ruderal	Total
Segment 1: Expo ROW	15.8	36.3	52.1
Segment 1a: Venice/Sepulveda	69.3	0	69.3
Segment 2: Sepulveda to Cloverfield	39.3	0	39.3
Segment 3: Olympic	27.4	0	27.4
Segment 3a: Colorado	28.2	0	28.2
Maintenance Facility*	9.17	0	9.17
Total	189.17	36.3	225.47

SOURCE: PBSJ, 2008.

*Total urban landscape area of the maintenance facility includes the Verizon Site and the existing Santa Monica College Parking lot located directly to the west of the Verizon Site, as described in the *Natural Environment Study* for this project

No sensitive vegetation communities, such as wetlands, southern coastal salt marsh, or southern dune scrub, all of which were identified as potentially occurring based upon the literature review, were observed within the study area. However, LRT Alternatives 3 and 4 would cross over the Sepulveda Channel within Segment 1a (Venice/Sepulveda), and the channel could be considered a water of the United States subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) and/or the California Department of Fish and Game (CDFG). The Sepulveda Channel is a lined, underground channel that daylight (e.g., is at grade) for a short distance near Military Avenue and Queensland Street off Sepulveda Boulevard.

Wildlife

A total of 24 wildlife species were recorded during the biological field surveys through direct observation, detection of vocalizations, or observation of droppings. These species included 19 birds, 2 invertebrates, 2 mammals, and 1 reptile.

Sensitive Biological Resources

Based on the literature review, 25 federally and/or state-listed threatened, endangered, and/or candidate plant or wildlife species were reported by the California Natural Diversity Database (CNDDDB) as occurring within the USGS 7.5-minute quadrangle maps⁵⁸ for Beverly Hills, Inglewood, Venice, Topanga, Canoga Park, Hollywood, Burbank, and Van Nuys, and/or the United States Fish and Wildlife Service (USFWS) Endangered Species List as potentially occurring within the USGS 7.5-minute quadrangle map for Beverly Hills. However, none of these federally or state-listed threatened, endangered, or candidate plant or wildlife species were observed within the study area during the biological field surveys. Taking into account the on-site habitat of the study area, and the closest known historical occurrence, the elevation of the study area, and the habitat requirements/restrictions of these species, all are assumed to be absent from the study area.

⁵⁸ A 7.5-minute, 1:24,000-scale quadrangle is a standard topographical map provided by the USGS. The term 7.5-minute refers to the minutes of longitude and latitude covered by the map.

The Monarch Butterfly is considered a sensitive resource but is not listed as candidate, threatened, or endangered by the USFWS or CDFG. This species has been afforded special status and/or recognition by federal and/or state resource agencies, as well as private conservation organizations, as described below.

Monarch Butterfly (*Danaus plexippus*). The monarch butterfly is not listed by the USFWS or CDFG; however, it is classified as “S3” by the CDFG, meaning that it has “limited distribution or numbers, but no current threats known.” The CDFG does not consider individual monarch butterflies a sensitive resource, but they do consider monarch butterfly winter roosting sites a sensitive resource (CDFG 2008). Monarch butterfly winter roost sites are typically located in wind-protected tree groves (eucalyptus, pine, and cypress), with nectar and water sources nearby. Monarch butterfly winter roosting sites have been reported within 1 mile of the study area, and the study area provides suitable roosting habitat for the monarch butterfly. On a survey conducted near the end of the roosting period (March 2007), several individual monarch butterflies were observed within the study area. All of these butterflies were observed at the same grove of eucalyptus trees within Segment 1, leading to the possibility that there is a winter roost at this location.

Wildlife Movement

The study area is not part of a major or local wildlife corridor/travel route because it does not connect two significant habitats. Rather, the study area is surrounded by industrial, commercial, office, and residential uses, as well as two heavily travelled interstate highways and six- and four-lane surface streets. Because of these conditions, the study area does not provide wildlife movement opportunities, such as travel routes, wildlife crossings, or wildlife corridors.

3.6.3 Regulatory Setting

Federal

Migratory Bird Treaty Act

The *Migratory Bird Treaty Act* (MBTA) (16 USC Sections 703–711) includes provisions for protection of migratory birds, including the nonpermitted take of migratory birds, under the authority of the USFWS. The MBTA regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50 CFR Section 10.13. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, and many others. Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a “take.” The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country, and is enforced in the United States by the USFWS. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors). This act protects many of the bird species within the study area.

Clean Water Act of 1977, Section 404

This section of the *Clean Water Act* (CWA) (33 USC Section 1251 et seq. and 33 CFR Sections 320 and 323) gives the USACE authority to regulate discharges of dredge or fill material into waters of the United States, including wetlands. Under Section 404 of the CWA, the USACE is charged with regulating the discharge of dredge and fill materials into jurisdictional waters of the United States. The terms waters of the United States or jurisdictional

waters has a broad meaning that includes special aquatic sites, such as wetlands. Waters of the United States, as defined by regulation and refined by case law, include (1) the territorial seas; (2) coastal and inland waters, lakes, rivers, and streams that are navigable waters of the United States, including their adjacent wetlands; (3) tributaries to navigable waters of the United States, including adjacent wetlands; (4) interstate waters and their tributaries, including adjacent wetlands; and (5) all other waters of the United States not identified above, such as some isolated wetlands and lakes, intermittent and ephemeral streams, prairie potholes, and other waters that are not a part of a tributary system to interstate waters or navigable waters of the United States, the degradation or destruction of which could affect interstate commerce. This section of the CWA may be relevant to the Sepulveda Channel, which is within Segment 1a (Venice/Sepulveda) of the study area.

Clean Water Act of 1977, Section 401

Section 401 of the CWA requires that any applicant for a federal license or permit to conduct any activity that may result in a discharge to waters of the United States must obtain a Water Quality Certification, or a waiver thereof, from the state in which the discharge originates. In California, the Regional Water Quality Control Board (RWQCB) issues Water Quality Certifications. The RWQCB asserts jurisdiction over waters of the United States under Section 401 of the CWA, where such waters are also subject to USACE's jurisdiction, pursuant to Section 404 of the CWA. This section of the CWA protects water quality within the Sepulveda Channel.

State

Fish and Game Code of California

The *Fish and Game Code* provides specific protection and listing for several types of biological resources.

Section 1600 of the *Fish and Game Code* requires a Streambed Alteration Agreement (SAA) for any activity that would alter the flow, or change or use any material from the bed, channel, or bank of any perennial, intermittent, or ephemeral river, stream, and/or lake. Typical activities that require a SAA include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement. Notification is required prior to any such activities, and California Department of Fish and Game (CDFG) will issue an Agreement with any necessary mitigation to ensure protection of the state's fish and wildlife resources. This section of the *Fish and Game Code* could apply to work conducted within the Sepulveda Channel, which is within Segment 1a (Venice/Sepulveda) of the study area. As the habitat value of the Sepulveda Channel is very poor, it may not be subject to this regulation.

Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code. Fish and Game Code Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that elements of the proposed project (particularly tree removal or construction near nest trees) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFG and/or USFWS.

Porter-Cologne Water Quality Control Act of 1970

The *Porter-Cologne Water Quality Control Act of 1970* grants the State Water Resource Control Board (SWRCB) and its regional offices power to protect water quality, and is the primary vehicle for implementation of the State's responsibilities under Section 401 of the CWA. The *Porter-Cologne Act* grants the SWRCB authority and responsibility to adopt plans and policies, regulate discharges to surface and groundwater, regulate waste disposal sites, and require cleanup of discharges of hazardous materials and other pollutants. Typically, the SWRCB and RWQCB act in concert with the USACE under Section 401 of the CWA in relation to permitting fill of federally jurisdictional waters. This Act could apply to work conducted within the Sepulveda Channel, which is within Segment 1a (Venice/Sepulveda) of the study area.

Wetlands Conservation Policy of 1993

This policy provides for the protection, preservation, restoration, enhancement, and expansion of wetland habitats in the state. The primary goal of this policy is to ensure no overall net loss of wetlands within the state. Secondary goals include a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in the state in a manner that fosters creativity, stewardship, and respect for private property. The administering agencies for this authority are the CDFG, the California Environmental Protection Agency (Cal EPA), and the RWQCB. Any wetlands (i.e., including channelized waterways) associated with the Sepulveda Channel (Segment 1a) are protected by this policy.

3.6.4 Analytic Methodology

The following terms are used within this section to address the biological resources. "Study area" refers to the proposed project footprint itself including construction and laydown yards; the "region" is that area covered by the United States Geological Survey (USGS) quadrangles adjoining the study area; the "vicinity" is the area within 5 miles of the study area; and the "immediate vicinity" is the area within 1 mile of the project.

Information on occurrences of, or the potential for, sensitive species in the project area was obtained from the field survey and then searching the CDFG, CNDDDB (October 2007) for the USGS 7.5-minute quadrangles⁵⁹ for Beverly Hills, Inglewood, Venice, Topanga, Canoga Park, Hollywood, Burbank, and Van Nuys. This area encompasses a sufficient distance to account for regional habitat diversity and to overcome the limitations of the CNDDDB. The CNDDDB is based on reports of actual occurrences and does not constitute an exhaustive inventory of every resource. Other sources that were queried include the USFWS Endangered Species List for the USGS 7.5-minute quadrangle map for Beverly Hills; the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants for the USGS 7.5-minute quadrangle map for Beverly Hills; the CDFG *Special Vascular Plants, Bryophytes, and Lichens List* (October 2007); the CDFG *List of State and Federally Listed Endangered and Threatened Animals of California* (October 2007); and the CDFG *List of Special Animals* (October 2007). The list of plant and wildlife species, along with their current status, their habitat requirements, and their likelihood of occurrence within the study area are included in Appendix B of the *Natural Environment Study*.

⁵⁹ A 7.5-minute, 1:24,000-scale quadrangle is a standard topographical map provided by the USGS. The term 7.5-minute refers to the minutes of longitude and latitude covered by the map.

The process to evaluate potential project effects was to first query the CNDDDB and other databases or repositories of biological information described above. Secondly, reconnaissance level field reviews were conducted of the study area to compile a list of observed species and to determine whether suitable habitat exists for sensitive species. The results from the field survey and the database research generated a comprehensive list of common and sensitive biological resources that were observed or could occur in the study area. Project impacts were determined by evaluating whether construction or operational activities could directly or indirectly impact a protected biological resource that is known to occur or has the potential to occur within the study area (refer to Section 3.6.5 [Criteria, Impact Evaluation, and Mitigation Measures]). Only those plant or wildlife species that were determined to have a moderate or greater potential of occurring within the study area, as determined in the Existing Conditions, above, are discussed in Section 3.6.5 (Criteria, Impact Evaluation, and Mitigation Measures).

3.6.5 Criteria, Impact Evaluation, and Mitigation Measures

Criterion Would the project result in a substantial adverse effect on any federally, state, or locally designated sensitive species, including threatened, endangered, or candidate species as identified by the United States Fish and Wildlife Service and/or California Department of Fish and Game?
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MONARCH BUTTERFLY

A small colony of (approximately eight) monarch butterflies was observed within Segment 1, around a eucalyptus windrow along the southern boundary of the ROW, during the March 7, 2007, biological field survey. Within the past 20 years, monarch butterfly winter roosting sites have been recorded by the CNDDDB in three different locations within 1 mile of the study area, and at two other locations within 5 miles of the study area, all of which consist of eucalyptus, pine, and/or riparian habitat. The monarch butterfly is not a federally or State-listed endangered, threatened, or candidate species; however, the CDFG does consider monarch butterfly winter roosting sites a sensitive resource (CDFG 2008).

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. However, the only improvement that would change the physical environment in the Expo Phase 2 ROW would be the I-405 Widening project. Neither the I-405 Widening project nor the bus and other improvements under the No-Build Alternative would disturb eucalyptus trees that serve as habitat for the monarch butterfly. Therefore, **no impact** would occur to a sensitive biological species.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. Those additional improvements would include minor physical modifications such as upgraded bus stops and additional buses that would not disturb eucalyptus trees. As with the No-Build Alternative, the TSM Alternative would result in **no impact** to sensitive biological species.

LRT Alternatives

The eucalyptus trees located within Segment 1 provide potential winter roosting habitat for the monarch butterfly. While these trees are located within the study area, they are located outside of the area that would be subject to construction activities; therefore, no construction-related impacts would occur. Similarly, operational activities would not result in the disturbance of eucalyptus trees, and **no impact** would occur.

FEIR Design Options

Implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options would involve the redesign of certain elements within the proposed alignment. However, these design options would involve construction in the existing area of disturbance that was analyzed for the LRT Alternatives. This includes the existing Santa Monica College parking lot that would be used for the Maintenance Facility Buffer Design Option, which was analyzed in the "urban landscape" area in the original NES prepared for the LRT Alternatives. Since the proposed design options are not anticipated to impact resource areas beyond those originally contemplated as part of the LRT Alternatives, **no impact as a result of the proposed design options would occur.**

NESTING MIGRATORY BIRDS

Nesting migratory birds are protected by both federal and state regulations. The MBTA fully protects all migratory birds and their parts (including eggs, nests, and feathers) (USFWS 2007), including over 800 species, and Section 3503 of the *Fish and Game Code* makes it unlawful to take, possess, or destroy any avian species listed within the Code, or to take, possess, or destroy their nest or eggs.

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. However, the only improvement that would change the physical environment in the Expo Phase 2 ROW would be the I-405 Widening project. Within the Expo Phase 2 ROW, the No-Build Alternative could remove trees that could affect nesting migratory birds. A pre-construction survey for nesting birds would be conducted prior to implementation of the roadway improvements and feasible mitigation measures would be implemented, if potential impacts were to occur, to reduce the level of impacts to below the threshold of significance. As a result, a **less-than-significant** impact to nesting migratory birds would occur as a result of the project.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. Those additional improvements would include minor physical modifications such as upgraded bus stops and additional buses. As with the No-Build Alternative, the TSM Alternative would result in a **less-than-significant** impact to nesting migratory birds.

LRT Alternatives

Bird nests were observed within the trees adjacent to the study area during the December 19, 2007, biological field survey. The study area offers many other nesting opportunities for birds. Construction activities could disrupt bird nests, and these impacts are addressed in Chapter 4 (Construction Impacts).

With respect to operational activities, the only element of the project that could potentially impact nesting migratory birds would be if there was an increase in noise that would lead to the abandonment of nests due to an inability for birds to communicate using “songs.” In noisy urban environments, birds tend to either adapt by changing their song frequencies, or they depart from those habitats prior to nesting. As a result, a **less-than-significant** impact to nesting migratory birds would occur as a result of operational activities.

FEIR Design Options

Implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options would involve the redesign of certain elements within the proposed alignment. As the proposed design options would not be anticipated to increase the level of disturbance or severity of operational noise, impact as a result of the proposed design options would be **less than significant**, consistent with the discussion above for the LRT Alternatives.

Criterion Would the project result in a substantial adverse effect on riparian habitat or other sensitive natural communities?
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No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. However, the only improvement that would change the physical environment in the Expo Phase 2 ROW would be the I-405 Widening project. Within the Expo Phase 2 ROW, there is neither riparian habitat nor other sensitive natural communities. Bus and other on-street improvements are also proposed in the No-Build Alternative, but these would occur on already paved streets. Therefore, the No-Build Alternative would have **no impact** on these resources.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. Those additional improvements would include minor physical modifications such as upgraded bus stops and additional buses. As with the No-Build Alternative, the TSM Alternative would not directly or indirectly affect a riparian habitat or other sensitive natural community, and **no impact** would occur to these resources.

LRT Alternatives

Neither riparian habitat nor other sensitive natural communities occur within the study area. Instead, the study area is highly urbanized, and consists of urban landscape and ruderal vegetation communities, neither of which is considered a sensitive biological resource. These

two vegetation community types do not support high species diversity or high productivity and are not limited in distribution or coverage. Therefore, the LRT Alternatives would not directly or indirectly affect a riparian habitat or other sensitive natural community. **No impact** would occur to riparian habitat or other natural communities.

FEIR Design Options

Implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options would involve the redesign of certain elements within the proposed alignment. Neither riparian habitat nor other sensitive natural communities occur within the study area. Since the proposed design options are not anticipated to impact resource areas beyond originally contemplated as part of the LRT Alternatives, **no impact** as a result of the proposed design options would occur.

Criterion Would the project remove or have an adverse effect on any federally protected wetlands?

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. However, the only improvement that would change the physical environment in the Expo Phase 2 ROW would be the I-405 Widening project. There are no federally regulated wetlands within this portion of the Expo Phase 2 ROW area. Bus and other on-street improvements are also proposed but these would occur on already paved streets. Since there are no federally regulated wetlands within this area, the No-Build Alternative would result in **no impact**.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. Those additional improvements would include minor physical modifications such as upgraded bus stops and additional buses. As with the No-Build Alternative, there are no federally regulated wetlands, and the TSM Alternative would result in **no impact**.

LRT Alternatives

If the proposed project utilizes Segment 1a, the LRT Alternatives 3 and 4 would traverse Sepulveda Boulevard and cross over the Sepulveda Channel. Construction of Segment 1a would include clear-spanning the existing Sepulveda Channel crossing of Sepulveda Boulevard thereby not disturbing the Channel. A **less-than-significant** impact would occur as a result of operational activities.

FEIR Design Options

Implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options would not involve construction activities in the vicinity of the Sepulveda Channel. As such, no impact as a result of implementation of the proposed design

options would occur, and the impact of the LRT Alternatives with the design options included would remain **less than significant**.

Criterion Would the project interfere with the movement of any native or migratory fish or wildlife species?

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. The Expo Phase 2 study area does not provide a major or local wildlife corridor or travel route because it does not connect two significant habitats for either fish or wildlife species; therefore, **no impact** would occur.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. As with the No-Build Alternative, there are no major or local wildlife corridors or travel routes; therefore, **no impact** would occur.

LRT Alternatives

With regard to the movement of native or migratory fish or wildlife species, the study area does not provide a major or local wildlife corridor or travel route because it does not connect two significant habitats for either fish or wildlife species. Therefore, development of the LRT Alternatives would not disrupt the movement of any native or migratory fish or wildlife species, and **no impact** would occur.

FEIR Design Options

Implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options would involve the redesign of certain elements within the proposed alignment. The study area does not provide a major or local wildlife corridor or travel route because it does not connect two significant habitats for either fish or wildlife species. Therefore, development of the design options would not disrupt the movement of any native or migratory fish or wildlife species. Since the proposed design options are not anticipated to impact resource areas beyond originally contemplated as part of the LRT Alternatives, **no impact** as a result of implementation of the proposed design options would occur.

Criterion Would the project conflict with any local policies or ordinances protecting biological resources?

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. However, the only improvement that would change the physical environment in the Expo Phase 2 ROW would be the I-405 Widening project. Neither the I-405 Widening project nor the on-street bus and other improvements under the No-Build Alternative would conflict with

local policies or ordinances protecting biological resources. Therefore, there would be **no impact**.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. Those additional improvements would include minor physical modifications such as upgraded bus stops and additional buses, but they would not conflict with local policies or ordinances protecting biological resources. As with the No-Build Alternative, the TSM Alternative would result in **no impact**.

LRT Alternatives

With regard to conflicts with local policies or ordinances, the study area contains oak trees, protected trees, and street trees. Depending on the LRT Alternative selected, if the final alignment should remove any of these trees, permits would be required prior to the removal or trimming of oak trees (pursuant to the County of Los Angeles regulations), protected trees (pursuant to the City of Los Angeles regulations), and/or street trees (pursuant to the Cities of Santa Monica and Culver City regulations). In addition, the City of Culver City would require a permit prior to the introduction of any vegetation within any of its streets or parkways. The Expo Authority would voluntarily request any and all necessary permits.

The coral trees located on Olympic Boulevard would be removed if the proposed project utilizes Segment 3 (Olympic), but they are not considered a sensitive biological resource (other than as nesting habitat, the disturbance of which is evaluated earlier). The removed trees could be replaced per the Metro Design Criteria, which states that street trees and landscaped areas shall be replaced on a one-for-one basis, subject to local jurisdictional requirements for minimum size, species, and set-back requirements. The removal of trees within the study area is discussed further in Section 3.3 (Aesthetics) with respect to any potential visual effects, and in Section 3.11 (Land Use/Planning) with respect to existing General Plan policies regarding tree removal within Santa Monica. Therefore, development of the LRT Alternatives would not conflict with local policies or ordinances relating to biological resources, and a **less-than-significant** impact would occur.

FEIR Design Options

The Expo Authority would request any and all necessary permits prior to removal of any street trees associated with implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options. As such, no additional impact as a result of the proposed design options would occur, and the impact of the LRT Alternatives with the design options included would remain **less than significant**.

Criterion Would the project conflict with the provisions of an adopted Habitat Conservation Plan?

No-Build Alternative

There would be roadway and transit service improvements associated with the No-Build Alternative. No conservation plans have been established for any portion of the Expo Phase 2 study area. Therefore, development of the No-Build Alternative would not conflict with an adopted Habitat Conservation Plan, and ***no impact*** would occur.

Transportation Systems Management (TSM) Alternative

The TSM Alternative would include all of the improvements under the No-Build Alternative and new on-street bus services to directly serve the Expo Phase 2 community transit needs. No conservation plans have been established for any portion of the study area. Therefore, development of the TSM Alternative would not conflict with an adopted Habitat Conservation Plan, and ***no impact*** would occur.

LRT Alternatives

No conservation plans have been established for any portion of the study area. Therefore, development of the LRT Alternatives would not conflict with an adopted Habitat Conservation Plan, and ***no impact*** would occur.

FEIR Design Options

As identified above, no habitat conservation plans have been established for any portion of the study area. Thus, ***no impact*** with respect to an adopted Habitat Conservation Plan would occur as a result of implementation of the Sepulveda Grade Separation, Colorado Parking Retention, Colorado/4th Parallel Platform and South Side Parking, Maintenance Facility Buffer, or Expo/Westwood Station No Parking design options.