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MEMO

To: Save Oak Savannah

From: Daniel S. Cooper

Date: September 20, 2018

Re: "Girard Oaks" Assessment

SUMMARY

Below I provide a critique of a biological assessment for the "Girard Oaks", Tentative Tract N. 67505, Los Angeles, CA, bounded by San Feliciano Dr. and Mulholland Dr. in the Woodland Hills neighborhood of Los Angeles.

My analysis concluded that the site supports roughly 5 acres of native coast live oak woodland and native grassland, which is one of the largest areas of native habitat remaining on the floor of the San Fernando Valley. I found the biological assessment prepared by TERACOR to be inadequate, containing erroneous information, misidentified (or obviously overlooked) species, minimization of impact, and misleading statements about the onsite resources.

I also found no reference to the 2014 Los Angeles Co. Oak Woodland Conservation Management Plan prepared by experts and maintained by the Department of Regional Planning, nor to ongoing wildlife movement corridor mapping in the region maintained by Mountains Recreation and Conservation Authority (MRCA).

I recommend that a new biological assessment be prepared by a qualified biologist that would capture the actual species use and significance of this site, including reference to the 2014 Oak Woodland Conservation Management Plan and local wildlife corridors, as mapped by MRCA.

BACKGROUND

In recent years, numerous groups and agencies in and around Los Angeles have been identifying and working to protect native oak woodland and suburban wildlife corridors, recognizing that continuing urbanization is wiping out these important habitats, particularly in the Santa Monica Mountains and adjacent neighborhoods. At the county level, the 2014 Los Angeles County Oak Woodland Conservation Management Plan (http://planning.lacounty.gov/oakwoodlands/documents) is particularly instructive, as it establishes best management practices for evaluating and protecting the critical woodlands. While it would be legally applicable only to (unincorporated) county property, these habitats are typically adjacent to, and often surround, oak woodlands that happen to fall within the city of Los Angeles, and thus may serve as a guide to their preservation, whatever the ownership.

At the city level, concern over habitat loss in the eastern Santa Monica Mountains led to the passage of a "wildlife corridor motion" (CF #14-0518, dated 23 April 2014) to ensure that any new development avoid and preserve existing wildlife corridors in the range from I-405 to Griffith Park. West of I-405 (i.e., around the subject property), decades of land conservation activity has led to large areas set aside for wildlife, though significant habitats, within the urban matrix remain unprotected, as is the case with the subject property.

METHODS

I was present on the subject parcel for approximately one hour (9:40 – 10:42 AM) on 10 Sept. 2018. I walked the entirety of the parcels, recording species of plants and wildlife encountered. For this critique, I refer to "Appendix G. Biological Resources Background Material" in "General Biological Assessment for Vesting Tentative Tract. No. 67505, a 6.2-acre property located in the city of Los Angeles, California", prepared by TERACOR Resource Management, Temecula, CA.

CRITIQUE OF GENERAL BIOLOGICAL ASSESSMENT

The following is an organized critique of a "General Biological Assessment" prepared by Teracor Resource Management (2015; hereafter "TERACOR"). I base this critique on 13 years preparing biological assessments and associated resource reports in the Santa Monica Mountains (see attached CV).

STATEMENT 1: "There are disturbances throughout the site and the property has been graded in the past." (P. 1)

RESPONSE: Misleading, inaccurate. While portions of the site have been disturbed, relatively large areas of the site appear to be *little-disturbed* (particularly under large coast live oaks, which feature deep leaf litter and downed wood). I found virtually no evidence of grading at the site, except perhaps a relatively small area of the home site and adjacent flat (garden?) area just to the east of the main house, between the existing house and Mulholland

Dr. Much of the site consists of large (native) coast live oak trees, which would not have survived grading. Little flat land exists at the site, suggesting most of it was *not* graded (later, on p. 2, the report indicates that "fill, associated with previous grading, blankets most of the site", which is different from the site itself having been graded.)

STATEMENT 2: "Understory elements of the oak woodland are absent and have probably been removed over many years of residential/equestrian use". (P. 1)

RESPONSE: Speculative. Mature oak woodland throughout California frequently supports little understory, due to the heavy shade produced by the canopy. Even individual oaks in chaparral frequently have virtually no shrubs beneath their dripline and around their trunks. This is how coast live oaks grow.

Without explaining the specific types of "residential/equestrian use" that would have damaged oaks on the site, it is impossible to tell what their assumption is based on. In fact, "oak woodland" is of great concern at the city, county, and state level. According to the Los Angeles County Oak Woodlands Conservation Management Plan:

> "The main goal of the Plan is to preserve and restore oak woodlands so they are conserved in perpetuity with **no net loss of existing woodlands**. There are three important objectives of the Plan: prioritize the preservation of oak woodlands, promote conservation by integrating oak woodlands into the development process in a sustainable manner and effectively mitigate the loss of oak woodlands."

This plan includes guidelines for assessment of oak woodland, estimating levels of impact significance, mitigating for impacts to oak woodlands, etc.

I found no indication TERACOR referred to this plan, or that any of the preparers listed were involved in its development (many prominent Los Angeles-area arborists, ecologists and consultants were).

STATEMENT 3: "Natural understory components of the property have been replaced with non-native grassland in the western half of the site and ornamental trees and typical residential landscaping in the approximate eastern half of the property. One small knoll at the west edge of the site remains vegetated with mixed native grassland (NG) and coastal sage scrub (CSS) elements (Mixed NG/CSS). This relictual CSS patch is very small (less than 0.1 acre)." (P. 1-2)

RESPONSE: Inaccurate. I found most of the western boundary of the site to be dominated by either native grassland (**Figure 1a**) or native oak woodland (**Figure 1b**). I found the area covered by native grassland to be much larger than the 0.1 acre reported, which I measured at roughly 0.9 acres (c. 10x larger than that reported; **Figure 2**). I did not find ornamental trees to be covering the "approximate eastern half of the property"; on the contrary, there were only a handful of ornamental trees on the entire site, most clustered around an existing house/stable area (reportedly used for sheep). The great majority of the site's trees are native coast live oaks (*Quercus agrifolia*), many of massive size.

I also question the dismissal of the importance of ornamental vegetation at the site. This

includes mature fan palms (*Washingtonia* sp.) which may well support nesting raptors, such as Barn Owl (a dead barn owl was observed on the property during our site visit on 10 Sept. 2018.)

STATEMENT 4: "The only water which enters the site now is street runoff from Mulholland Drive which enters the site via several incipient swales on a slope leading down from the road… On-site, a former pond was discernable but no longer retains water. Downstream of the former pond, the watercourse was poorly defined with no evidence of recent flow." (P. 2)

RESPONSE: Minimizing, inaccurate. As noted by TERACOR, a blue-line stream once ran through this property, now buried in an underground culvet. TERACOR surveyed the property during a prolonged, historic drought (2015), so the actual hydrology, particularly of seasonal wetlands, would have been obscured.

The term "incipient swale" was apparently coined by TERACOR for this report (2 citations in Google on 14 Sept. 2018, neither having to do with the topic). In actuality, the site features both a depression that could readily fill with water or support seasonal wetland habitat, and a very clear stream-course where water once flowed from the south (now apparently directed underground via a culvert). The gross topography of the site is clearly that of a broad seasonal riparian zone draining the northern toe of the Santa Monica Mountains (**Figure 3**). This ecological function could be easily restored, at least in part, via creek daylighting, or even with the cessation of aggressive brush clearance and mowing at the site.

STATEMENT 5: "CDFW considers [blue elderberry stand/elderberry savannah] to be of high priority for inventory; however, [its] small size precludes any particular significance." (P. 8)

RESPONSE: The blue elderberry trees present on site are massive, near the maximum trunk diameter for the species locally (**Figure 4**). Therefore, they have been here a very long time, and are likely known to the various birds and wildlife that occur in the area and that feed on their berries (e.g., Band-tailed Pigeon, Phainopepla). To say that the small size of the occurrence "precludes any particular significance" simply minimizes the importance of this feature with no evidence.

STATEMENT 6: "There are few native communities remaining within this area, and those which remain have little to no value to wildlife due to lack of connectivity." (P. 8)

RESPONSE: Speculative, minimizing. The open space in the area is being actively pursued as protected lands by NPS/MRCA (*fide* P. Edelman; **Figure 5a**), and the subject property has been mapped as part of a "wildlife movement" corridor (**Figure 5b**). With large stands of massive native oaks, it is clearly not "urban" as described, supporting only species "adapted to urbanized areas" (p. 8); on the contrary, the property is much better considered a *large reserve of native habitat*, part of many other such reserves (formally protected or not).

A glance at the species list would argue that in fact the subject property is a significant natural habitat area, within a sea of urbanization – and for this reason alone, is worth defending. The species present (reported by TERACOR or found by myself), including Oak Titmouse, White-breasted Nuthatch, Spotted Towhee, coastal whiptail (see below), and side-

blotched lizard are not "urban species", but are largely restricted to un-developed habitats in the Los Angeles. I readily found Blue-gray Gnatcatcher during a brief visit in late summer (10 Sept. 2018), a species that essentially never occurs in urban habitats, but is restricted to fairly large patches of open space. The presence of these species at a site indicates that the site isn't urbanized, but that it still has strong natural elements. Obviously the preparers of this report chose to overlook this, didn't grasp its significance, or simply buried these facts.

It is strongly possible that several species reported from the site were misidentified or overlooked by TERACOR; the apparently missed the side-blotched lizard population found to be abundant during my 10 Sept. field visit (**Figure 6**), and instead recorded coastal whiptail, which would *not* be expected to occur based on the habitat present (oak woodland/grassland, rather than coastal sage scrub).

Finally, TERACOR provided no specific information on which wildlife species were observed nesting/resident on the site. Thus, it is impossible to properly determine their significance in the surrounding landscape, nor what impact the proposed development would have on this population.

STATEMENT 7: "The project area is disturbed and is considered to have moderately low value to wildlife due to its isolation…TERACOR field personnel detected several urban-tolerant bird species during field surveys which included, but was not limited to (lists species)…" (P. 8-9)

RESPONSE: Minimizing, Inaccurate. Two bird species listed as "urban-tolerant", spotted towhee and white-breasted nuthatch, are decidedly not widespread in urban areas in the Los Angeles Basin. While they may enter yards and ornamental vegetation occasionally or seasonally, or visit properties that border large blocks of open space, they are absent as nesters from the vast majority of the Los Angeles Basin floor (Los Angeles Co. Breeding Bird Atlas, 2016). The fact that they were found on the subject property suggests the opposite of the conclusion reached by TERACOR; that the property is important to *wildland* birds, not urban-tolerant ones. In addition to these species, a brief field visit on 10 Sept. 2018 yielded spotted towhee, as well as other species much more typical of wildland sites in the Los Angeles area than urban sites, including oak titmouse and blue-gray gnatcatcher.

STATEMENT 8: Although the coast live oak woodland on-site remains relatively intact, the isolated nature of the woodland and habitat conversion of the understory to mainly nonnative grassland and ornamental species displaces native habitat and introduces exotic species. Wildlife usage of the site is likely largely restricted to common mammals, reptiles, and avian species. (P. 9)

RESPONSE: Inaccurate. I found no non-native species of bird, reptile, or mammal at the site. There appears to be a massive California ground-squirrel burrow complex essentially throughout the site (e.g. Figure 1), co-occupied by abundant side-blotched lizards (both species do not occur within urbanized areas of the city, unless ample open space is available). I also found abundant native grass (purple needlegrass), throughout the western portion of the property.

STATEMENT 9: "In the Los Angeles area today, the most common type of "corridor" is actually a remnant habitat patch which serves to connect two or more otherwise isolated habitat areas. It is not the movement of the animal which is important; it is the movement of

genetic material on a per species basis through an ecosystem which is important over time." (P. 10)

RESPONSE: Unclear what this proclamation is based on, and it's not supported with any citations. The authors may feel this way, but this is far from the only type of wildlife movement corridor (a "remnant habitat patch which serves to connect two or more otherwise isolated habitat areas"); actually, corridors frequently connect core habitat areas where species maintain stable populations, or include foraging areas for wide-ranging species, etc.

In the case of the subject property, it can serve as a movement corridor for many species of wildlife that are reluctant or unable to move through urbanized/ornamental vegetation of yards and city streets, including mid-sized mammals (e.g., western gray squirrel), birds (e.g., Spotted Towhee), butterflies (e.g. California sister), etc. The "Biogeographic Conclusions" (P. 10) are simply a restatement of erroneous statements and don't warrant further discussion.

CEQA Threshold/Significance

As noted by TERACOR, Los Angeles considers several factors to constitute a "significant impact" if they were to occur at the site. Below, I summarize where this may be the case for the subject property: (P. 3-4)

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
  SUBJECT PROPERTY: None found during site visit on 10 Sept. 2018.

- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;
  SUBJECT PROPERTY: Native grassland is sensitive at the state and local levels. Oak woodland is clearly a locally- and regionally-important habitat type, and the site supports considerable oak woodland. Any proposed development would avoid oak woodland and native-dominated grassland, and would work to restore both. I recommend TERACOR review the L.A. County Oak Woodland Conservation Plan Guide (http://planning.lacounty.gov/assets/upl/project/oakwoodlands_conservation-management-plan-guide-20141204.pdf) and perform a thorough re-review of the proposed project. I further recommend that areas of native grass representing greater than 10% of the total cover (standard definition) be re-mapped and their impacts re-assessed.

- Interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species;
  SUBJECT PROPERTY: Considered part of a wildlife movement corridor by MRCA (Figure 4b). TERACOR performed no camera trapping to support their claim that the site was not important for local wildlife. I recommend immediate camera trapping be done on-site.

- The alteration of an existing wetland habitat;

  SUBJECT PROPERTY: The site clearly was a historic streambed, still features stream-channel topography, and is surrounded by riparian vegetation both on the north (Girard Reservoir), and on the south, across Mulholland Blvd. Several willows were observed at the southern fenceline of the subject property, directly in the old stream channel. Any proposed development should respect and work around this important feature, and ideally, would restore it to ecological function.

- Interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species.

  SUBJECT PROPERTY: Given the inaccuracy of the TERACOR report, in particular the species compendium (coastal whiptail reported; side-blotched lizard omitted), it is possible that at least locally sensitive species are present at the site. The site should be re-surveyed by a more qualified biologist.

SPECIES LISTS

"Girard Oaks", Los Angeles, California, US
Sep 10, 2018 9:40 AM - 10:43 AM
Protocol: Area
6.0 ac
16 species

Mourning Dove (*Zenaida macroura*) 3
Anna's Hummingbird (*Calypte anna*) 2
Barn Owl (*Tyto alba*) 1 most of carcass found
Acorn Woodpecker (*Melanerpes formicivorus*) 3
Nuttall's Woodpecker (*Dryobates nuttallii*) 1
Cassin's Kingbird (*Tyrannus vociferans*) 2
California Scrub-Jay (*Aphelocoma californica*) 2
Oak Titmouse (*Baeolophus inornatus*) 7 incl. family group
Bewick's Wren (*Thryomanes bewickii*) 1
Blue-gray Gnatcatcher (*Polioptila caerulea*) 1
Lesser Goldfinch (*Spinus psaltria*) 1
Dark-eyed Junco (Oregon) (*Junco hyemalis* [*oreganus* Group]) 2
California Towhee (*Melozone crissalis*) 1
Spotted Towhee (*Pipilo maculatus*) 1
Common Yellowthroat (*Geothlypis trichas*) 1 in landscaping across st.
Western Tanager (*Piranga ludoviciana*) 2

View this checklist online at https://ebird.org/view/checklist/S48557736

Other wildlife

California ground squirrel (*Otospermophilus beecheyi*)
Side-blotched lizard (*Uta stansburiana*)
Western fence lizard (*Sceloporus occidentalis*)

FIGURES

Figure 1a. Southwestern corner of site with vinegarweed *Trichostema lanceolatum* (native) surrounded by abundant purple needlegrass (*Stipa pulchra*). This area was not mapped as having native grasses by TERACOR.

Figure 1b. Dense native coast live oak woodland at northern end of site, showing extensive burrow complex of California ground squirrel (native species).

Figure 2. Actual estimated extend of native grass (purple needlegrass *Stipa pulchra*) at site.

Figure 2. Streambed topography beneath oaks, northern end of property.

Figure 3. Row of massive blue elderberries, a keystone native species, near center of site.

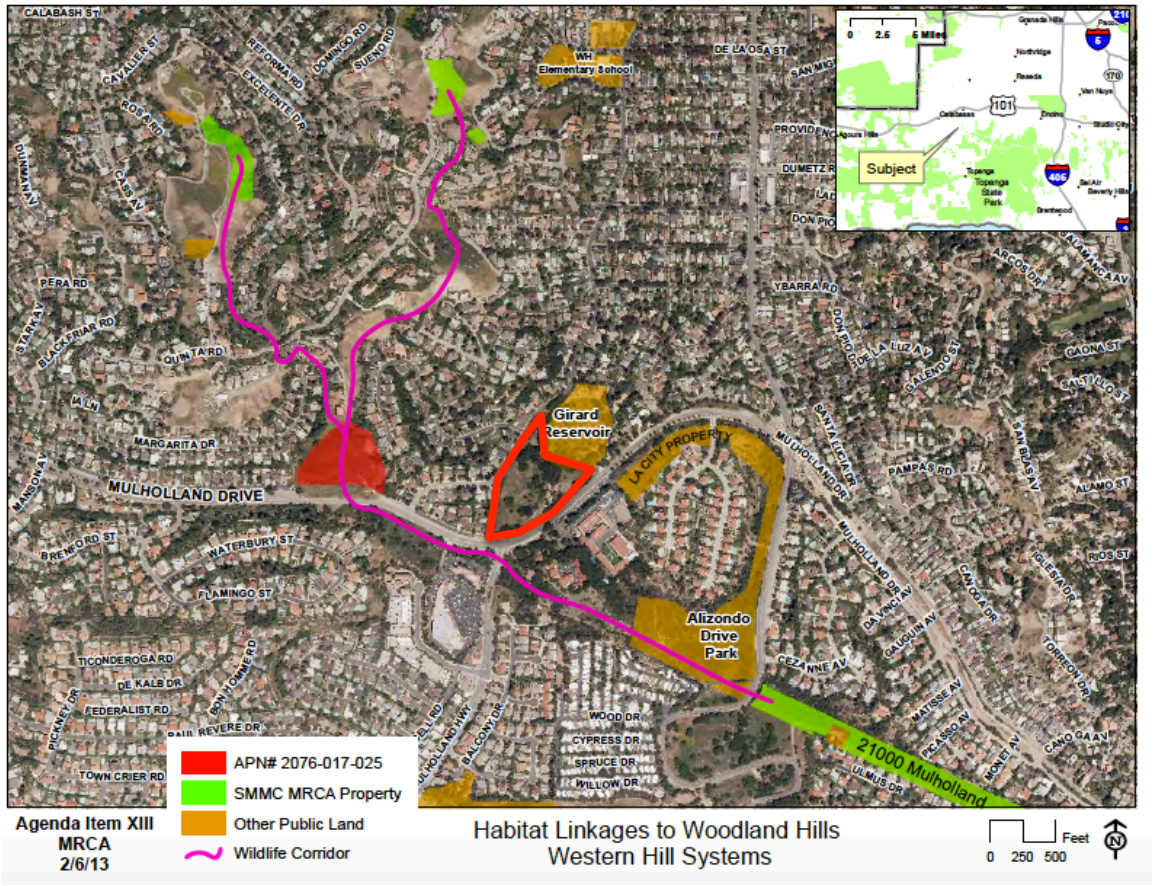

Figure 4a. Map of public lands/open space in the vicinity of the subject property (red outline). Map courtesy of MRCA.

Figure 4b. Map of potential wildlife corridors on and adjacent to the subject property (red outline). Map courtesy of MRCA.

Figure 5. Side-blotched lizard (*Uta stansburiana*), found to be abundant at the site on 10 Sept. 2018, yet missed (misidentified?) by TERACOR in multiple surveys.

Contact Information

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Overview

Daniel S. Cooper is the author of Important Bird Areas of California (Audubon California 2004), and is an authority on California bird ecology, identification and distribution. He has a strong background in natural history and biodiversity, and has designed and managed numerous monitoring and assessment projects for a variety of clients, both in the U.S. and abroad. He worked as an independent consultant and researcher for several years before returning to UCLA to pursue a PhD in 2017.

Areas of Expertise

- Biological assessments for public and private lands;
- Bird and wildlife surveys, including protocol-level surveys;
- Environmental compliance (CEQA/NEPA) and monitoring

Years of Experience

CEM, Inc.: 12 years
Audubon California: 5 years

Education

BA/1995/Harvard University
MSc (Biogeography)/1999/UC Riverside
PhD (currently enrolled)/UCLA

Certifications

U.S. Fish and Wildlife Permit No. TE-100008-2 (Yellow-billed Cuckoo, Southwestern Willow Flycatcher, California Gnatcatcher).
CDFG Scientific Collecting Permit SC-10615 (as above; add: San Diego Cactus Wren)
USGS Master Station Banding Permit #23049 (2001-2004)

Recent Boards

Associate Editor, Western Birds, 2014 -
Southern California Academy of Sciences, 2012 - 2015
Los Angeles Co. Dept. of Regional Planning - Sensitive Environmental Areas Tech. Adv. Com., 2009 - 2014.
Southern California Beach Metrics Working Group, 2009 -

Teaching/Advising

California State University, Los Angeles, CA. Advisor, graduate student committee member.
Loyola Marymount Univ. (CUReS), Westchester, CA. Co-taught BIO 398 (field biology); advisor, graduate student committee member.
UCLA Extension School, Los Angeles, CA. Instructor (conservation biology and bird monitoring)
University of California, Riverside, CA. Graduate Teaching Assistant, geomorphology, natural disasters, & astronomy.

Daniel S. Cooper

President, Cooper Ecological Monitoring, Inc.

Long-term Projects

Griffith Park Natural History Survey
Researched and co-authored Griffith Park Wildlife Management Plan. Supervised development of website (www.griffithparkwildlife.org; with Cartifact, Inc.). Developed first-ever study of wildlife of Griffith Park, focusing on the 2007 burn area, including plants, breeding/wintering birds, reptiles/amphibians, and bats (ongoing).

Local Coastal Plan updates, Los Angeles Co. Worked with County Department of Regional Planning to develop conservation & management plan for Marina del Rey's LCP update, and to inventory and map biodiversity hotspots in central Santa Monica Mountains for the L.A. Co. Coastal Zone LCP update (2009-2014).

Baseline Bird Survey, Ballona Wetlands, Los Angeles. Designed, organized and carried-out first major all-bird survey of entire Ballona Wetlands Ecological Reserve and adjacent lands for Santa Monica Bay; coordinated protocol-level and volunteer-led surveys for sensitive species, waterbirds, raptors, and breeding songbirds of the 500-acre site (2009-2012).

Harvard Forest, Petersham, MA. Visiting researcher in 2011, 2013, and 2016, studying the changes in avifauna and lepidoptera since 1993 surveys (as an undergraduate student) (ongoing).

Selected Publications

Cooper, D.S. and A.E. Muchlinski. 2015. Recent decline of lowland populations of the western gray squirrel in the Los Angeles area of southern California. Bull. Southern California Acad. Sci. 114(1):42-53.

Bonebrake, T.C. and D.S. Cooper. 2014. A Hollywood drama of butterfly extirpation and persistence over a century of urbanization. Journal of Insect Conservation 18(4):683-692.

Cooper, D.S., L.S. Hall and A.J. Searcy. 2014. A population census of the cactus wren in Ventura County, California. Western Birds 45(1):43-56

Cooper, D.S. 2012. Rare plants of Griffith Park, Los Angeles, California. Fremontia 38(4)/39(1):18-24.

---------- 2008. The use of historical data in the restoration of the avifauna of the Ballona Wetlands, Los Angeles County, California. Natural Areas Journal 28:83-90.