6.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	*Less Than Significant With Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
Would the project:				
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 or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 corridors, or impede the use of native 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, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

6.4.1 Approach to Analysis

The analysis of potential project-related impacts on biological resources encompassed evaluation of direct and indirect impacts potentially resulting from project implementation, including construction and operations, and utilizing the impact significance criteria discussed below.

Construction activities could directly or indirectly affect biological resources along or adjacent to the network route, potentially resulting in temporary, short-term or long-term disturbances to sensitive resources. Additionally, ongoing operational and maintenance activities along the network routes could result in impacts on biological resources. The analysis of potential impacts is based on information presented in Section 3, Project Description, and Section 4, Project Route Description.

In assessing the magnitude of potential impacts and developing associated mitigation measures, the following explicit project design features and approaches to construction, as stated in Section 3.0, Project Description, were taken into consideration:

- Plowing and trenching activities associated with project implementation would be contained within a designated construction corridor between 20 and 40 feet in width. Exceptions would be made in identified sensitive resource areas (e.g., seasonal wetlands or intermittent drainages), where the construction corridor would be confined to areas of prior disturbance (i.e., roadbeds or railroad rights-of-way.

- Whether materials stockpiling and staging areas are located within or outside the designated construction corridor, such areas would be limited to those identified as non-sensitive with respect to biological resources.

- The construction corridor would be accessed only via existing access roads. No new access roads would be constructed for the proposed cable routes.

- Surface disturbance is anticipated to be eliminated at most stream and wetland crossings by use of directional boring construction methods.

- Points of presence (POPs) would be constructed in eight locations along the San Francisco Bay Area network route. Of these, two would be located within the footprint of existing communications facilities. The remaining six POPs would be installed in new sheds located within the railroad construction corridor, on land used for railroad maintenance purposes and which does not support sensitive biological resources.

- POPs would be constructed in 15 locations along the Los Angeles Basin network route. All of the POPs would be installed within existing buildings.

- Consistent with the project's Construction Management Structure as stated in the Project Description, qualified biologists would stake sensitive natural resources in the field, locate them on construction drawings and identify necessary protection methods for the project contractor. As necessary per associated permit requirements, biologists would also be present on-site during project construction operations.

- In addition to the above-mentioned project biologists, an Environmental Resource Coordinator would be assigned to each network segment and, among other tasks, would be responsible for coordinating with project biologists regarding the monitoring of implementation of resource protection measures.

- The project applicant would conduct pre-project meetings with project contractors to reinforce the need for and importance of compliance with project-related natural resource avoidance measures.

6.4.2 Impact Significance Criteria

The analysis of significance of project effects is based on the criteria described in the environmental checklist. Additionally, impacts on biological resources were considered potentially significant if the proposed project would result in any of the following:

- Long-term degradation of a sensitive plant community because of substantial alteration of land form or site conditions (e.g., alteration of wetland hydrology);
- Fragmentation or isolation of wildlife habitats and corridors especially riparian and wetland communities;
- Substantial disturbance of sensitive wildlife resulting from human activities;
- Avoidance by fish of biologically important habitat for substantial periods, potentially increasing mortality or reducing chances for reproductive success;
- Substantial reduction in local population size attributable to direct mortality or habitat loss, lowered reproductive success, or habitat fragmentation of the following:
  - Species qualifying as rare and endangered under CEQA;
  - State or federally listed threatened or endangered species; or
  - Species designated as candidates for state or federal listing and federal and state species of concern; or
- Substantial reduction or elimination of species diversity or abundance.

6.4.3 Impact Mechanisms

Biological resources could be directly affected by construction activities during conduit and cable installation, by construction of associated facilities (i.e., POPs), or by ongoing operational maintenance. Direct and indirect project-related impacts potentially resulting in the loss or degradation of biological resources could result from the following activities:

- Plowing or trenching during conduit and cable installation;
- Temporary stockpiling of soil or construction materials and side-casting of soil and other construction waste;
- Spills of gasoline, oil or other fluids from construction equipment;
- Excavation for bore pits and assist points;

- Soil compaction, dust, sedimentation of waterways and excess water runoff;
- Equipment access through non-sensitive stream channels (i.e., streams that do not support sensitive species, critical habitat, or riparian woody vegetation);
- Clearing of vegetation;
- Vehicle traffic and equipment and materials transport along the construction corridor;
- Noise resulting from construction activities; and
- Temporary parking of vehicles outside of the designated construction zone and/or staging areas on sites that support sensitive resources.

6.4.4 Impact Assessment

6.4.4.1 San Francisco Bay Area Network

a. 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 Game or U.S. Fish and Wildlife Service?

Impact BIO.1: With respect to sensitive plant species, although Pacific Bell Network Segment 21 is located adjacent to an historically reported population of three rare plants, hairless popcorn flower, Congdon's tarplant and alkali milk vetch, no sensitive plant species are known or assumed to occur within the network route (i.e., within the railroad rights-of-way or public roadways). However, implementation of the proposed project may result in temporary, adverse impacts on up to 20 sensitive wildlife species potentially present adjacent to the network route. Potential impacts could include direct mortality from equipment, entrapment in open trenches, temporary loss of cover due to removal of vegetation, and harassment due to noise or vibration. Harassment to nesting birds could result in nest failure or increased exposure to predators.

The sensitive species potentially impacted are predominantly associated with wetland or stream habitat adjacent to the railroad rights-of-way, and include the following species:

- Pacific lamprey
- Central California coast steelhead and Central Coast Chinook salmon
- California red-legged frog
- Western pond turtle
- San Francisco garter snake
- California clapper rail
- California black rail
- Western snowy plover
- California least tern
- Tricolored blackbird
- Salt marsh harvest mouse
- Salt marsh wandering shrew

An additional seven sensitive wildlife species are not restricted to wetland habitats and may occur in a variety of upland habitats throughout the project area:

- California tiger salamander
- Northern harrier
- White-tailed kite
- Sharp-shinned hawk
- Cooper's hawk
- Burrowing owl
- Loggerhead shrike

Potential impacts to sensitive species along or adjacent to the network route are described below for each segment.

Peninsula Backbone Segment

Impacts to sensitive species potentially present within the "West of Bayshore Wetland Complex" near San Francisco International Airport would be avoided by utilizing existing conduit that does not require repair or maintenance. At Brisbane Lagoon, construction activity is greater than 200 feet from potentially occupied habitat, reducing potential for significant impacts to sensitive species. In addition, a visual barrier partially obscures the construction corridor from sensitive habitat areas, thus minimizing potential impacts. Potential impacts to sensitive species at these locations would therefore be considered less than significant.

Along the southern portion of the Peninsula backbone, burrowing owls may occur in annual grassland habitat adjacent to the network route. Construction activities within 250 feet of nesting pairs may cause harassment of birds, leading to nest failure and abandonment. This would be considered a potentially significant impact. However, with incorporation of mitigation measure BIO 1.j, below, these impacts would be reduced to less than significant levels.

East Bay Backbone Segment

Construction activities along this segment may disturb nesting sensitive bird species potentially present, resulting in nest abandonment and failure. Additional sensitive species, including steelhead and Chinook salmon potentially present in numerous waterways adjacent to the network alignment, tricolored blackbirds and California red-legged frog potentially present in Stiver's Lagoon in Newark, and protected raptor species, including Cooper's hawk, white-tailed kite and burrowing owl, could be impacted by construction activities. Additionally, proposed trenching activities in or adjacent to fish-bearing streams could impact sensitive fish species. These would be considered potentially significant impacts. However, with incorporation of mitigation measures BIO1.a through BIO 1.i, stated below, these impacts would be reduced to less than significant levels.

Pacific Bell Network

Project construction and ongoing conduit maintenance activities could result in impacts to sensitive wildlife species potentially present in Newark Slough, an extensive pickleweed saltmarsh that is part of the San Francisco Bay National Wildlife Refuge adjacent to Pacific Bell Network Segment 26 in Newark. Species potentially impacted include the California black rail, California

clapper rail, western snowy plover, California least tern salt marsh wandering shrew and salt marsh harvest mouse. Impacts to the species could include nest failure, abandonment, and predation. These would be considered significant impacts. However, with incorporation of mitigation measures BIO1.a through BIO 1.i, stated below, these impacts would be reduced to less than significant levels.

Project construction activities, including destruction of habitat and harassment related to construction equipment noise and vibration, could result in temporary impacts to potential and recorded historic burrowing owl nest sites located within disturbed annual grasslands in the cities of Newark and Menlo Park, adjacent to Pacific Bell Network Segments 26 and 27, if such activities are undertaken during the species' nesting season. Such impacts to burrowing owl would be considered potentially significant; however, with implementation of mitigation measure BIO.1.i, below, impacts would be reduced to less than significant levels.

Project implementation could result in impacts to nesting pairs of California clapper rail, California least tern and western snowy plover, potentially present in salt ponds adjacent to Pacific Bell Network Segment 27, located along Bayfront Expressway in Menlo Park. This would be considered a significant impact. However, with incorporation of mitigation measures BIO1.a through BIO 1.i, stated below, these impacts would be reduced to less than significant levels.

Mitigation Measure BIO-1a: Qualified biologists retained by the project applicant for resource monitoring shall perform pre-construction surveys, staking of resources, on-site monitoring, documentation of violations and compliance, coordination with contract compliance inspectors and post-construction documentation. Biological resource monitors shall also inspect areas to ensure that barrier fencing, stakes, and required setback buffers are maintained.

Mitigation Measure BIO 1-b: Pre-construction meetings conducted by Metromedia shall include a biological resource education program for project construction crews. The education program shall include review of the potential locations of sensitive biological resources, methods of resource avoidance to be utilized, applicable permit conditions and applicable fines for violations of state or federal environmental laws regulating sensitive biological resources.

Mitigation Measure BIO-1c: The project applicant shall avoid all riparian and wetland habitats that support sensitive species by establishing and observing exclusion zones. Such zones shall be identified, located on construction drawings and staked, flagged or fenced in the field by a qualified biologist prior to commencement of project construction activities.

Mitigation Measure BIO-1d: In the event that construction equipment is required to operate within any watercourse with flowing or standing water, the designated biological resource monitor shall be present at all times to alert construction crews to the possible presence of California red-legged frog, salmonids or other sensitive aquatic species potentially at risk. In the event that substantial disturbance of occupied aquatic habitat is observed, the biological resource monitor shall immediately and directly notify the construction supervisor to halt construction and cause construction activities to be modified to further impacts to the species. In the case of an accidental substance release into one of these streams, the regulating resource authorities shall be contacted within 24 hours of the incident's occurrence.

Mitigation Measure BIO-1e: Construction activities at the six identified potential salmonid streams, including San Leandro Creek, Alameda Creek, Coyote Creek, Los Gatos Creek, San Francisquito Creek and the Guadalupe River, shall take place from July through October when flows are minimal or subterranean, aquatic species are least likely to be present, and the inadvertent release of materials such as bentonite clay, a substance used for directional boring as proposed by the project applicant, would least impact sensitive species.

Mitigation Measure BIO-1f: Woody riparian vegetation close to the network routes that could be indirectly or inadvertently affected by installation activities shall be protected by installation of temporary fencing or staking. Protective fencing shall remain in place until all construction activities in the area are complete. No woody vegetation shall be removed from stream corridors.

Mitigation Measure BIO-1g: Surveys for nesting tricolored blackbird at Stiver's Lagoon shall be conducted between May and July by a qualified biologist no more than two weeks prior to the commencement of construction. If pre-nesting or nesting activity is identified, a determination shall be made in consultation with CDFG as to whether or not construction would impact nests. If it is determined that construction would impact nests, construction within 500 feet of the nesting locations shall be delayed until juvenile birds have fledged. If occupied, these areas shall be avoided by boring beneath habitat with an adequate disturbance exclusion zone.

Mitigation Measure BIO-1h: Construction activities at Pacific Bell Network Segments 26 and 27 shall be conducted outside of the nesting season (February 1 through August 31) of California black rail, California black rail, Western snowy plover, and California least tern. If construction activities at Pacific Bell Network Segment 27 is anticipated to occur during the nesting season, a qualified biologist shall conduct a pre-construction survey for occupied nesting habitat within 700 feet of the network route. If any of the species listed above species are determined to be present, construction shall be delayed until after the breeding season.

Mitigation Measure BIO-1i: The project biological resource monitor shall conduct pre-construction surveys for burrowing owl within 500 feet of the proposed network route no more than two weeks prior to the commencement of project construction, in all areas identified to provide potentially suitable nesting habitat. Survey protocol shall conform to guidelines described by the California Burrowing Owl Consortium (1993). If occupied owl burrows are found during pre-construction surveys, a determination shall be made by the biological resource monitor, in consultation with CDFG, as to whether project construction would impact the occupied burrows or disrupt reproductive behavior.

If it is determined that construction would physically impact occupied burrows or disrupt reproductive behavior during the nesting season (February 1 through August 31), construction shall be delayed within 250 feet of occupied burrows until it is determined that owls are not longer nesting or until the biological resource monitor determines that juvenile owls are self-sufficient or no longer using the natal burrow as their primary source of shelter.

If it is determined that construction could adversely affect occupied burrows during the non-breeding season (August 31 through February 1), owls shall be passively relocated from the occupied burrow(s) using one-way doors. There shall be at least two unoccupied burrows created or located which are determined to be suitable for burrowing owls within 300 feet of the occupied burrow before one-way doors are installed. Artificial burrows shall be in place at least one week

before one-way doors are installed on occupied burrows. One-way doors shall be in place for a minimum of 48 hours before burrows are excavated.

Impact BIO-2: Project construction activities could adversely affect non-listed sensitive nesting raptors. Potential nesting habitat for several raptor species occurs within or adjacent to most of the San Francisco Bay Area network alignment. Specifically, potential white-tailed kite habitat is present in annual grassland and agricultural areas in Fremont and in the City of Brisbane. Cooper's hawk and sharp-shinned hawk, both woodland species, may nest in the dense riparian corridors of Coyote Creek, the Guadalupe River, Los Gatos Creek and other wooded areas near the network alignment. Nesting habitat for northern harrier is present in the freshwater marshlands in the City of Brisbane. While no nesting habitat would be directly affected by installation of the conduit or regeneration facilities, indirect project-related impacts could include nest abandonment and reproductive failure. This would be considered a significant impact. However, with implementation of the following mitigation measure, impacts would be reduced to less than significant levels.

Mitigation Measure BIO-2: In the event that project construction activities are proposed to take place during the breeding season of raptors identified as potentially present along or adjacent to the network alignment (between February 1 and August 31), the project biological resource monitor shall conduct pre-construction surveys for nesting raptors within 500 feet of the proposed network route no more than two weeks prior to the commencement of project construction, in all areas identified to provide potentially suitable nesting habitat. If active nests are found, a no-disturbance buffer zone averaging 500 feet in width shall be established around active nests during the breeding season for the duration of construction. The size of individual buffers shall be adjusted upward or downward based on site evaluation by the biological resource monitor in coordination with CDFG. Such adjustment shall take into consideration local topography, the nature of construction activities and the observed sensitivity of the birds.

The proposed project may disturb or otherwise impact non-listed sensitive wildlife species. However, project features and approaches to construction related to biological resource protection would substantially reduce the potential for such impacts. Moreover, disturbance would be temporary or short-term in nature. For these reasons, and with implementation of mitigation measures already specified, impacts to non-listed sensitive species would be considered less than significant and no additional mitigation measures would be required.

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

All riparian areas would be avoided by project design or through the use of directional boring for conduit installation from a setback distance of at least 20 feet, as stated in Section 3.0, Project Description. Trenching is proposed within two seasonal wetland areas in Milpitas, along the East Bay backbone segment, but both represent degraded habitat with substantial ruderal vegetation and neither area supports riparian vegetation. No other sensitive plant communities are present in the project area. Accordingly, implementation of the proposed project would have a less than significant impact on riparian and other natural communities present along or adjacent to the proposed network alignment in the San Francisco Bay area and no mitigation measures would be required.

c. Would the proposed project have a substantial adverse effect on federally protected waters as defined by Section 404 of the Clean Water Act (including, but not limited to: marsh, vernal pool, wetland, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact BIO-3: The proposed project could contribute to short-term disturbance of "waters of the United States," including wetlands. While proposed construction methods specify directional boring beneath sensitive waterways, two small wetlands lacking riparian vegetation may be trenched. Such impacts would be considered potentially significant; with implementation of the following mitigation measures, impacts would be reduced to less than significant levels.

Mitigation Measure BIO-3: The project applicant shall minimize disturbance of "other waters of the United States," including wetlands, and shall restore such resources to pre-project conditions. Construction activities shall avoid saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as use of padding, or vehicles mats or vehicles with balloon tires, geotextile cushions or other appropriate materials (e.g., timber pads, prefabricated equipment pads, or geotextile fabric) as determined by the biological resource coordinator, shall be used. In wetlands or unvegetated waters of the U.S. that are trenched, the top 12 inches of topsoil from the excavated site with intact roots, rhizomes, and seed bank would be stockpiled. Topsoil and subsoil shall be replaced immediately after construction activities are complete. Specifically, exposed slopes and streambanks shall be stabilized immediately following completion of installation activities. Beds and banks shall be restored in a manner that encourages vegetation to re-establish pre-project conditions and reduces the effects of erosion on the drainage system. Trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark of drainages during construction shall be disposed of in a manner that minimizes disturbance of the drainage bed and bank.

Project construction activities could result in reduced instream water quality as a result of possible temporary increases in sedimentation and turbidity, accidental seepage of bentonite clay, or through the release of toxic substances that could affect fish.

Though uncommon, directional boring can result in bentonite seeps to surface waters. This could occur if the bore intersected a fracture that opened to the surface and bentonite pressures were high enough to push the material to the surface. Bentonite is a non-toxic clay-based water mixture used to lubricate the boring mechanism. Although non-toxic, seeps of bentonite into streams can result in temporary increases in turbidity and sedimentation that could affect fish and their habitat. Increased sediment loading to streams from construction could affect fish health and feeding ability by increasing turbidity and could reduce stream quality. Other hazardous materials associated with the proposed project include those substances typically associated with construction equipment, such as gasoline and diesel fuels, engine oil, and hydraulic fluids. However, in accordance with the project description, hazardous substances would be stored in staging areas located at least 150 feet from streams and other surface waters. Similarly, refueling and vehicle maintenance would be performed at least 150 feet from potential receiving waters. Sedimentation fences, certified weed-free hay bales, sand bags, water bars, and baffles would be used as additional sources of protection for waters, ditches, and wetlands.

However, proposed project design features and approaches to construction, together with compliance with requirements contained in the Storm Water Pollution Prevention Permit, would

reduce the potential for impacts related to reduced water quality and related impacts to fish species to less than significant.

d. Would the proposed project interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?

The proposed network alignment follows existing railroad rights-of-way and public roadways within predominantly urban settings, and are located in close proximity to other transportation corridors that serve as substantial barriers to wildlife movement. Where the network alignment is proposed to cross waterways, it would do so within the railroad rights-of-way or public roadways. Moreover, cable conduit trenches would be sealed immediately following construction activities, precluding potential trapping of animals. Project implementation would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or corridors or impede the use of native wildlife nursery sites. No mitigation measures would be required.

e. Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Construction of the proposed project could result in impacts to heritage or other significant trees in the project area. Trees considered significant by project area municipalities may be damaged or removed as the result of project construction activities. Protected trees, which include heritage trees, street trees, and ancestral trees, were identified in close proximity to the proposed network route in the cities of Palo Alto, Atherton, and Fremont. The City of Palo Alto defines "protected trees" to include coast live oak and valley oak with a trunk diameter greater then 11.5 inches at 4.5 feet above normal grade; the City of Fremont requires a permit to remove any tree greater than 4 inches 4.5 feet above normal grade. Portions of the network route pass within the driplines of protected trees within each of these municipalities and may require complete removal of protected trees.

A survey by a licensed arborist in the City of Atherton has been conducted, but tree surveys have not been conducted in the cities of Palo Alto and Fremont. The Atherton report documented 94 significant trees (includes oaks as well as non-native species) along the Caltrain right-of-way in the City of Atherton. The report also provided recommendations for avoidance of most trees that could be impacted by the proposed alignment. These included inspection of the cable trench by an arborist to determine degree of root cutting and removal of trees in weakened or diseased condition.

Mitigation for protected tree removal would vary, depending on jurisdiction. However, compliance with applicable permit requirements would reduce potential impacts to less than significant levels and no further mitigation measures are required.

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

No portion of the proposed network route is located in an area subject to an adopted or contemplated Habitat Conservation Plan or enrolled in any Natural Community Conservation Plan programs or similar conservation plans. No mitigation measures are required.

6.4.4.2 Los Angeles Basin Network

Potential impacts to biological resources associated with the Los Angeles Basin network are anticipated to be less than significant, as the network would be entirely located within public roadways. Directional boring is proposed to install conduit beneath all drainages where necessary to avoid impacts to sensitive species and other waters of the U.S.

a. Would the proposed 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 Game or U.S. Fish and Wildlife Service?

The proposed Los Angeles Basin network route would be entirely located in public roadways, the majority of which are located in densely developed urban settings, and would not directly cross any open, undeveloped areas supporting native vegetation or sensitive species. Therefore, project implementation would not result in any substantial, adverse, direct or indirect impacts on listed or otherwise sensitive species. No mitigation measures would be necessary.

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

As stated in the response to question a, above, the Los Angeles Basin network would be entirely located within public roadways and would not directly cross any areas supporting native vegetation. Areas supporting sensitive native plant communities in proximity to the network are confined to a few areas within the Santa Monica Mountains, along the Santa Monica to Burbank Segment; the Ballona Wetlands along the Marina del Rey Segment; and along the southernmost portion of the Fashion Island Segment. These areas are sufficiently distant from the public roadways proposed to carry conduit as to preclude potential for project impacts on biological resources. Project measures specifying the specifying the demarcation of a designated construction zone and staging areas and performance of biological construction monitoring along project segments adjacent to sensitive resource areas would further reduce potential for impacts on biological resources.

With the exception of San Diego Creek crossings along the Irvine Segment in Orange County, all drainages crossed by roadways planned to carry conduit are channelized and support little or no native vegetation, including riparian vegetation. Moreover, the project applicant proposes to attach conduit to existing bridges over drainages or to perform directional boring beneath waterways, to reduce potential impacts on channelized or unchannelized drainages. Accordingly, project implementation would not have any substantial, adverse impacts on riparian habitat or other sensitive natural communities along or in proximity to the Los Angeles Basin network. No mitigation measures are required.

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

As stated in the response to question c, above, the project applicant proposes to either attach conduit to existing bridges or install conduit through directional boring beneath waterways at all stream crossings. Accordingly, project implementation would not result in impacts to jurisdictional wetlands or other waters of the U.S.

d. Would the proposed project interfere substantially with the movement of any native resident or migratory fish or wildlife corridors, or impede the use of native wildlife nursery sites?

As stated in the responses to questions a and b, above, the proposed network alignment is entirely confined within public roadways and passes through predominantly urban settings. Nearly all the waterways crossed by the network are channelized and do not support fish species; moreover, conduit would be installed along existing bridges or directionally bored beneath waterways, precluding disturbance of the surface grade. Such measures would also be undertaken at the San Diego Creek crossings at Jamboree Street and MacArthur Boulevard along the Irvine Segment, where a warm water fish nursery is maintained in an impoundment behind a checkdam beneath the Jamboree Street overcrossing. The network route does not cross any open, undeveloped areas and would not impact migratory fish wildlife movement corridors or nursery sites would be affected by the proposed project on the Los Angeles Basin Network. No mitigation measures are required.

e. Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Project implementation is not anticipated to result in the removal of any trees, native or ornamental. In the event that trees subject to municipal or County ordinances are subject to disturbance or removal, the project applicant would be required to demonstrate compliance with applicable governing policies, precluding related conflicts with such policies. No mitigation measures are required.

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

No portion of the proposed network route is located in an area subject to an adopted or contemplated Habitat Conservation Plan or enrolled in any Natural Community Conservation Plan programs or similar conservation plans. No mitigation measures are required.

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