

APPENDIX C
BIOLOGICAL RESOURCES TECHNICAL STUDIES



HAMILTON BIOLOGICAL

May 9, 2019

Beach Cities Health District
1200 Del Amo Street
Redondo Beach, CA 90277
Attn: Ed Almanza

**SUBJECT: NESTING BIRD SURVEY REPORT
BEACH CITIES HEALTH DISTRICT
REDONDO BEACH, LOS ANGELES COUNTY, CALIFORNIA**

Dear Mr. Almanza,

At your request, Hamilton Biological, Inc., has conducted a survey for any birds potentially nesting in trees planned for pruning or removal at the Beach Cities Health District campus in Redondo Beach (Figure 1). This report discusses relevant federal and state regulations protecting nesting birds, provides the methods and results of my survey, and provides recommendations for completing the project.

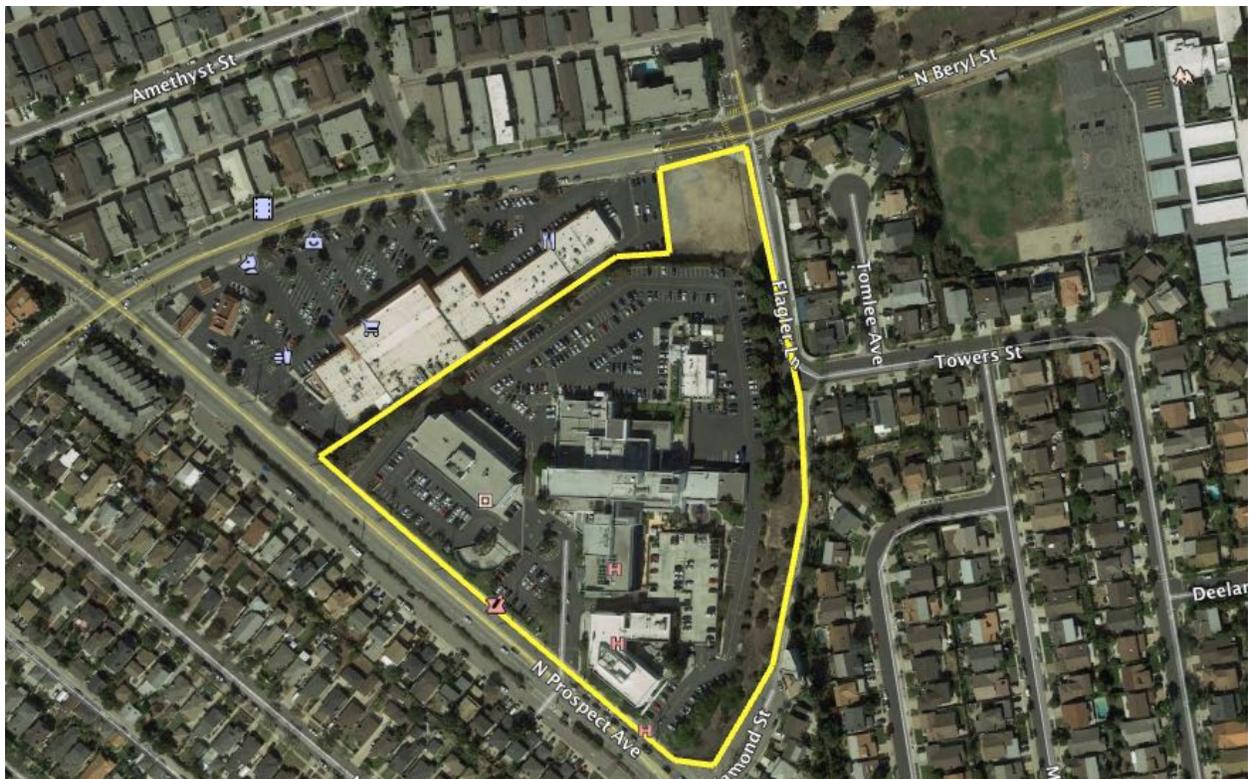


Figure 1. The Beach Cities Health District campus is located at 514 N. Prospect Avenue in Redondo Beach, CA. The nesting bird survey covered all vegetation on the campus.

REVIEW OF REGULATIONS PROTECTING NESTING BIRDS

Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 implemented the 1916 Convention between the U.S. and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the U.S. and Mexico, the U.S. and Japan, and the U.S. and the Soviet Union (now Russia). At the heart of the MBTA is this language:

Establishment of a Federal prohibition, unless permitted by regulations, to “pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird.” (16 U.S.C. 703)

For many years, this language was subject to broad interpretation, which in some cases led to prosecution for violations of the MBTA that were incidental to otherwise lawful activities, such as tree trimming. On December 22, 2017, the federal government issued revised guidance on the MBTA that reached the following conclusion:

The text, history, and purpose of the MBTA demonstrate that it is a law limited in relevant part to affirmative and purposeful actions, such as hunting and poaching, that reduce migratory birds and their nests and eggs, by killing or capturing, to human control. Even assuming that the text could be subject to multiple interpretations, courts and agencies are to avoid interpreting ambiguous laws in ways that raise grave Constitutional doubts if alternative interpretations are available. Interpreting the MBTA to criminalize incidental takings raises serious due process concerns and is contrary to the fundamental principle that ambiguity in criminal statutes must be resolved in favor of defendants. Based upon the text, history, and purpose of the MBTA, and consistent with decisions in the Courts of Appeals for the Fifth, Eighth, and Ninth circuits, there is an alternative interpretation that avoids these concerns. Thus, based on the foregoing, we conclude that the MBTA’s prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control.

Thus, at this time, the MBTA is not considered relevant to this project.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” Thus, in California, it remains a potential State offense to knowingly disrupt an active nest of virtually any native bird species. The term “active nest” is not clearly defined in the Fish and Game Code, and in some circumstances may be left to the discretion of the biologist in the field. At present, wardens for the California Department of Fish & Wildlife (CDFW) typically define an active nest as one that is completed and holding at least one egg (Erinn Wilson, CDFW, pers. comm.).

SURVEY METHODS

Biologist Robert A. Hamilton conducted the nesting bird survey on May 9, 2019, from 10:45 a.m. to 3:15 p.m. Skies were 100% overcast; winds were in the range of 1–4 miles per hour; and the temperature was 62–63° F. The campus was surveyed by walking slowly under trees looking for nests in the trees above, observing the behavior of the birds in the area and listening to their vocalizations, and inspecting the ground for guano or “pellets” of undigested fur and bone often deposited beneath the nests of owls and other raptors.

SURVEY RESULTS

I observed a total of 26 bird species on the Beach Cities Health District campus during my survey.

Bird Species Observed

Rock Pigeon	5	House Finch	25
Eurasian Collared-Dove	4	Lesser Goldfinch	7
Mourning Dove	4	California Towhee	2
Anna’s Hummingbird	2	Hooded Oriole	2
Allen’s Hummingbird	10	Orange-crowned Warbler	2
Pacific-slope Flycatcher	1	Yellow Warbler	3
Black Phoebe	1	Hermit Warbler	1
Warbling Vireo	13	Wilson’s Warbler	7
American Crow	4	Western Tanager	6
Bushtit (Pacific)	2	Black-headed Grosbeak	1
Swainson’s Thrush	1	Blue Grosbeak	1
European Starling	10	Lazuli Bunting	1
Cedar Waxwing	10	House Sparrow	5

Many of the birds observed are migratory species that do not nest in the Redondo Beach area. One active Allen’s Hummingbird nest was detected. The following pages provide details of this nest, and recommendations for avoiding disruption of the nesting of this native bird species.

A female Allen's Hummingbird was observed incubating at a nest approximately 4 feet up on the eastern side of a ficus tree in the southern part of the campus, as shown in Figures 2-5.



Figure 2. Female Allen's Hummingbird incubating on a nest 4 feet up in a ficus tree near the southern boundary of the campus. See Figures 3-5 for more details.



Figure 3. The active nest of an Allen's Hummingbird was observed near the northeastern end of the row of ficus trees at the southern end of the campus.



Figure 4. Showing a 30-foot buffer around the nest location, where no project activities should occur until the nest has fledged. See also Figure 5.



Figure 5. Showing candy-striped flagging tied around the trunks of several ficus trees that should be preserved in place until the Allen's Hummingbird nest fledges.

DISCUSSION & RECOMMENDATION

The active nest of an Allen's Hummingbird was observed within the park, as shown in Figures 2-5. The hummingbird was incubating. From the time incubation starts, this species requires 39-47 days to fledge from the nest. If the eggs were to hatch today, the young would take 22-25 days to fledge. Thus, unless the nest fails, it can be expected to remain active until some time between June 1 and June 25.

While the Allen's Hummingbird nest remains active, it is recommended that tree work avoid a buffer of approximately 30 feet around the nest location. Toward this end, I placed candy-striped flagging around the trunks of several ficus trees that should be preserved in place until nesting has been verified as complete. The southern-most of the marked trees is a very large ficus, the southern half of which could be removed without violating the recommended nest-buffer.

If these recommendations are followed, Hamilton Biological recommends that pruning or removal of trees at the Beach Cities Health District campus may proceed without a biological monitor being present. This survey report is valid for seven days, so if work extends past May 16, 2019, an updated survey is recommended.

As a general disclaimer, this field review represents a good-faith effort to find and document bird nests, and to recommend actions intended to ensure compliance with applicable regulations as landscape trees are pruned and removed. Birds may initiate new nests at any time, and it is possible that unfound nests existed in or near the survey area at the time of the survey. The recommendations provided represent my best understanding of state and federal regulations, and the steps needed to achieve compliance. In particular, it is stipulated here that an active nest is understood to be one that is complete and holding at least one potentially viable egg. If work crews encounter an active nest not reported here, they should avoid disturbing the nest. If crews intend to work near the nest, Hamilton Biological should be notified so that the nest may be properly identified and appropriate protective measures taken.

Thank you for the opportunity to work with you on this project. Please call me at 562-477-2181 if you have questions or wish to further discuss any matters; you may send e-mail to robb@hamiltonbiological.com.

Sincerely,



Robert A. Hamilton, President
Hamilton Biological, Inc.
<http://hamiltonbiological.com>



HAMILTON BIOLOGICAL

May 11, 2019

Beach Cities Health District
1200 Del Amo Street
Redondo Beach, CA 90277
Attn: Ed Almanza

**SUBJECT: BIOLOGICAL EVALUATION
BEACH CITIES HEALTH DISTRICT
REDONDO BEACH, LOS ANGELES COUNTY, CALIFORNIA**

Dear Mr. Almanza,

At your request, Hamilton Biological, Inc., has conducted a biological evaluation of the 11-acre Beach Cities Health District project site, in the City of Redondo Beach (Figure 1). The proposed project involves redevelopment of the site, which is fully developed. This report provides the methods and results of my survey, and discusses environmental regulations that may be relevant to implementation of the proposed project.

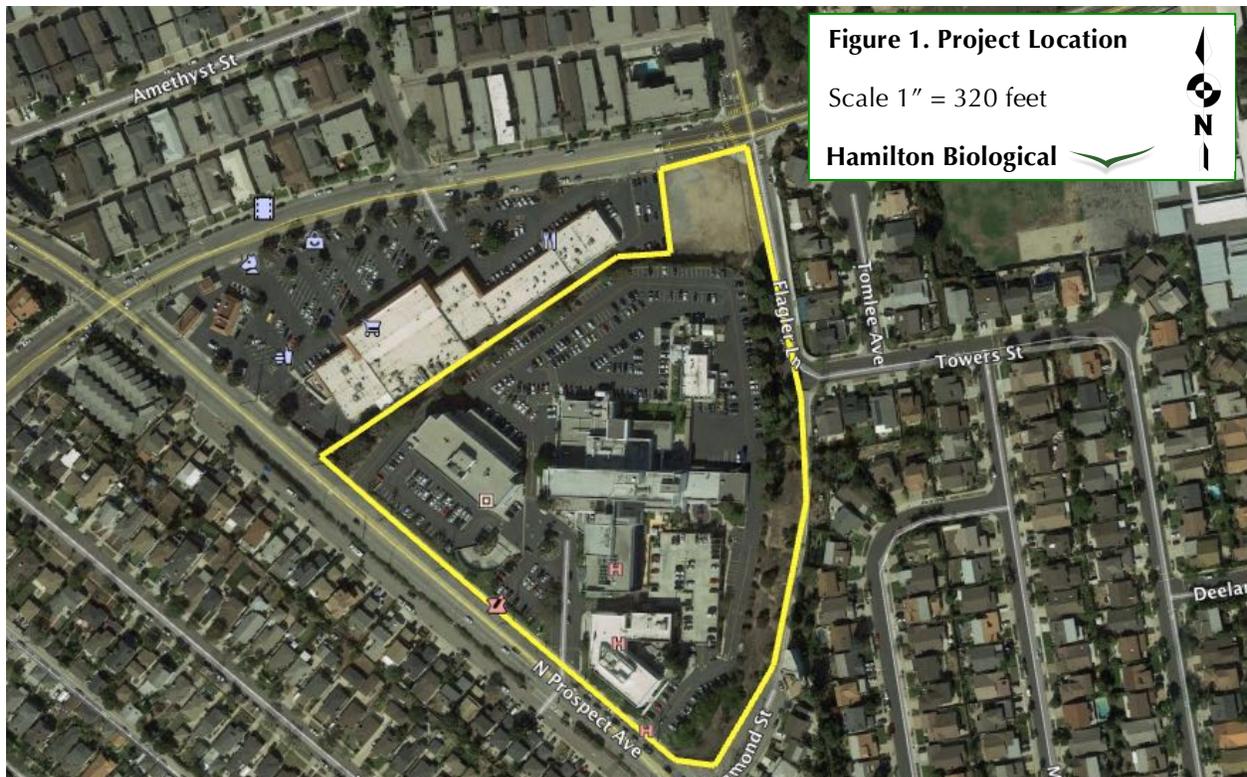


Figure 1. The Beach Cities Health District campus is located at 514 N. Prospect Avenue in Redondo Beach, CA. The biological survey covered the entire campus. Surrounding land uses are urban.

METHODS

Field Visit

Biologist Robert A. Hamilton conduct a field survey on May 9, 2019, from 10:45 a.m. to 3:15 p.m. Skies were 100% overcast; winds were in the range of 1–4 miles per hour; and the temperature was 62–63° F. Mr. Hamilton covered all parts of the campus, searching for all plant and wildlife species present, and searching for any sign of active nesting by birds. The purpose was to evaluate whether any biological resources present in the area might be subject to local, state, or federal resource-protection regulations.

Literature Review

On May 9, 2019, I conducted a search of the California Native Plant Society's Online Inventory of Rare and Endangered Plants (www.rareplants.cnps.org) and the Consortium of California Herbaria web page (www.ucjeps.berkeley.edu/consortium) and searched for sensitive plant species known from the Redondo Beach area.

On May 9, 2019, I reviewed the following resources of the California Natural Diversity Data Base:

- California Department of Fish and Wildlife, Natural Diversity Database. November 2018. Special Animals List. Periodic publication. 53 pp.
- California Department of Fish and Wildlife, Natural Diversity Database. March 2019. Special Vascular Plants, Bryophytes, and Lichens List. Quarterly publication. 128 pp.
- California Natural Diversity Data Base. Rarefind data accessed online on May 9, 2019, for the U.S. Geologic Survey's Redondo Beach, Venice, Inglewood, and Torrance 7.5' topographic quadrangles.

On May 9, 2019, I reviewed eBird (www.ebird.org) for records of any special-status bird species with potential to utilize the project site.

The purpose of this review was to determine all sensitive plant and wildlife species recorded in the U.S. Geologic Survey's Redondo Beach, Venice, Inglewood, and Torrance 7.5' topographic quadrangles, and to evaluate the potential for these and other species to occur on the project site.

RESULTS

The entire project site is developed in its existing condition, in the context of a strictly urban setting. An unpaved, gravel lot accounts for approximately 0.7 acre in the north-eastern part of the site, and a weedy/landscaped slope accounts for approximately 1.6 acres along the eastern project boundary. The lot was recently used as a construction staging area.

Vegetation

Vegetation on and around the project site consists entirely, or nearly entirely, of non-native species, including plants commonly used in commercial landscaping and typical

weedy species found in urban environments in coastal southern California. Plant species observed include trees, such as pines (*Pinus* spp.), figs (*Ficus* spp.), Broad-leaved Paperbark (*Melaleuca quinquenervia*), Silver Dollar Eucalyptus (*Eucalyptus polyanthemos*), Floss Silk Tree (*Ceiba* sp.), Chinese Juniper (*Juniperus chinensis*), Mexican Fan Palm (*Washingtonia robusta*), Queen Anne Palm (*Syagrus romanzoffiana*), and Bottlebrush (*Callistemon citrinus*). Shrubs and vines observed include Indian Hawthorn (*Rhaphiolepis indica*), Bird of Paradise (*Strelitzia reginae*), English Ivy (*Hedera helix*), and Virginia Creeper (*Parthenocissus quinquefolia*). Herbaceous weeds observed include Wild Radish (*Raphanus sativus*), Garland Chrysanthemum (*Glebionis coronaria*), Cheeseweed (*Malva parviflora*), Puncturevine (*Tribulus terrestris*), Dandelion (*Taraxacum officinale*), and London Rocket (*Sisymbrium irio*). Exotic grasses observed included Smilo Grass (*Piptatherum miliaceum*), Bermuda Grass (*Cynodon dactylon*) and Crab Grass (*Digitaria sanguinalis*).

Wildlife

The wildlife observed, and expected, in the project area consists of (a) native and non-native species resident in the local area that are adapted to living in urbanized Redondo Beach, and (b) native migratory birds in transit or wintering in the local area.

I detected one species of reptile on the site, the native Western Fence Lizard (*Sceloporus occidentalis*).

I observed 22 native species and four non-native bird species on the site:

* Rock Pigeon	5	House Finch	25
* Eurasian Collared-Dove	4	Lesser Goldfinch	7
Mourning Dove	4	California Towhee	2
Anna’s Hummingbird.....	2	Hooded Oriole	2
Allen’s Hummingbird	10	Orange-crowned Warbler	2
Pacific-slope Flycatcher	1	Yellow Warbler	3
Black Phoebe	1	Hermit Warbler	1
Warbling Vireo	13	Wilson’s Warbler	7
American Crow	4	Western Tanager	6
Bushtit (Pacific)	2	Black-headed Grosbeak	1
Swainson’s Thrush	1	Blue Grosbeak	1
* European Starling	10	Lazuli Bunting	1
Cedar Waxwing	10	* House Sparrow	5

* Non-native species.

Many of the birds observed are migratory species that do not nest in the Redondo Beach area. One active nest, of an Allen’s Hummingbird, was detected.

No mammals were detected, but expected species include the non-native Eastern Fox Squirrel (*Sciurus niger*) and several native species, including the Botta Pocket Gopher (*Thomomys bottae*), Raccoon (*Procyon lotor*), Virginia Opossum (*Didelphis virginiana*), and Striped Skunk (*Mephitis mephitis*).

SENSITIVE BIOLOGICAL RESOURCES

The literature review yielded dozens of special-status species that have been recorded within the Redondo Beach, Venice, Inglewood, and Torrance USGS 7.5' topographic quadrangles. Very few of the special-status species identified through the literature search are capable of surviving in developed areas like this project site, which supports no natural plant communities. Table A, below provides information on those special-status species that have legitimate potential to occur on the project site.

TABLE A: SPECIAL STATUS SPECIES

Species	Regulatory Status	Potential Status in Study Area
Plants		
Southern Tarplant <i>Centromadia parryi</i> ssp. <i>australis</i>	CNPS Rank 1B.1, for species that CNPS considers "rare, threatened, or endangered in CA and elsewhere."	Southern Tarplant typically occurs on flat, disturbed ground near the coast that receives intermittent flooding. The species very rarely occurs in disturbed lots (pers. obs.). In the general project vicinity, populations occur in the Torrance area. The disturbed lot in the northeastern part of the property has marginal potential to support Southern Tarplant, but the species is conspicuous, and I searched specifically for either living or dead stalks, which would have been visible at the time of the field survey. Based on the lack of observations of this species, and the developed nature of the site, this plant has very low potential to occur on the site.
Invertebrates		
Monarch <i>Danaus plexippus</i>	California Special Animal, referring to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. The Department of Fish and Game considers this list to include the taxa of greatest conservation need, although not all are equally at risk.	This butterfly species is of concern due to its limited number of remaining overwintering sites, which are covered by statutes of the California Public Resources Code and the California Fish and Game Code. Numbers have been fluctuating over the years, with a downward trend during the recent past. In southern California, Monarchs usually overwinter in substantial groves of eucalyptus, and occasionally pines, in natural areas between a half-mile and one mile from the coast. Based on the small size and urban location of the pine stands on the site, and lack of observation of Monarchs during the site visit, I consider pines on the site to have very low potential to provide overwintering habitat for Monarchs.
Birds		
Cooper's Hawk <i>Accipiter cooperii</i>	California Special Animal, referring to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. The Department of Fish and Game considers this list to include the taxa of greatest conservation need, although not all are equally at risk.	Once found mainly in natural areas with riparian and oak woodlands (e.g., Hamilton, R. A., and D. R. Willick. 1996. <i>The Birds of Orange County, California, Status and Distribution</i> . Sea and Sage Press, Irvine.), this species has experienced "significant population increases and range expansions starting in 1990s, most noticeable in the form of breeders colonizing urban and suburban areas" (Curtis, O. E., R. N. Rosenfield, and J. Bielefeldt. 2006. <i>Cooper's Hawk (Accipiter cooperii)</i> , version 2.0 in <i>The Birds of North America</i> ; A. F. Poole, Editor. Cornell Lab of Ornithology, Ithaca, NY). Following rapid expansion of the breeding population into urban and suburban southern California during the past two decades, Cooper's Hawk is now a common, wide-spread resident. Cooper's Hawk was not observed during the field survey, but has moderate potential to breed in the project vicinity and high potential to occur on the site during migration and/or winter.

APPLICABLE ENVIRONMENTAL PROTECTION REGULATIONS

The project site, being developed in the existing condition, does not support any plant communities that might be subject to resource-project regulations. The only potentially applicable resource-protection regulations involve requirements to avoid impacts to actively nesting birds, as described in the following sections.

Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 implemented the 1916 Convention between the U.S. and Great Britain (for Canada) for the protection of migratory birds. Later amendments implemented treaties between the U.S. and Mexico, the U.S. and Japan, and the U.S. and the Soviet Union (now Russia). At the heart of the MBTA is this language:

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For many years, this language was subject to broad interpretation, which in some cases led to prosecution for violations of the MBTA that were incidental to otherwise lawful activities, such as tree trimming. On December 22, 2017, the federal government issued revised guidance on the MBTA that reached the following conclusion:

The text, history, and purpose of the MBTA demonstrate that it is a law limited in relevant part to affirmative and purposeful actions, such as hunting and poaching, that reduce migratory birds and their nests and eggs, by killing or capturing, to human control. Even assuming that the text could be subject to multiple interpretations, courts and agencies are to avoid interpreting ambiguous laws in ways that raise grave Constitutional doubts if alternative interpretations are available. Interpreting the MBTA to criminalize incidental takings raises serious due process concerns and is contrary to the fundamental principle that ambiguity in criminal statutes must be resolved in favor of defendants. Based upon the text, history, and purpose of the MBTA, and consistent with decisions in the Courts of Appeals for the Fifth, Eighth, and Ninth circuits, there is an alternative interpretation that avoids these concerns. Thus, based on the foregoing, we conclude that the MBTA’s prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control.

Thus, at this time, the MBTA is not considered relevant to this project.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” Thus, in California, it remains a potential State offense to knowingly disrupt an active nest of virtually any native bird spe-

cies. The term “active nest” is not clearly defined in the Fish and Game Code, and in some circumstances may be left to the discretion of the biologist in the field. At present, wardens for the California Department of Fish & Wildlife (CDFW) typically define an active nest as one that is completed and holding at least one egg (Erinn Wilson, CDFW, pers. comm.).

IMPACT ANALYSIS & RECOMMENDED MITIGATION MEASURES

This section analyzes the expected impacts of the proposed project on biological resources. Thresholds of significance for the anticipated impacts are determined by interpretation of the CEQA Guidelines as presented below. Mitigation measures are recommended to address any impacts considered to be potentially significant.

Pursuant to Appendix G of CEQA Guidelines, a significant impact to biological resources would result if the project would:

- 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 policies, 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 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 federal, state, or local policies or ordinances protecting biological resources, such as a tree preservation 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.

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?

Based upon my review of the relevant literature, and the results of my field visit, I conclude that the one special-status plant species with any potential to occur on the site, Southern Tarplant, is very unlikely to be present.

The site does not provide habitat suitable for use by overwintering Monarchs, and so no impacts to potential overwintering habitat for this special-status invertebrate are identified.

The one “special-status” wildlife species likely to occur on the site, Cooper’s Hawk, is a common and widespread raptor found frequently in urban and suburban areas across southern California. The species is not listed as threatened or endangered, and is not recognized as a California Species of Special Concern. Any potential project impacts to habitats utilized by Cooper’s Hawks would be less than significant under CEQA.

Based upon this analysis, implementation of the proposed actions would not have any substantial effect, either directly or through habitat modifications, upon 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.

Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The project site lacks riparian habitats or other sensitive natural communities. Therefore, I conclude that implementation of the proposed actions would not have a substantial adverse effect upon any riparian habitat or other sensitive natural community identified in local or regional policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?

The project site lacks wetland communities, and no off-site wetland areas could be adversely affected by the project. Therefore, I conclude that implementation of the proposed actions would not have a substantial adverse effect upon federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.

Would the project interfere substantially with the movement of any native resident or migratory fish or wild-life species or with established native resident or migratory wildlife corridors, or impede the use of native wild-life nursery sites?

The project site lies within a fully developed urban area, and does not serve any substantial, identifiable wildlife-movement purpose. Therefore, I conclude that implementation of the proposed actions would not have a substantial adverse effect upon the

movement of any native resident or migratory fish or wild-life species or with established native resident or migratory wildlife corridors, or impede the use of native wild-life nursery sites.

Would the project conflict with any federal, state, or local policies or ordinances protecting biological resources, such as a tree preservation ordinance?

Disruption of the active nesting of any bird species represents a potential violation of Sections 3503 and/or 3513 of the California Fish and Game Code. Thus, any impact to actively nesting birds would represent a potentially significant impact.

Recommended Mitigation – Nesting Birds

In order to avoid potentially significant to nesting birds, any and all vegetation removal that takes place during the nesting season (February 15 to August 31) should be monitored by a qualified biologist to ensure that no impacts to actively nesting birds take place. If any active bird nests are found (i.e., containing at least one nestling or potentially viable egg), protection of the nest and contents should be accomplished by setting up appropriate buffers around any active nesting sites until young fledge or the nest fails.

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site does not lie within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, I conclude that implementation of the proposed actions would not have a substantial adverse effect upon any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

SIGNIFICANCE OF IMPACTS AFTER MITIGATION

With implementation of the recommended mitigation measure for avoiding impacts to actively nesting birds, it is concluded that no significant impacts to biological resources would occur as a result of project implementation.

CONCLUSION

If any reader of this biological report has any questions, please call me at (562) 477-2181 or send e-mail to robb@hamiltonbiological.com.

Sincerely,



Robert A. Hamilton
President, Hamilton Biological, Inc.
<http://hamiltonbiological.com>



May 24, 2019

Leslie Dickey
Executive Director of Real Estate
Beach Cities Health District
514 North Prospect Avenue
Redondo Beach, California 90277

Re: Beach Cities Health District – Tree Inventory, Report, and Graphic Exhibits

Dear Mr. Dickey,

Thank you for the opportunity to provide this proposal for arboricultural consulting services.

PROJECT BACKGROUND

Beach Cities Health District (BCHD) is seeking the services of a consulting arborist to evaluate approximately 120 trees located within the BCHD's nine-acre site and terraced slope to the east. BCHD is planning to redevelop the site to accommodate a new Master Plan; Ed Almanza is overseeing the environmental planning. Landscaping Regulations (Municipal Code 10-5.1900) govern front yard trees in R-1 zones and trimming of trees at the Harbor/Pier Area, but there does not appear to be any further private property restrictions within the City. There are no City rights-of-way trees associated with the site.

The topographic survey (Denn Engineers, March 7, 2013) was prepared from aerial imagery, and individual trees were not surveyed. Because most trees will be removed, we don't believe it is necessary to have each tree surveyed. Carlberg will plot the approximate location of each tree based on existing reference points illustrated on the survey.

SCOPE OF SERVICES

1) Evaluation of all the trees, regardless of size. Provide the following:

- **Tree Number** (unique tree number to appear on the topographic survey; trees will not be physically tagged unless directed)
- **Botanical and Common Name**
- **Trunk Diameter** (measured at 4.5 feet above natural grade)
- **Physiological Condition (A – F)**
- **Structural Condition (A – F)**
- **Suitability for relocation**
- **Individual Photographs of Each Tree**

Santa Monica Office
2402 California Avenue
Santa Monica, California 90403
Office: 310.453.TREE (8733)

Sierra Madre Office
80 West Sierra Madre Boulevard, #241
Sierra Madre, California 91024
Office: 626.248.8977

www.cycarlberg.com

- 1) Prepare a photo-documented report addressing the above-named elements.
- 2) Prepare a Tree Location/Impact Plan (AutoCAD) that identifies the affected trees and their disposition (preserve/relocate/remove). The base map for this plan is typically the topographic survey overlain with the architect's site plan or grading plan.
- 3) **Optional line item:** If any trees are to remain in place, prepare a Tree Protection Plan (AutoCAD) that illustrates trees to preserved. This plan also shows the location of tree protection fencing during construction and recommendations and requirements to protect trees during demolition and construction.

LIMITATIONS AND ASSUMPTIONS

General Limitations and Assumptions

This proposal assumes that the Client owns the properties/premises noted in this proposal. Client is responsible to ensure that Carlberg Associates will have safe and unrestricted access to the project site(s). If restrictions, such as but not limited to, locked gates, fences, unrestrained canines, hostile tenants, or other unsafe conditions (real or perceived) that restrict access are found during our site visit(s), Carlberg staff will immediately report the conditions to the Client. If restrictions cannot be resolved in a reasonable amount of time (generally one hour), Carlberg reserves the right to leave the premises and the Client will be responsible for additional costs incurred due to delays or repeat site visits.

This proposal assumes that Carlberg Associates will provide one report, map or other deliverable product under each relevant task in electronic format for printing or plotting.

This Agreement excludes any professional services not specifically included in this scope of work. Additional tasks may be performed as requested in writing from the Client and addressed under separate addendum(s) for authorization by change order or other means prior to commencement of additional work.

CAPABILITIES OF CONSULTANT

We will use a combination of professional judgment and arboricultural experience totaling over seventy-five years to complete the described project. My company has an extensive background in tree evaluation and preparation of reports. We are ISA Certified Arborists and ASCA Registered Consulting Arborists. Our attached resumes list previous and existing clients.

FEE SCHEDULE

The flat fee for the site visit, tree evaluations, report, and tree location plan is **\$7,800.00**. Trees exceeding the count of 120 will be billed at \$65.00/tree.

The flat fee for a Tree Protection Plan, should it be necessary, is **\$1,200.00**.

We require a retainer in the amount of 50% of the flat fee (**\$3,900.00**) to begin the project.

Payment is net 30 days.



SCHEDULE

We are available to proceed with the above-named tasks within three weeks of an authorization to proceed. A project of this magnitude is typically completed in two-three weeks. If these terms are acceptable to you, please print, sign, scan, and email this page of the document to me.

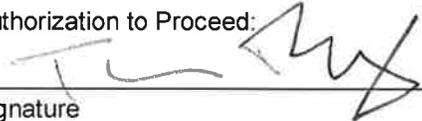
Respectfully submitted,



Cy Carlberg, Registered Consulting Arborist
Principal, Carlberg Associates

cc: Ed Almanza

Authorization to Proceed:



Signature

5/28/19

Date

TOM BAKALY

Name (Printed)



CY CARLBERG

CARLBERG ASSOCIATES

858 Firth Street, Santa Monica, California 90403
 (310) 451-4804
 cy@cycarlberg.com

Education B.S., Landscape Architecture, California State Polytechnic University, Pomona, 1985
 Graduate, Arboricultural Consulting Academy, American Society of Consulting Arborists, Chicago, Illinois, February 2002
 Graduate, Municipal Forestry Institute, Lied, Nebraska, 2012

Experience Consulting Arborist, Carlberg Associates, 1998-present
 Manager of Grounds Services, California Institute of Technology, Pasadena, 1992-1998
 Director of Grounds, Scripps College, Claremont, 1988-1992

Certificates Certified Arborist (#AVE-0575A), International Society of Arboriculture, 1990
 Registered Consulting Arborist (#405), American Society of Consulting Arborists, 2002
 Certified Urban Forester (#013), California Urban Forests Council, 2004
 Certified Tree Risk Assessor (#1028), International Society of Arboriculture, 2011

AREAS OF EXPERTISE

Ms. Carlberg is experienced in the following areas of tree management and preservation:

- Tree health and risk assessment
- Master Planning
- Tree inventories and reports to satisfy jurisdictional requirements
- Expert Testimony
- Post-fire assessment, valuation, and mitigation for trees and native plant communities
- Value assessments for native and non-native trees
- Pest and disease identification
- Guidelines for oak preservation
- Selection of appropriate tree species
- Planting, pruning, and maintenance specifications
- Tree and landscape resource mapping – GPS, GIS, and AutoCAD
- Planning Commission, City Council, and community meetings representation

PREVIOUS CONSULTING EXPERIENCE

Ms. Carlberg has overseen residential and commercial construction projects to prevent damage to protected and specimen trees. She has thirty-five years of experience in arboriculture and horticulture and has performed tree health evaluation, value and risk assessment, and expert testimony for private clients, government agencies, cities, school districts, and colleges. Representative clients include:

- | | |
|---|---|
| The Huntington Library and Botanical Gardens | The City of Claremont |
| The Los Angeles Zoo and Botanical Gardens | The City of Beverly Hills |
| The Rose Bowl and Brookside Golf Course, Pasadena | The City of Pasadena |
| Walt Disney Concert Hall and Gardens | The City of Los Angeles |
| The Art Center College of Design, Pasadena | The City of Santa Monica |
| Pepperdine University | Santa Monica/Malibu Unified School District |
| Loyola Marymount University | San Diego Gas & Electric |
| The Claremont Colleges (Pomona, Scripps, CMC, Harvey Mudd, | Los Angeles Department of Water and Power |
| Claremont Graduate University, Pitzer, Claremont University Center) | Rancho Santa Ana Botanic Garden, Claremont |
| Quinn, Emanuel, Urquhart and Sullivan (attorneys at law) | Latham & Watkins, LLP (attorneys at law) |

AFFILIATIONS

Ms. Carlberg serves with the following national, state, and community professional organizations:

- California Urban Forests Council, Board Member, 1995-2006
- Street Tree Seminar, Past President, 2000-present
- American Society of Consulting Arborists Academy, Faculty Member, 2003-2005
- American Society of Consulting Arborists, Board of Directors, 2013-Present
- Member, Los Angeles Oak Woodland Habitat Conservation Strategic Alliance, 2010-present



CHRISTINE CUBA

CARLBERG ASSOCIATES

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Education

B.A., Environmental Analysis & Design, University of California, Irvine, 1993
 Graduate, International Society of Arboriculture Certification Study Program, April 1998
 Graduate, Consulting Academy, American Society of Consulting Arborists, February 2008

Experience

Senior Arborist/Associate, Carlberg Associates, 2011 – Present
 Director of Environmental Services & Senior Arborist, Land Design Consultants, Inc., Pasadena, 1994 – 2011
 Park Specialist/Naturalist, City of Monrovia, 1988-1996

Certificates

Certified Arborist, WE-1982A, International Society of Arboriculture, 1998
 Registered Consulting Arborist, #502, American Society of Consulting Arborists, 2011
 Qualified Tree Risk Assessor, 2013

AREAS OF EXPERTISE

Ms. Cuba is experienced in the following areas of tree management and preservation:

- Tree health & risk assessments
- Inventories & reports for native and non-native trees
- Master planning
- Evaluation of trees for preservation, encroachment, relocation, restoration, and hazards
- Value assessments (appraisals) for native and non-native trees
- Post-fire inventories, assessments, and valuations for native and non-native trees
- Guidelines for tree preservation, planting, pruning and maintenance specifications
- Pest and disease identification
- Tree and landscape resource mapping – GPS, GIS, and AutoCAD
- Planning Commission, City Council, and community meetings representation
- Review of landscape plans for mitigation compliance & fire fuel modification planning
- Preparation of native habitat and woodland management plans
- Performance of long-term mitigation compliance monitoring & reporting
- Expert testimony

PREVIOUS CONSULTING EXPERIENCE

Ms. Cuba has performed hundreds of tree inventories, health evaluations, impact analyses, hazard, and value assessments for counties, cities, sanitation districts, and water districts, as well as private developers, architects, engineers, and homeowners. She has over 23 of experience in arboriculture and is trained in environmental planning, state and federal regulatory permitting, preparation of CEQA analyses, and habitat mitigation planning and implementation. Representative clients include:

- | | |
|---|--|
| City of Pasadena | San Diego Gas & Electric |
| City of Monrovia | Quinn, Emanuel, Urquhart and Sullivan (attorneys at law) |
| City of Santa Clarita | Figure 8 Group |
| City of Glendora | City of South Gate |
| Los Angeles County Fire Department | City of Sierra Madre |
| Los Angeles County Sanitation Districts | D2 Development |
| Newhall County Water District | The New Home Company |
| Pulte/Centex Homes | City of West Hollywood |
| Newhall Land and Farming | The Claremont Colleges – Pomona College, CGU, CUC |

AFFILIATIONS

Ms. Cuba serves with the following national and regional professional organizations:

- Member, American Society of Consulting Arborists
- Member, International Society of Arboriculture, Western Chapter
- Member, ASCA Education Task Force
- Member, Los Angeles Oak Woodland Habitat Conservation Strategic Alliance
- Past President, Street Tree Seminar, Inc. (2015)

