
4.3 - Biological Resources

4.3.1 - Introduction

This section describes the existing biological resources and potential effects from project implementation on the site and its surrounding area.

4.3.2 - Existing Conditions

MacArthur Park was originally a low-lying marshy area was converted to a public park (Westlake Park) in the late 1880s. Historical photographs indicate the area contained riparian vegetation in the marshy areas and alkali scrub vegetation in the surrounding upland areas, all typical of the Los Angeles Basin area at that time. According to the historical assessment of the site, “odors from the stagnant pond in its center grew so offensive in the summer heat that people living nearby christened it the “Dead Sea”... Good topsoil was brought in to fill the swamp and cover the alkali deposits, trees and shrubs were planted. In 1890, the unappealing pond was enlarged and landscaped...” (page 4, GA 1999).

The lake originally had a natural bottom, but was drained and lined with concrete in the 1990s when the “Red Line” subway tunnel was constructed beneath the park. The park contains a variety of landscaped and turfed areas, with hundreds of large mature trees of various types, some native (e.g., oaks) and some introduced (e.g., Brazilian pepper) species. The park supports a variety of wildlife species that are tolerant of human activity and proximity, including songbirds (passerines), rodents (mice), small mammals (ground squirrels), and a variety of ducks, coots, and other waterfowl mainly in and around the lake. Large raptorial birds (e.g., hawks) are observed in the trees or flying in the vicinity of the park. The park is surrounded by developed urban uses and provides only limited habitat for a limited amount of native wildlife. Some of the landscaping is old enough to be classified as historical in terms of horticulture, but the biological value of this landscaping is limited. There is no evidence that any federal or state listed species of plants or animals are present or utilize the park other than a potential occasional visitor (e.g., birds). The lake may provide limited resource for migrating birds along the Pacific Flyway (e.g., Canadian geese). However, the proximity to humans and human activities likely limit the overall value of this resource.

4.3.3 - Thresholds of Significance

The *L.A. CEQA Thresholds Guide* (Section C, page C-1) states that a project would normally have a significant impact on biological resources if it would:

- a.) 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 Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?
- b.) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS?

- c.) 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?
- d.) 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 wildlife nursery sites?
- e.) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f.) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

4.3.4 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate. The site is an improved park facility and contains only landscaped plants, walkways, a band shell structure, a boathouse structure and a man-made lake. The only native vegetation that occurs onsite would be native plants introduced into landscaped planters or along turf areas (e.g., oak trees, toyon bushes, etc.). None of the ornamental plant species identified on the project site are sensitive or protected species. None of the wildlife species that could utilize the project site are protected under the Endangered Species Act. While native bird species are protected in general under the federal Migratory Bird Treaty Act (MBTA), the site does not represent a significant nesting or breeding ground. Compliance with the Act at the time of land disturbance will be necessary; however, no special permit or approval likely to be required

Effect on Species

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| Impact BIO-1 | 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 CDFG or USFWS? |
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Impact Analysis

A review of the City of Los Angeles General Plan did not identify any habitat for any threatened or rare species as listed in Title 14 of the California Code of Regulations or in Title 50 of the Code of Federal Regulations. Additionally, a search of the California Natural Diversity Database (CNDDDB) using Rarefind 3 for the U.S. Geological Survey (USGS) "Hollywood" 7.5-minute quadrangle (1994) was performed to develop a preliminary list of sensitive species and biological resources that could potentially occur within the proposed project vicinity. Based on the CNDDDB search conducted, there is no potential for the presence of special-status species at the Proposed Project site.

The site is an improved park facility and contains only landscaped plants, walkways, and limited turf areas. No areas of native vegetation occur onsite, although there may be limited numbers of native

plants present in planter areas. None of the ornamental plant species identified on the project site are sensitive or protected species. None of the wildlife species that could utilize the project site are protected under the Endangered Species Act, however, native bird species are protected in general under the federal MBTA. Compliance with the Act at the time of land disturbance will be necessary; however, no special permit or approval is required. Construction of the soccer field with artificial turf is not expected to create significant direct or indirect impacts on local wildlife (mainly songbirds) since this area is currently a dirt soccer field with little or no value for these species.

Level of Significance Before Mitigation

Potentially Significant Impact (nesting birds).

Mitigation Measures

MM BIO-1 If the removal or relocation of any trees or bushes over eight feet in height is required during the breeding season for birds (February to August), City staff will verify the trees or bushes do not contain active nests prior to any work on the affected trees or bushes. If any active nests are found, an ornithologist or equivalent professional will be retained to monitor the nest and work may commence after any juveniles have fledged.

Riparian Habitat

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| Impact BIO-2 | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS? |
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[CEQA Biological Resources Threshold 4(b)]

Impact Analysis

No sensitive natural communities exist on the project site. The project site includes a man-made lake, landscaped grass areas, paved pathways, large non-native trees, and various park structures (e.g. band shell, boathouse, Signal Building, etc.). Project construction will not adversely affect any riparian areas or waterways, although there could be indirect impacts to the lake during reconstruction or new construction in or around the boathouse building. Potential water-quality impacts related to runoff from Project construction areas (i.e., the boathouse) are addressed in Section 4.6, Hydrology and Water Quality. As long as these measures are implemented, there should be no direct or indirect impacts on riparian vegetation around the lake or birds that utilize the lake.

Level of Significance Before Mitigation

Less Than Significant Impact

Mitigation Measures

None other than those identified in Section 4.6.

Federally Protected Wetlands

Impact BIO-3 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact Analysis

MacArthur Park contains MacArthur Park Lake, a man-made water body. MacArthur Lake is primarily located southwest of Wilshire Boulevard and is not considered to be a “wetland” under federal or state definitions. The lake does represent a water body and as such is likely a resource for local waterfowl and birds migrating along the Pacific Flyway. However, the proximity to humans and human activity (e.g., boats on the lake, people walking around the lake, etc.) likely limits the usefulness of this resource for birds and waterfowl.

Man-made irrigation systems provide water to the landscaped areas within the park, and will be expanded or modified as necessary to provide water to additional or relocated landscaping resulting from the project. The soccer field is proposed to contain artificial turf, which will not require irrigation. For these reasons, no impact to federally protected wetlands will occur. The site does not serve as a wildlife corridor or nursery site, and it is regularly disturbed by human activity. Therefore, no significant impacts to the movement of any native resident or migratory fish or wildlife species will occur.

Level of Significance Before Mitigation

No Impact

Mitigation Measures

None

Wildlife Corridors and Nursery Sites

Impact BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Impact Analysis

The lake does represent a water body and as such is likely a resource for local waterfowl and birds migrating along the Pacific Flyway. However, the proximity to humans and human activity (e.g., boats on the lake, people walking around the lake, etc.) likely limits the usefulness of this resource for birds and waterfowl. Occasionally “families” of waterfowl (i.e., adults with juveniles) may utilize the lake, but there is also no evidence that the site is regularly used as a nursery site for wildlife. The planned construction in and around the boathouse should have no long-term impact on any waterfowl or birds utilizing the lake or surrounding riparian vegetation.

Level of Significance Before Mitigation

Less Than Significant Impact.

Mitigation Measures

No mitigation required.

Level of Significance After Mitigation

Less than Significant Impact.

Local Policies or Ordinances Protecting Biological Resources

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| Impact BIO-5 | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |
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Impact Analysis

With the exception of several landscaping plants that might need to be removed or relocated during construction of the soccer field and seating areas, no other trees or plants will be removed or otherwise affected prior to, during, or following construction. Some new trees and/or landscaping plants may need to be installed as part of the renovation. The City of Los Angeles has an Oak Tree Ordinance (LA Municipal Code 46.00), Urban Forestry Guidelines, and Landscape Policy, all of which control the type of trees that can be planted and protected within the City. MacArthur Park does contain many native trees, including oaks. However, City park construction activities are required to be consistent with City laws and regulations regarding trees. As long as the Proposed Project complies with this ordinance, no additional mitigation is required relative to local policies or ordinances protecting biological resources.

Level of Significance Before Mitigation

Less Than Significant Impact.

Mitigation Measures

Based on the proposed plans, we are consistent with all applicable guidelines, laws and regulations.

Level of Significance After Mitigation

Less Than Significant Impact.

Conservation Plans

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| Impact BIO-6 | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |
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Impact Analysis

MacArthur Park is not within any designated HCP or NCCP. It is also not within a designated local, regional, or state conservation plan for habitat or any protected species.

Level of Significance Before Mitigation

No Impact.

Mitigation Measures

None required.

Level of Significance After Mitigation

No Impact.