

# MEMORANDUM

## GLENN LUKOS ASSOCIATES

Regulatory Services



**PROJECT NUMBER:** 1609-01PARK

**TO:** Ed Mountford

**FROM:** Erin Trung

**DATE:** January 30, 2023

**SUBJECT:** Addendum to Biological Constraints Analysis for the 1.27-Acre Beach Access Parking Lot at the Corner of Coast Highway and Beach Boulevard, Huntington Beach, California

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On December 14, 2022, Glenn Lukos Associates, Inc. (GLA) biologists visited the 1.27-acre beach access parking lot (formerly known as the Boatyard Site) at northeast corner of Coast Highway and Beach Boulevard, Huntington Beach, California. The purpose of the site visit was to assess the current conditions of biological resources in the parking lot, the adjoining mixed upland scrub-alkali grassland habitat restoration area (previously mapped as Menzies' goldenbush scrub), and the portion of the Newland Marsh adjacent to the parking lot and habitat restoration area.<sup>1</sup>

This memorandum provides the results of that site visit and compares current conditions to those documented in the memorandum dated January 18, 2018, and revised February 27, 2018, with the subject "Preliminary Biological Constraints Analysis for 1.27-Acre Portion of the 'Boatyard Site' at Corner of Coast Highway and Beach Boulevard, Huntington Beach, California" [attached as Appendix B]. The purpose of the comprehensive site review was to determine whether proposed parking lot uses would be consistent with the City of Huntington Beach Local Coastal program (LCP) and/or the California Coastal Act (CCA). The 2018 memo made the following findings:

- The majority of the parking lot is paved and does not support any special-status communities or species. Vegetation in unpaved areas and on the margins of the parking lot is limited to non-native annual grasses and forbs.
- The mixed upland scrub-alkali grassland restoration area (previously mapped as Menzies' goldenbush scrub) immediately adjacent to the parking lot consists of a diverse mix of native plant species of which Menzies' goldenbush scrub is one of the dominant plants. At the time of the 2018 memo, Menzies' goldenbush scrub was designated as a G4?S4?

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<sup>1</sup> The restoration area and Newland Marsh were formerly owned by Caltrans and were acquired by the Huntington Beach Wetlands Conservancy in 2021. The restoration area was previously vegetated with invasive giant reed and was restored to a hybrid native habitat consisting of mixed upland scrub-alkali grassland area in 2011 by Caltrans as mitigation for an off-site project.

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alliance in the *Manual of California Vegetation, Second Edition* (MCVII) and was not considered an Environmentally Sensitive Habitat Area (ESHA) under the City's LCP or the CCA.

- The Newland Marsh was considered ESHA because it consists of native salt marsh habitat that meets the definition of wetlands under the coastal act, is vegetated with pickleweed mats (G4S3), and supports the state-listed endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*).
- Use of the 1.27-acre portion of the Boatyard Site as a parking lot would not result in significant direct or indirect impacts from light and noise to Belding's savannah sparrow and the Newland Marsh.

The December 14, 2022, site survey confirmed that conditions relating to biological resources have not appreciably changed since 2017. The parking lot remains unvegetated except for sparse non-native grasses and forbs in the unpaved areas and around the margins. The mixed upland scrub-alkali grassland restoration area is vegetated with a diversity of native upland shrubs, perennial grasses, and some wetland species. Menzies' goldenbush is a dominant component of the vegetation; however, several other species occur in locally dominant patches, including California encelia (*Encelia californica*) and giant wild rye (*Elymus condensatus*). Some invasive non-native species have re-established in restoration site, including a small patch of giant reed (*Arundo donax*) and several large castor bean (*Ricinus communis*) individuals. The restoration area supports resident and wintering songbirds. The Newland Marsh area continues to support non-tidal salt marsh habitat and native shorebirds, and one individual Belding's savannah sparrow was observed in the marsh vegetation during the site visit.

Although site conditions have not changed, GLA re-evaluated the area previously mapped as Menzies' goldenbush scrub because that alliance has been reclassified by CDFW as a sensitive natural community with a rank of G3S3.<sup>2</sup> This G3S3 classification could potentially warrant an ESHA determination under the City's LCP and the CCA. Based on this re-evaluation, GLA believes that the designation of Menzies' goldenbush scrub should be revised to mixed upland scrub-alkali grassland with herbaceous understory. GLA has obtained the original plant palette used in the restoration [Appendix A], and it is clear that the target vegetation alliance was not Menzies' goldenbush scrub or any other naturally occurring alliance. Rather, based on the plant palette for the restoration effort, the vegetation is best characterized as a "hybrid" alliance that includes species from coastal sage scrub, alkali grassland, salt marsh, emergent marsh and coastal dunes. The goldenbush was not included in the container stock and was a small part of the seed mix accounting for only five percent of the total seed mix. Given these factors, the restoration area has been redesignated as "mixed scrub-alkali grassland with herbaceous understory" which does not meet the membership rules for any alliances in the MCVII, consistent with the highly diverse "hybrid" seed mix.

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<sup>2</sup> <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

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Two other points are worth noting. The restoration occurred mostly on a slope, and the wetland components, while not totally absent are not predominant. The slope is clearly upland and contains no wetlands. Most importantly, it should be noted that no direct impacts to the mixed upland scrub-alkali grassland restoration area have occurred or will occur from ongoing use of the parking lot. The restoration area and Newland Marsh are protected from human incursion by a tall chain link fence. The analysis in the 2018 memo demonstrated that the only source of potential indirect impacts would be from headlights and noise from vehicle traffic in the parking lot, but these impacts would not be significant.

The 2018 analysis recommended the applicant's proposed operating hours of 5:00 am to 8:00 pm be delayed to a 6:00 am opening to reduce the potential for indirect light impacts from car headlights to early morning wildlife activity, especially male Belding's savannah sparrows singing during the breeding season. It is recommended that morning operating hours continue to be restricted consistent with the previous approval.

Given that site conditions have not changed and that the operation of the parking lot for the past several years has not resulted in direct or significant indirect impacts to special-status vegetation communities or species, the continuing use of the parking lot is not expected to result in any significant direct impacts to the restoration area or the Newland Marsh.

## Appendix A: Container Plants and Seed Mix for Restoration Area

Source: Caltrans. 2016. Annual Monitoring Report, State Route 1 (PCH) Coastal Marsh Invasive Plant Removal Native Salt Marsh Enhancement, Huntington Beach, Orange County, California, January 2016

**Table 1: Installation Container Plant List**

Scientific Name	Common Name	Container Size	Number of Plants Required
<i>Encelia californica</i>	California encelia	1 gal	50
<i>Frankenia salina</i>	Alkali heath	plugs	300
<i>Salicornia virginica</i>	Common woody pickleweed	plugs	300
<b>Total</b>			650

gal = gallon

**Table 2: Seed Mix Plant List**

Scientific Name	Common Name	lbs/acre	lbs required
<i>Ambrosia psilostachya</i>	Western ragweed	2.00	2.12
<i>Baccharis emoryi</i>	Emory's baccharis	1.50	1.59
<i>Camissonia cheiranthifolia</i>	Beach evening primrose	0.25	0.27
<i>Distichlis spicata</i>	Salt grass	3.00	3.18
<i>Encelia californica</i>	California encelia	2.00	2.12
<i>Frankenia salina</i>	Alkali heath	7.00	7.42
<i>Heliotropium curassavicum</i>	Alkali heliotrope	4.00	4.24
<i>Isocoma menziesii</i>	Coastal goldenbush	2.00	2.12
<i>Leymus condensatus</i>	Giant wild-rye	2.00	2.12
<i>Leymus triticoides</i>	Beardless wild-rye	2.00	2.12
<i>Muhlenbergia rigens</i>	California deergrass	0.50	0.53
<i>Pluchea odorata</i>	Marsh-fleabane	0.25	0.27
<i>Salicornia virginica</i>	Common woody pickleweed	10.00	10.60
<i>Scirpus robustus</i>	Seacoast bulrush	1.00	1.06
<i>Typha latifolia</i>	Broad-leaved cat-tail	0.25	0.27
<b>Total</b>		<b>37.75</b>	<b>40.03</b>

lbs/acre = pounds of pure live seed per acre



# MEMORANDUM

## GLENN LUKOS ASSOCIATES

Regulatory Services



**PROJECT NUMBER:** 1182-03BOAT

**TO:** Steve Kane

**FROM:** Tony Bomkamp

**DATE:** January 18, 2018 [Revised February 27, 2018]

**SUBJECT:** Preliminary Biological Constraints Analysis for 1.27-Acre Portion of the “Boatyard Site” at Corner of Coast Highway and Beach Boulevard, Huntington Beach, California

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Glenn Lukos Associates, Inc. (GLA) performed an analysis of biological resources associated with a 1.27-acre portion of the “Boatyard Site” at the Corner of Coast Highway and Beach Boulevard, Huntington Beach, California [Exhibits 1 and 2]. The 1.27-acre site would be used for passenger vehicle parking for up to 108 vehicles between the hours of 5:00 a.m. to 8:00 p.m.

This analysis is based on the review of existing information combined with a site visit conducted by GLA biologists on November 15, 2017. The purpose of the comprehensive site review was to determine whether proposed parking lot uses would be consistent with the City of Huntington Beach Local Coastal program (LCP) and/or the California Coastal Act (CCA).

GLA’s analysis includes four components:

- Conditions on the 1.27-acre portion of the Boatyard parcel;
- Location of potential wetlands both on the 1.27-acre portion of the Boatyard parcel and adjacent offsite areas, as defined by the City’s Local Coastal program (LCP) and the California Coastal Act (CCA);
- Location of potential Environmentally Sensitive Habitat Areas (ESHA) as defined by the City’s LCP and the CCA; and
- Conditions associated with potential buffer areas.

In considering the potential for the presence of ESHA on the site or adjacent areas, the potential for sensitive biological resources including special-status species (e.g., threatened and endangered, species of special concern, etc.) and special-status habitats were evaluated. Relative to wetlands, the potential presence of Waters of the United States (including wetlands) subject to the jurisdiction of the Corps and the Regional Board, and waters of the State (including riparian vegetation) subject to the jurisdiction of CDFW pursuant to Section 1602 of the Fish and Game Code or the Regional Board pursuant to the Waste Discharge Requirements of Porter Cologne were evaluated; however, because the no fill or alteration in areas of potential Section 404, 401,

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Porter Cologne, or 1602 jurisdiction are proposed, the respective agencies would have no permitting authority over the project and are therefore not further addressed in this memo.

Potential direct or indirect impacts to special-status species and habitats would be addressed during project review under the California Environmental Quality Act (CEQA) by the City of Huntington Beach, which would also consider the City's LCP requirements. In addition, impacts to federally listed species (threatened or endangered), specifically "take" are regulated by the U.S. Fish and Wildlife Service (USFWS) pursuant to the Federal Endangered Species Act (ESA). Similarly, impacts to species listed as threatened or endangered by the State of California, specifically "take" are regulated by CDFW pursuant to the State ESA. Wildlife that are assigned other designations by CDFW (i.e., species of special concern, fully-protected species, etc.), and plants given special status by the California Native Plant Society (CNPS) are not granted additional protection, except that impacts to these species are typically evaluated pursuant to CEQA and to the extent that the presence of such species result in an ESHA determination in accordance with the City's LCP or by the Coastal Commission is discussed below.

### **I. SITE LOCATION AND DESCRIPTION**

The 1.27-acre portion of the "Boatyard Site" proposed for parking is located at the Corner of Coast Highway and Beach Boulevard, Huntington Beach, California. The site is bounded to the north by the State of California Property, the south by the Pacific Coast Highway, to the west by Beach Boulevard, and to the east by undeveloped land. For decades, the site was used as a boat and RV storage area, which included paved areas for much of the site as depicted on aerial photographs from January 2006, December 2003, and May 1994 [Exhibit 3]. Unpaved areas are limited and are generally unvegetated or support sparse cover by non-native upland annual grasses and forbs.

### **II. REGULATORY BACKGROUND**

Under the Huntington Beach Local Coastal Program (LCP) and CCA Environmentally Sensitive Habitat Areas (ESHA) are defined as:

*"Any area in which plant or animal life or their habitats are rare or especially valuable and which could be easily disturbed or degraded by human activities and developments."*

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Wetlands are defined as:

*“Land which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, mudflats, and fens. Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following attributes:*

- 1. At least periodically, the land supports predominantly hydrophytes; or*
- 2. The substrate is predominantly undrained hydric soil; or*
- 3. The substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.”*

### III. METHODOLOGY

GLA performed the biological analysis by reviewing existing information for the Project and supplementing that review with the site visit conducted on November 15, 2017. GLA reviewed existing information from the California Natural Diversity Database (CNDDB) for the U.S. Geological Survey (USGS) topographic map Newport Beach, California [dated 1978 and photorevised in 1981] [Exhibit 2]<sup>1</sup>, the CNPS on-line inventory<sup>2</sup> for rare plants. Other documentation reviewed included the 2016 Monitoring Report prepared by LSA<sup>3</sup> and the 2015 regionwide study for Belding’s savannah by Richard Zembal, et al.<sup>4</sup>

During the site visit, GLA inspected the 1.27-acre portion of the Boatyard Site to identify any sensitive resources not previously noted for the site. Reconnaissance was conducted in such a manner as to allow inspection of the entire site by direct observation. Areas of the Boatyard Parcel adjacent to the 1.27-acre were also evaluated and are depicted on Exhibit 4.

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<sup>1</sup> California Department of Fish and Wildlife. September 2016. Natural Diversity Database: RareFind 5.

<sup>2</sup> California Native Plant Society. 2016. On-Line Inventory of Rare and Endangered Plants of California (Eighth Edition).

<sup>3</sup> LSA January 2016. Annual Monitoring Report. State Route 1 (PCH) Coastal Marsh Invasive Plant Removal Native Salt Marsh Enhancement Huntington Beach, Orange County, California

<sup>4</sup> Zembal, R., Hoffman, S., and Patton, R. October 2015. A Survey of the Belding’s Savannah Sparrow (*Passerculus sandwichensis beldingi*) Clapper Rail Recovery Fund, Huntington Beach Wetland Conservancy. California Department of Fish and Wildlife.

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### IV. EXISTING CONDITIONS

#### B. Vegetation Alliances

The site-specific survey was designed to document the floral and faunal resources for the 1.27-acre portion of the Boatyard Site and adjacent areas and included characterization of the vegetation on the site in accordance with the vegetation alliances set forth in *A Manual of California Vegetation, Second Edition* (MCV II)<sup>5</sup>. As appropriate, minor site-specific modifications to the descriptions in the MCV II were made to provide the most accurate descriptions of the resources examined.

Communities and alliances and other land-cover types observed are described below.

##### 1. “Boatyard Site”

The 1.27-acre portion of the “Boatyard Site” is a disturbed/developed area that was historically used for storage of boats and recreational vehicles (RVs) with almost the entirety of the area paved as depicted in the 2003 and 2006 aerial photographs, which show that the entire Boatyard Site, which included the proposed 1.27-acre area, was subject to intensive use. As noted, the 1.27-acre of the Boatyard Site is depicted on Exhibit 4, which also depicts the proposed 108 parking stalls. Currently, the site is being used as a staging area for storage of construction materials and vehicle parking for construction personnel. The site includes limited areas that are unpaved that are generally unvegetated or support sparse cover by non-native annual grasses and forbs. The 1.27-acre of the Boatyard Site does not support any special-status habitats, which could be considered ESHA or any other habitats that could support special-status plants or animals. The 1.27-acre portion of the Boatyard site does not support any area that meet the minimum threshold for wetlands as defined under the City’s LCP or CCA.

The area immediately north of and adjacent to the Boatyard site is owned by the State of California (Caltrans) and includes an upper area that is approximately two to three feet higher than areas of the Newland Marsh described below. The upper area was previously vegetated by giant reed (*Arundo donax*) as depicted on Exhibit 5. The giant reed was removed, beginning in 2010 as documented in the 2016 Monitoring Report by LSA and the area was subject to enhancement through plantings of native vegetation as addressed below.

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<sup>5</sup> Sawyer, John O., Todd Keeler-Wolf, and Julie Evens. 2009. *A Manual of California Vegetation, Second Edition*, California Native Plant Society.

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### 2. Former Giant Reed Area

The area previously dominated by giant reed is part of the State of California Property and was revegetated following removal of the giant reed and is currently dominated by Menzie's goldenbush (*Isocoma menziesii*) with an understory of salt grass (*Distichlis spicata*), and alkali wild rye (*Elymus triticoides*). The area of giant reed extended approximately 260 feet to the west of the proposed 1.27-acre proposed parking area.

As previously stated the giant reed was removed and according to the 2016 Annual Monitoring Report prepared for Caltrans by LSA, the area was subject to enhancement through plantings of a diversity of species including western ragweed (*Ambrosia psilostachya*), Emory's baccharis (*Baccharis salicina*), beach evening primrose (*Camissonia cheiranthifolia*), salt grass, California encelia (*Encelia californica*), alkali heath (*Frankenia salina*), alkali heliotrope (*Heliotropium curassavicum*), Menzie's goldenbush, giant wild-rye (*Leymus condensatus*), alkali wild-rye, California deergrass (*Muhlenbergia rigens*), marsh-fleabane (*Pluchea odorata*), common pickleweed (*Salicornia pacifica*), seacoast bulrush (*Scirpus robustus*), and broad-leaved cattail (*Typha latifolia*). During the site visit the dominant species observed was the Menzie's goldenbush with small patches of salt grass, California encelia, and alkali wild-rye. Most of the plant species reported by LSA to have been planted did not establish or persist in substantial numbers based on current site conditions/observations. Currently, this area supports Menzie's goldenbush scrub, which is dominated by Menzie's goldenbush as depicted on Exhibit 4. Menzie's goldenbush scrub is listed as a G4?S4? in the MVC II, which would not be considered ESHA under the City's LCP or by the Coastal Commission.<sup>6</sup>

### 3. Newland Marsh

The State of California Property north of the Menzie's goldenbush scrub is informally known as the "Newland Marsh" is dominated by two vegetation alliances, that form a mosaic, overlapping in much of the area. This area is designated alkali wetlands (non-tidal) on Exhibit 4.

#### a. Newland Marsh Vegetation

The vegetation alliances in the Newland Marsh adjacent to the Menzie's goldenbush area are defined as follows in the MCV II:

##### ***Distichlis spicata* (Salt grass flats) Herbaceous Alliance**

*Distichlis spicata* > 50% relative cover in the herbaceous layer; *D. spicata* has higher cover than any other single grass species. *D. spicata* > 30% relative cover in the herbaceous layer,

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<sup>6</sup> The current convention for the Coastal Commission is to designate vegetation communities with a designation of "S3" as ESHA due to their rarity. As noted, Menzie's goldenbush scrub is designated G4?S4? (the question marks indicate that the designation remains somewhat uncertain and are included in the original text of the MCVII).

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*Salicornia* spp. If present, < 30% relative cover. Salt grass flats are ranked as G5S4 and are not considered sensitive and would not be considered ESHA under the City's LCP or by the Coastal Commission.

### ***Salicornia pacifica* (Pickleweed Mats) Herbaceous Alliance**

*Salicornia pacifica* forms a mosaic with the salt grass alliance or is co-dominated in the subshrub and herbaceous layer with other alkali marsh species. Membership rules state that *Salicornia pacifica* >10% absolute cover; if *Distichlis spicata* > 50% relative cover, stands are in the *Distichlis spicata* alliance. Most areas adjacent to the buffer are consistent with the MCV II salt grass alliance; however, there are local areas where the saltgrass is less than 50-percent cover and pickleweed is greater than 10% absolute cover such that the areas would be mapped as pickleweed mats, which is ranked as G4S3, meaning it would be considered ESHA under the City's LCP or by the Coastal Commission.

### **b. Newland Marsh Wetlands**

The Newland Marsh alkali wetlands depicted on Exhibit 4 support a predominance of plants with a wetland indicator status of FAC or wetter and thus based on the vegetation alone would meet the wetland definition provided in the City's LCP as well as in the CCA.

### **c. Newland Marsh Special-Status Plants**

There were no special status plants observed in the Newland Marsh.

### **d. Newland Marsh Special-Status Animals**

One special-status animal, the Belding's savannah sparrow occurs in the Newland marsh area.

**Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*)** - is a state-listed endangered bird, and a candidate species for federal protection. This species is a non-migratory subspecies that occurs in coastal salt marshes between Goleta Slough, Santa Barbara County, and Bahia de San Quentin in Mexico. The Belding's savannah sparrow is entirely dependent on salt marshes for nesting and foraging, and thus resides year-round in the appropriate habitats. This species nests preferentially in common pickleweed and/or Parish's glasswort but forages throughout the marsh it occupies. This species has been previously observed in adjacent areas by LSA<sup>7</sup> and Richard Zembal.<sup>8</sup> LSA's report of Belding's savannah sparrow is based on

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<sup>7</sup> LSA January 2016. Annual Monitoring Report. State Route 1 (PCH) Coastal Marsh Invasive Plant Removal Native Salt Marsh Enhancement Huntington Beach, Orange County, California

<sup>8</sup> Zembal, R., Hoffman, S., and Patton, R. October 2015. A Survey of the Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*) Clapper Rail Recovery Fund, Huntington Beach Wetland Conservancy. California Department of Fish and Wildlife.

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observations during vegetation monitoring and was not part of directed surveys for the sparrow. The surveys conducted by Richard Zembal, an acknowledged expert on the Belding's savannah sparrow, were part of a regionwide census conducted in 2015. For the area of alkali wetlands, referred to as the "Newland Marsh" by Zembal north of the Menzie's goldenbush scrub, Zembal reports:

*In summary, there were 45 territories (40 in 2010; 41 in 2006) in the Beach Boulevard part of Newland Marsh (fenced parcel adjacent to Beach Boulevard and owned by Caltrans)<sup>9</sup>*

The presence of the Belding's savannah sparrow in the adjacent wetland areas would be expected to result in an ESHA determination under the City's LCP as well as by the Coastal Commission.

## V. IMPACT ANALYSIS

The project proposes to use the 1.27-acre site for public parking of passenger cars and trucks. There would be no grading or use of heavy equipment with site preparation consisting of striping the area to demarcate parking stalls.

Potential impacts discussed below include:

- Potential direct impacts on the 1.27-acre portion of the Boatyard Site;
- Potential indirect impacts to Menzie's goldenbush area;
- Indirect impacts to the Newland Marsh wetlands; and
- Indirect impacts to Belding's savannah sparrow due to vehicle noise and lights (if parking occurs at night);

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<sup>9</sup> Ibid., page 11.

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### **A. Impacts to 1.27-Acre Portion of Boatyard Site**

As noted, the Boatyard Site does not support areas that would meet the City's LCP or CCA definition of ESHA. Furthermore, the 1.27-acre area does not support wetlands as defined by the City's LCP or by the CCA. There would be no direct significant impacts to biological resources, including ESHA or wetlands associated with the proposed use for the 1.27-acre parking area.

### **B. Impacts to Menzie's Goldenbush Area**

As noted above, the area immediately north of and adjacent to the 1.27-acre parking area previously support giant reed, which has been removed and replaced with Menzie's goldenbush scrub. Menzie's goldenbush scrub is listed in the MCV II as a G4?S4? vegetation alliance, which does not meet the minimum threshold for an ESHA determination under the City's LCP or CCA. The project would have no direct impacts on this area and indirect impacts would be limited to low levels of vehicle noise and lighting from vehicles and would not be considered significant.

### **C. Impacts to the Newland Marsh**

The Newland Marsh is immediately north of the Menzie's goldenbush area and consists of wetlands dominated by saltgrass and common pickleweed. The proposed parking area would not result in direct impacts to Marsh due to grading or other modifications. The Menzie's goldenbush area provides a buffer between the parking areas and associated travel lanes ranging from approximately 40 feet to over 100 feet. In addition to noise and lighting, potential indirect impacts could include runoff of storm water, human intrusion and introduction of non-native species; however, human intrusion is precluded by the existing fencing installed by Caltrans and since there would be no landscaping, there would be no potential for introduction of non-native plant species. Because the site would not be graded, there would be no changes in drainages patterns and therefore no change to the existing condition and therefore no impacts associated with storm water runoff.

### **D. Impacts to Belding's Savannah Sparrow**

#### **1. Potential Direct Impacts**

As noted, the 1.27-acre portion of the Boatyard Site proposed for parking does not exhibit suitable habitat for the Belding's savannah sparrow and the proposed parking area does not exhibit potential for direct impacts on this species. Similarly, the area of Menzie's goldenbush immediately adjacent to the 1.27-acre portion of the Boatyard Site is not suitable habitat, with the exception of providing perches for singing during the nesting season. However, as noted, there would be no direct impacts on the goldenbush and thus, no direct impacts to perching



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habitat. Finally, as noted, the project is confined to the 1.27-acre area and there would be no direct impacts on pickleweed habitat used by Belding's savannah sparrow for breeding and no direct impacts to areas of saltgrass that could be used by Belding's savannah sparrow for foraging.

### **2. Potential Indirect Impacts**

The project would not result in potential indirect impacts to Belding's savannah sparrow and would not result in "take" under the State of California Endangered Species Act. The only potential impacts that could occur from the project would be indirect impacts due to light and/or noise associated with the parking that could disrupt breeding activities during the breeding season, which for the Belding's savannah sparrow includes courtship in February with nest establishment in mid- to late-March with the first eggs laid in early April. Breeding can continue into July with outliers into early August.<sup>10</sup>

#### **a. Potential Impacts from Light**

The applicant proposed operating hours for the parking, from 5:00 a.m. to 8:00 p.m. Under this scenario potential lighting impacts would be limited to vehicle lights in the parking area during periods of darkness when Belding's savannah sparrow are engaged in breeding activities, such as males singing from perches. Other than lights from vehicles, there is no lighting on the proposed parking area. Based on personal observations<sup>11</sup> during focused surveys, males begin singing just before sunrise and continue singing through the morning hours when weather conditions are suitable. The Menzie's goldenbush provides a visual barrier that would reduce potential lighting impacts during the period between 5:00 a.m. and sunrise, at which time vehicle lights are no longer needed. Nevertheless, to further reduce impacts, it is recommended that the parking area not open until 6:00 a.m. to ensure that any potential impacts from vehicle lights would be eliminated and impacts would not be considered significant since lighting would not affect the singing Belding savannah males using the Menzie's goldenbush.

#### **b. Potential Impacts from Vehicle Noise**

Vehicle movement in parking lots typically do not generate high levels of noise. According to Gordon Bricken & Associates vehicle noise at 100 feet from vehicles moving 14 mile per hour is 44 dBA based on actual noise measurements taken at various parking lots.<sup>12</sup> Similarly, vehicle noise during periods of heavy traffic, such as occurs on Pacific Coast Highway, measures 60 dBA at 300 feet. Exhibit 6 depicts the 100-foot/44 dBA line and the 300-foot/60 dBA line

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<sup>10</sup> Barbara Massey, 1977. *A Census of the Breeding Population of Belding's Savannah Sparrow in California*.

<sup>11</sup> T. Bomkamp. Personal observations regarding Belding's savannah sparrow breeding behaviors during focused surveys.

<sup>12</sup> From Trancas Canyon Park EIR accessed at: <https://www.malibucity.org/DocumentCenter/View/1196>

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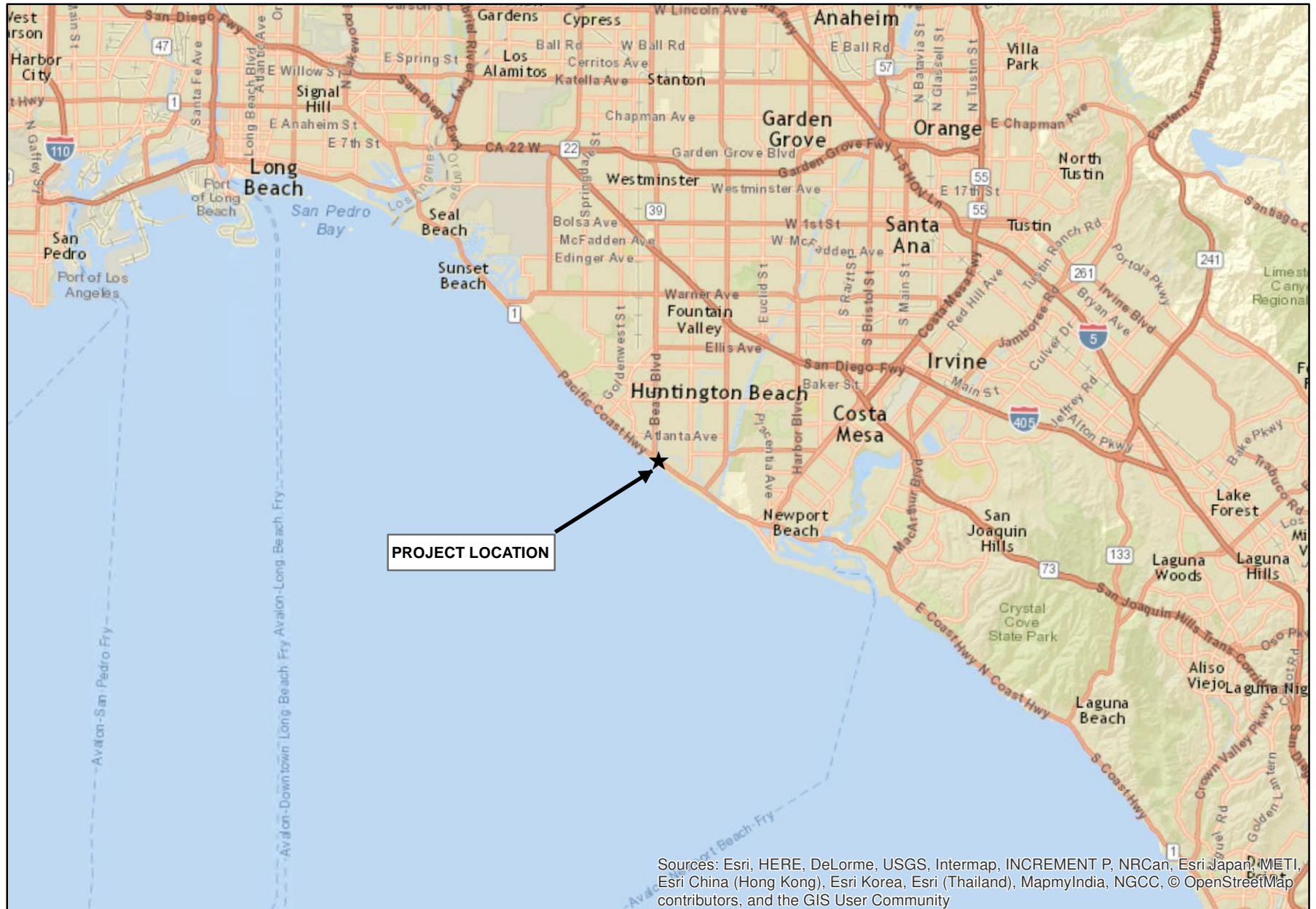
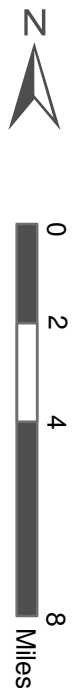
showing that currently the existing noise levels associated with Pacific Coast Highway are higher and extend farther into the Newland Marsh than potential noise from the parking lot traffic lane. Thus, the proposed parking would not increase potential noise impacts within the Newland Marsh that could impact Belding's savannah sparrow. As noted, the portion of the Newland Marsh adjacent to the proposed parking area is a non-tidal marsh that exhibits adjacent development including Pacific Coast Highway on the south, Beach Boulevard on the west and residential development on the east. As such, the site occurs within an urbanized setting. Belding's savannah sparrow that occur on the site are habituated to these existing conditions.

## **V. CONCLUSIONS**

The proposed parking lot on the 1.2-acre portion of the Boatyard Site would not result in significant direct or indirect impacts to areas on the Boatyard Site, areas within the Menzie's goldenbush or areas of the Newland Marsh. Chapter 221 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) requires a 100-foot buffer between development and adjacent ESHA areas. However, if the development or site cannot accommodate a 100-foot buffer, then the buffer must be designed to ensure the protection of the functional relationship between the wetland and the adjacent upland; ensure that the most sensitive species will not be significantly disturbed based on habitat requirements and the short- and long-term adaptability of various species to the presence of human beings; and allow for the interception of any additional material eroded as a result of the proposed development, based on soil, vegetation, slope and runoff characteristics, and impervious surface coverage. The existing Boatyard site does not exhibit a 100-foot buffer between the existing developed area and adjacent wetlands in the Newland Marsh as depicted on Exhibit 4. The distance between the parking stalls and or movement lanes within the proposed parking area and the adjacent marsh ranges from 36 to 80 feet. As demonstrated above (in Section V of this report), the use of the existing developed site for a public beach parking lot will meet the requirements of the HBZSO with the proposed variable (36 ft. – 80 ft.) buffer based on the design and operation of the proposed use as well as existing conditions. The restriction of parking to daylight hours during the breeding season for the Belding's savannah sparrow would eliminate potential impacts from vehicle lights to breeding individuals. Similarly, noise impacts would not be increased over the existing noise levels generated by Pacific Coast Highway, and as such, there would be no increase in noise impacts to breeding Belding's savannah sparrows. Finally, there are no proposed changes to the existing site layout and drainage patterns, including existing impervious surface areas, and thus impacts from runoff and/or erosion would not occur.

Use of the 1.2-acre portion of the Boatyard Site as a parking lot would not result in significant direct or indirect impacts to Belding's savannah sparrow or the adjacent Newland Marsh.

Source: ESRI World Street Map



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

**BOATYARD SITE**

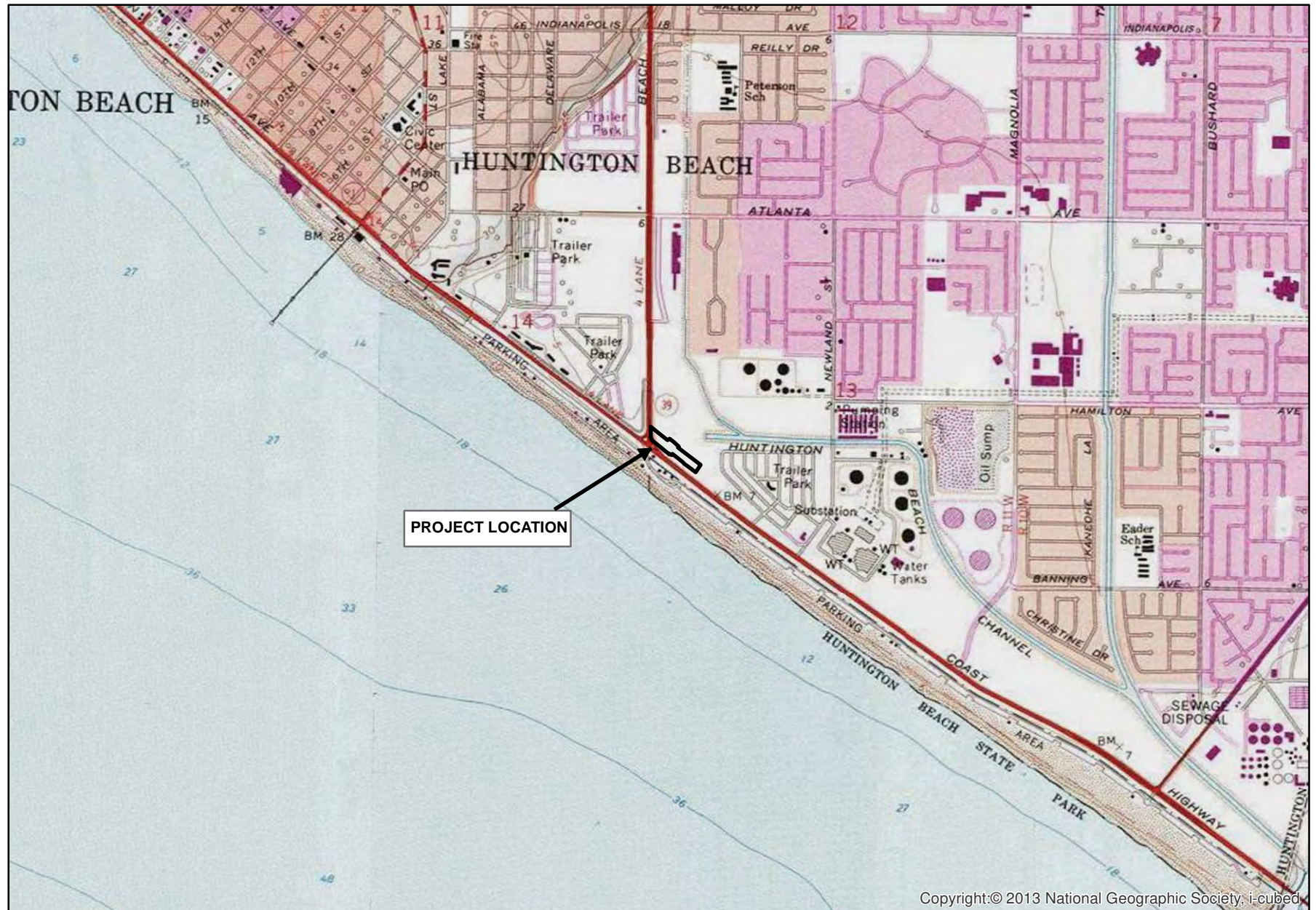
Regional Map

GLENN LUKOS ASSOCIATES

Exhibit 1







### Vicinity Map

Exhibit 2

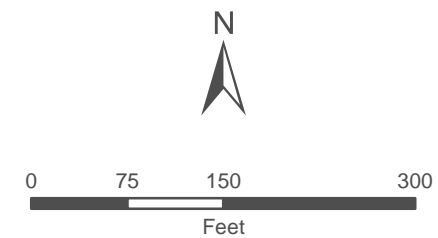




December 2003



January 2006



1 inch = 150 feet

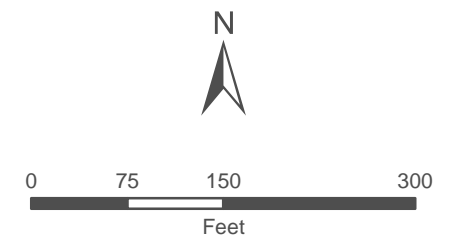
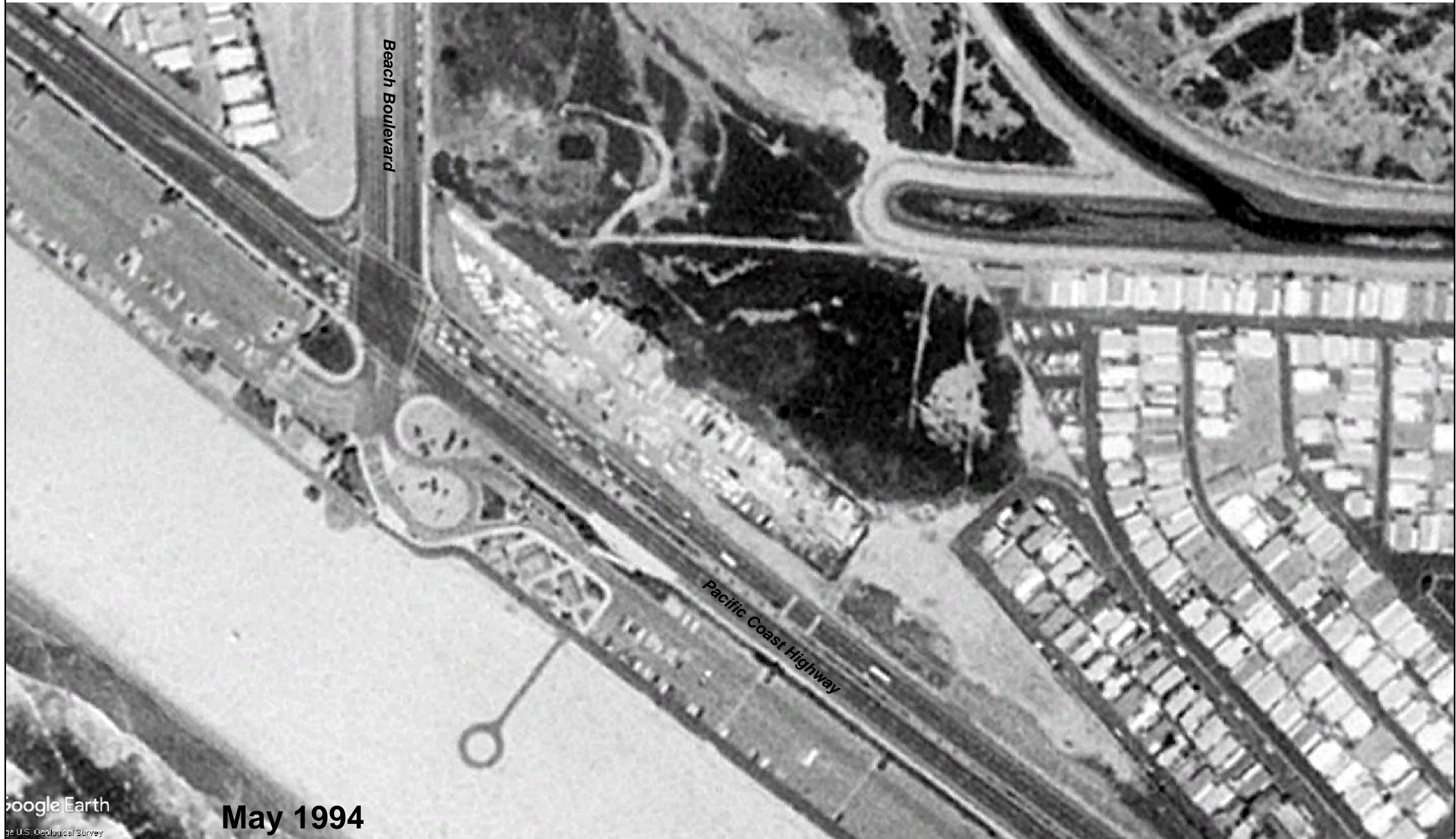
Coordinate System: State Plane 6 NAD 83  
 Projection: Lambert Conformal Conic  
 Datum: NAD83  
 Map Prepared by: C. Lukos, GLA  
 Date Prepared: November 17, 2017

**BOATYARD SITE**  
 Historic Aerials

GLENN LUKOS ASSOCIATES

Exhibit 3
 





Coordinate System: State Plane 6 NAD 83  
Projection: Lambert Conformal Conic  
Datum: NAD83  
Map Prepared by: C. Lukos, GLA  
Date Prepared: November 17, 2017

## BOATYARD SITE

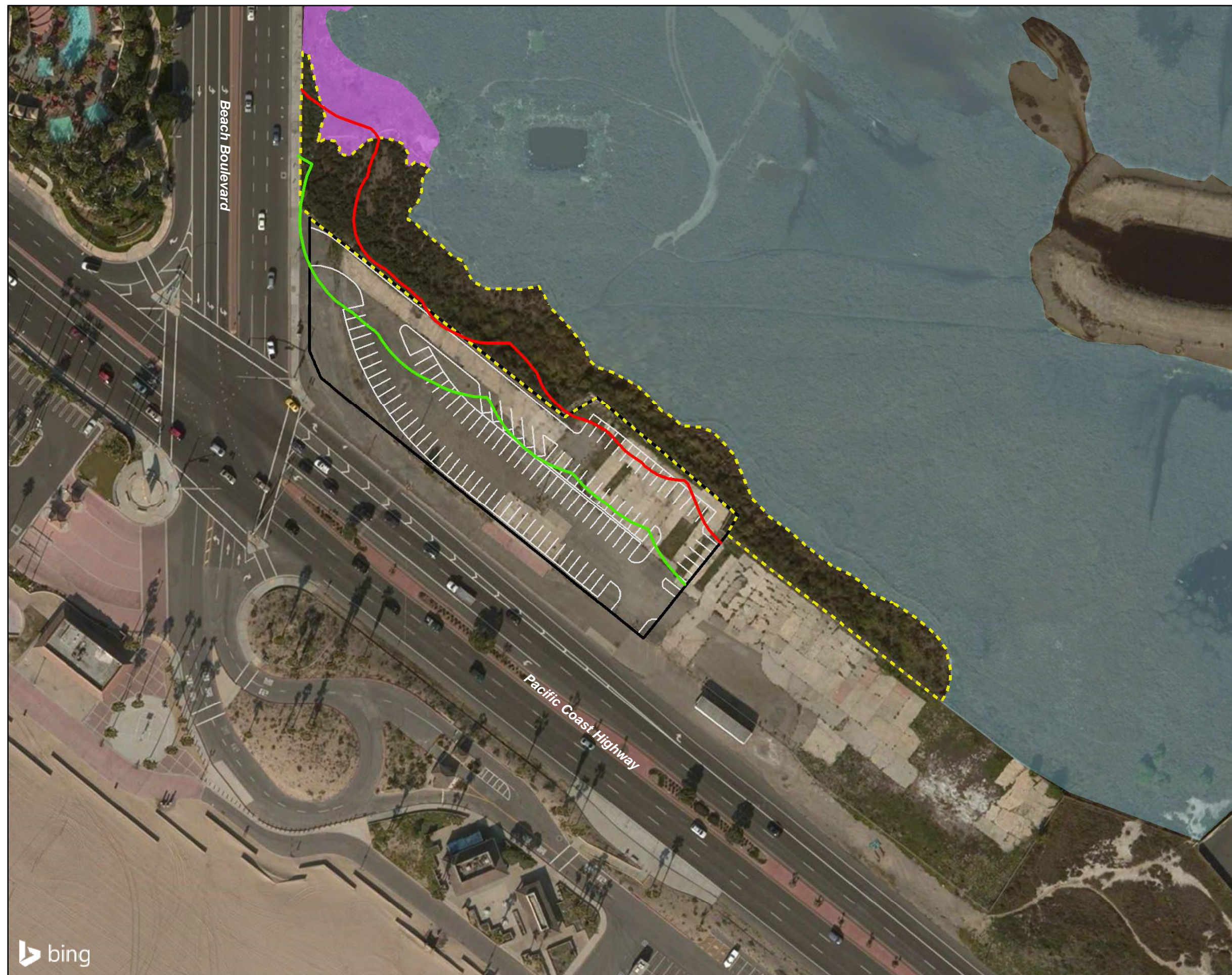
Historic Aerials








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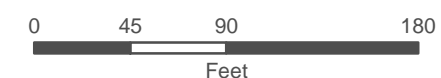
Exhibit 3







-  Project Boundary
-  Site Plan
-  Disturbed
-  Goldenbush
-  Alkali Wetland (Non-Tidal)
-  100ft Buffer of Alkali Wetland (Non-Tidal)
-  50ft Buffer of Alkali Wetland (Non-Tidal)



1 inch = 90 feet

Coordinate System: State Plane 6 NAD 83  
 Projection: Lambert Conformal Conic  
 Datum: NAD83  
 Map Prepared by: C. Lukos, GLA  
 Date Prepared: November 17, 2017

## BOATYARD SITE

Goldenbush and Saltgrass Locations


GLENN LUKOS ASSOCIATES

Exhibit 4







 Approximate Extent of Giant Reed  
(Nov. 2009)



0 45 90 180  
Feet

1 inch = 90 feet

Coordinate System: State Plane 6 NAD 83  
Projection: Lambert Conformal Conic  
Datum: NAD83  
Map Prepared by: C. Lukos, GLA  
Date Prepared: November 17, 2017

## BOATYARD SITE

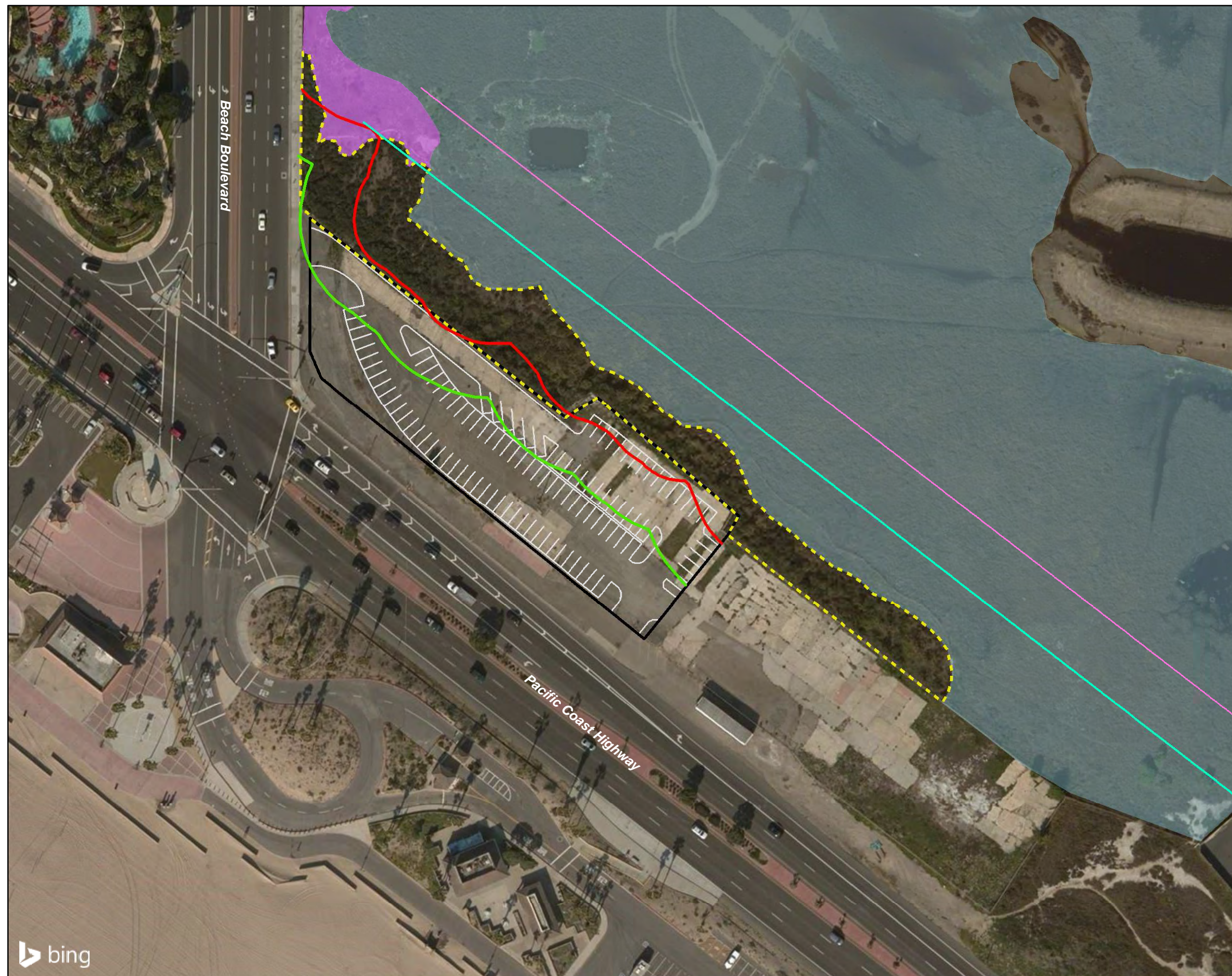
Arundo Locations







GLENN LUKOS ASSOCIATES

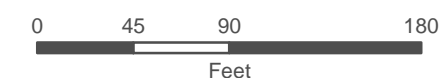
Exhibit 5







-  Project Boundary
-  Site Plan
-  Disturbed
-  Goldenbush
-  Alkali Wetland (Non-Tidal)
-  100ft Buffer of Alkali Wetland (Non-Tidal)
-  50ft Buffer of Alkali Wetland (Non-Tidal)
-  44 dBA at 100ft
-  60 dBA at 300 ft



1 inch = 90 feet

Coordinate System: State Plane 6 NAD 83  
 Projection: Lambert Conformal Conic  
 Datum: NAD83  
 Map Prepared by: C. Lukos, GLA  
 Date Prepared: November 17, 2017

## BOATYARD SITE

Noise Contours Map

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Exhibit 6



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