

Communication from Public

Name: Fred Gaines
Date Submitted: 06/08/2020 10:19 AM
Council File No: 20-0105-S1
Comments for Public Posting: Please see attached letter to City Council from Gaines & Stacey LLP dated June 5, 2020.

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June 5, 2020

ORIGINAL BY U.S. MAIL

VIA EMAIL councilmember.martinez@lacity.org

The Honorable Nury Martinez, President
Los Angeles City Council
200 N. Spring Street, Room 430
Los Angeles, CA 90012

Re: Council File 20-0105
2110 Bay Street Mixed-Use Project
VTT-74564/ENV-2016-3480-EIR
Hearing Date: June 9, 2020
Support for Appeal

Dear President Martinez and Honorable Council Members:

This law office represents Blue Arch Investments, Inc. (“Appellant”) with regard to its pending appeal of the project referenced above (the “Project”). **Because there is substantial evidence that the Project may create significant adverse impacts that are not adequately addressed in the Final Environmental Impact Report (“EIR”), Appellant requests that the City grant its appeal and not certify the EIR until it is revised and recirculated in accordance with the California Environmental Quality Act (“CEQA”).**¹

¹ It should be noted that the arguments and evidence presented herein are in addition to any other arguments or evidence which the City has received or may receive from our client or its consultants at any or all public hearings on the EIR and/or the Project.

I.

THE EIR IS LEGALLY INADEQUATE AND CERTIFICATION WOULD CONSTITUTE PREJUDICIAL ERROR AND ABUSE OF DISCRETION.

CEQA requires a lead agency to certify a final Environmental Impact Report (“EIR”) as complete and in compliance with CEQA, and to consider the information contained therein, before approving a project. See Public Resources Code §§ 21000 et seq.; 14 Cal. Code of Regs. (“Guidelines”) § 15090. An adequate EIR must be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences of the project being studied. See Guidelines § 15151. The EIR must include detail sufficient to enable those who did not participate in its preparation to understand and consider meaningfully the issues raised by the proposed project. See Laurel Heights Improvement Association v. Regents, 47 Cal. 3d 376, 405 (1988). Although CEQA does not mandate perfection, prejudicial abuse of discretion occurs if the failure to include relevant information in the EIR precludes informed decision making and informed public participation, thereby “thwarting the statutory goals of the EIR process.” Id. at 403-405. In short, CEQA requires an EIR to include a good faith effort at full disclosure. See Guidelines §15151.

Achieving the CEQA purpose of preserving and enhancing the environment requires adequate disclosure of project information and active involvement of the public at each stage of the decision-making process. Under CEQA, decisions regarding a proposed project cannot be made in a vacuum or under a veil of secrecy. Rather, they must be made under the watchful eye of the public so as to reassure “an apprehensive citizenry that the agency has, in fact, considered the ecological implications of its actions,” No Oil, Inc. v. City of Los Angeles (1974) 13 Cal. 3d 68, 86, and to affirmatively demonstrate that the environment is being protected. People ex rel. Department of Public Works v. Bosio (1975) 47 Cal. App. 3d 495, 528.

As the foundation on which project decisions are made, the EIR is the “heart” of this public review process. See County of Inyo v. Yorty (1973) 32 Cal.App.3d 795, 810; Laurel Heights Improvement Association v. Regents (“Laurel Heights II”) (1993) 6 Cal. 4th 1112, 1123; Guidelines § 15003(a). The EIR serves as an “environmental alarm bell” whose purpose it is to alert the public and its responsible officials to the environmental impacts associated with a proposed project. See County of Inyo, supra, 32 Cal.App.3d at 810. The public’s ability to analyze and make comments on the adequacy of the EIR is therefore critical to insure all relevant information is considered before a decision with potentially significant and irreversible effects is made. See Laurel Heights, supra, 47 Cal. 3d at 392; Laurel Heights II, supra, 6 Cal. 4th at 1123; and Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal. 3d 553, 564.

In this case, as discussed below, the EIR is defective and, therefore, does not meet the requirements mandated by CEQA. The EIR is so fundamentally flawed that CEQA’s goal of meaningful public participation and informed decision making can only be achieved by further revising and recirculating the EIR. Accordingly, Appellant objects to the certification of the EIR and to the approval of the Project for the reasons that follow.

A. The Analysis of Impacts to Biological Resources is Inadequate.

In response to Initial Study CEQA checklist items IV Biological Resources, a through f, the EIR states that:

The Site does not contain any natural open spaces, act as a wildlife corridor, nor possess any areas of significant biological resource value. No hydrological features are present on the Site and there are no sensitive habitats present... Therefore, no impact would occur. Further evaluation of this issue in an EIR is not required.

However, substantial evidence to the contrary exists. Enclosed please find the Bat Habitat Assessment for 2110 Bay Street prepared by Designated Bat Biologist Stephanie Remington (the "Bat Habitat Assessment"). Stephanie Remington M.S. a well-known expert in the field of bat biology who has published bat studies on behalf of the Los Angeles Natural History Museum and conducted hundreds of surveys for Caltrans and other projects in the Los Angeles area. She has conducted recent acoustic studies within one-half mile of the project site, so that the area supports bat habitats in warehouses and bridges is well documented.

As documented in the enclosed Bat Habitat Assessment, impacts to bat hibernacula often rise to the significance level, even if the species is not a sensitive one, due to the impact on maintaining a self-sustaining population and impacts of genetic isolation due to fragmentation between populations of the same species. In some species, maternal roosts may house 10 or more generations of lactating bats and their progeny and since the maturation stage lasts in years and reproduction rates are slow, loss of maternal hibernacula are significant.

The systematic loss of hibernacula, two of which have already been documented to have occurred within the Project vicinity within the last three years, may have already reached this significance threshold. As such, as documented in the enclosed Bat Habitat Assessment, loss of potential habitat or roosts in any other local projects may have significant cumulative effects in addition to significant direct and indirect effects.

Protection of biological resources is a fundamental policy incorporated into CEQA. Under Pub. Res. Code § 21001(c), it is the policy of the state to:

[p]revent elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities.

Substantial evidence of potential impacts to bat habitat exists, and the EIR fails to study this issue. As such, the EIR is legally inadequate and its certification would constitute a prejudicial abuse of discretion,

II.

RECIRCULATION OF THE EIR IS REQUIRED.

If significant new information is added to an EIR after the public review, the lead agency is required to recirculate the EIR or a portion of it for additional public review and comments. See CEQA Guidelines, Section 15088.5. Recirculation of an EIR for additional public review and comment is required when the new information constitutes "significant new information" which discloses: (1) a new substantial environmental impact or new mitigation measure; (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted; (3) a feasible project alternative or mitigation measure that would lessen the environmental impacts of the project that the proponents decline to adopt; or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment on the draft was meaningless. See Pub. Resources Code, § 21092.1; Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70; Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal. 4th 1112, 1126-1132; Western Placer Citizens for an Agr. and Rural Environment v. County of Placer (2006) 144 Cal.App.4th 890.

Here, the enclosed Bat Habitat Assessment constitutes "significant new information" which discloses "a new substantial environmental impact." Under Pub. Res. Code § 21092.1, recirculation of the EIR is required.

III.

CONCLUSION.

In conclusion, the EIR does not properly disclose, describe and analyze impacts of implementation of the Project. Since impacts have not been adequately disclosed or analyzed, the Mitigation Measures proposed are insufficient to mitigate the significant environmental impacts of the Project. As a result of the lack of disclosure, analysis and mitigation, the City is required to deny the Project in its entirety and not certify the EIR. At a minimum, CEQA requires the City to further revise and recirculate the EIR prior to approval of the Project.

Thank you for your time and consideration of this matter. As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

By


FRED GAINES

Los Angeles City Council
June 5, 2020
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cc: All Councilmembers
Sergio Ibarra, Department of City Planning (Via Email: Sergio.Ibarra@lacity.org)

Communication from Public

Name: Fred Gaines
Date Submitted: 06/08/2020 10:22 AM
Council File No: 20-0105-S1
Comments for Public Posting: Please see attached letter to City Council from Kinsinger Environmental dated June 7, 2020.



Friday, June 7, 2020

Subject: 2110 Bay Street EIR deficiencies

Honorable City Council
200 N. Spring Street, Room 272
Los Angeles, CA 90012

Dear Council Members,

Blue Arch Investments Inc. Los Angeles, California opposes certification of the Final Environmental Impact Report (EIR) for the Bay Street Mixed Use Development (Bay Street), CEQA: ENV-2016-3480 EIR SCH. 2017031007 and seeks to challenge the findings (See Figure 1 Development on the Block Bounded by S. Santa Fe Ave. E. Bay Street, Sacramento Street, in the Alameda East Redevelopment Study Area and Central City North Community Plan of Los Angeles California. at the end of this document)

In summary we are presenting a “substantial evidence” challenge of the sufficiency of findings of the Bay Street EIR which improperly omitted adequate biological analysis in both the Initial Study, supporting documents and resulting EIR. We include with this comment substantial evidence that potential bat habitat is present on site.

The attached habitat assessment by Stephanie Remington M.S. conducted on October 6, 2019 concludes that suitable habitat is present on site. To prevent possible unauthorized take of bats on or off-premises, we have refrained from making the bat habitat assessment public until now.

Justification for Challenge

The City’s rebuttal to our appeal and to the comments by the Endangered Habitats League claims that the “site assessment” was adequate because “at the CAJA site inspection no birds or bats were observed” and CAJA consulted the online maps for the National Wetlands Inventory (NWI) and Navigate LA for Significant Ecological Areas (SEA). In response, we counter that:

- 1) Because we presume the site inspection was conducted during daylight hours, it is inadequate to say that “no birds or bats were observed”. Even if the habitat is not presently occupied but there is evidence of previous occupation, the loss of that habitat is significant because of the high fidelity that bats have to their roosts. Since the findings of our habitat assessment show that the site has suitable habitat for bats, acoustic presence or absence surveys are needed to demonstrate:
 - a) That bats are or are not present now and,
 - b) A detailed habitat assessment is required to demonstrate that previously occupied habitat is or is not present.
- 2) The Initial Study (IS) and EIR incorrectly omitted the “mandatory findings of significance” required for biology under CEQA under the mistaken premise that the checklist questions and underlying documentation do not need to consider species that are not sensitive, threatened or endangered.

- 3) Because the site has been disturbed by unauthorized parking by SOHO warehouse for their members, evidence of previous occupation by birds and or bats may have been obliterated. If bats have already been eradicated, then the project has already incurred significant impacts. Guidance posted at the Los Angeles County Department of health states “It is illegal to keep, injure, or kill bats”. The developer bears the burden of proof to provide substantial evidence as to whether bats have already been impacted or unoccupied roosts or colonies have been eradicated.
- 4) If impacts have already occurred, then these findings must be disclosed, along with studies that support them and the mitigation and monitoring plan in the recirculated EIR.
- 5) The documented loss of two bat maternal roosts and/or hibernacula have occurred in the last three years within the warehouse district of Los Angeles. This is evidence of a systemic oversight by City Planning causing cumulative effects that are already individually significant. Any additional impacts of this kind contribute to the growing cumulative impact which, in the absence of a cumulative effects analysis, may already be significant.
- 6) These documented losses to two bat colonies within the last three years represent individually significant impacts as well as new and previously undisclosed cumulative effects. The potential contribution to these cumulative effects from previous bat habitat or bat colony losses or potential future impacts to bat habitats or colonies resulting from the Bay Street Mixed Use Project must be disclosed as “substantial new information” in the recirculated EIR.

Request for Remedy

In the event that the City disagrees with our assessment of potential habitat, significant effects or recommendations for conducting assessments, surveys or properly completing an Initial Study, we seek a peer review of the Initial Study and Site Assessment conducted by CAJA Environmental Services that the EIR relies upon.

Discussion Basis for Peer Review and Substantial New Information Finding

- 1) Conduct technical studies and determine if there is “new information” that requires the EIR to be recirculated. Specific Requirements for an “on-site” Habitat Assessment and Acoustic Bat Survey Biological Technical Study are based on the substantial evidence from our habitat assessment as follows:
 - a) Studies shall be conducted by a qualified biologist specializing in bat acoustic studies
 - b) Conduct acoustic studies including the project site and 500-foot survey buffer for all the potentially occurring species identified in the habitat assessment.
 - c) Conduct multiple acoustic field studies to capture seasonality, weather, and species-specific requirements as guided by the lead bat biologist for your investigations.
 - d) Conduct nesting bird studies to determine impact to nesting birds in both structures and vegetated habitat on site and within the 500-foot survey buffer.
- 2) The City must demonstrate with substantial evidence, the extent and significance of potential biological impacts and whether or not they constitute “new information” that requires the EIR to be recirculated under the California Environmental Quality Act (CEQA) through the following actions:

- a) Complete the Initial Study deficiency that omitted discussion of CEQA “mandatory findings of significance” (Section 16065) on the bases of no impacts. We address the specific thresholds for the mandatory findings that we have excerpted here in the appendix section of this document under the heading Guidance:

“The project has the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered rare or threatened species;”

- b) Submit the studies to California Department of Fish and Wildlife (CDFW) for review and comment that was precluded when the EIR was presented with erroneous the assertion that the site had no habitat and therefore no impacts
 - c) Conduct a cumulative effects analysis for biology in the re-circulated EIR for the Bay Street project acknowledging its integrated planning and strategically planned timing of project submittals with Virgin Hyperloop One to avoid CEQA analysis as well as the foreseeable-future multi-project complex SOHO Warehouse Members Club and Hotel (SOHO) and Family Trust 10-unit condos.
- 3) With a finding of “substantial new information” Recirculate the EIR for Bay Capital Fund’s Bay Street Mixed Use Project (Bay Street) to provide “meaningful public review and comment” that was precluded when the EIR tiered to an Initial Study that dismissed key CEQA Checklist items as “no impact” for biology and cumulative effects.

In review, our request is based on the following facts and assertions:

- a) Since we demonstrate that potential habitat does in-fact exist on site, the “no impact” finding cannot be made since there is no substantial evidence in the form of a presence absence survey to demonstrate that bats are not on site
- b) The “no impact” rational in the IS would be in error if bat roosts or colonies exist on site because impacts to bat colonies meet the significance threshold under the CEQA definition for “mandatory findings of significance”. Mandatory findings of significance were omitted in the IS since the checklist questions erroneously concluded that there was “no impact”.
- c) Demonstrating that bats are not currently present is not adequate to conclude that they have not already been impacted by unauthorized actions
- d) Within the last three years two bat colonies in José Huizar’s district were destroyed when warehouses were demolished, therefore significant individual effects within the vicinity of the project have occurred without CEQA- required cumulative effects analysis.
- e) These known losses of bat colonies demonstrate a systematic failure by the City of Los Angeles in implementing CEQA “mandatory findings of significance” for species with no formal status and in implementing cumulative effects analysis.

Bat colonies are imperiled locally and even more so since the pandemic because of fear and anger that has nothing to do with bats. Bats are actually dead-end hosts to viruses like West Nile and provide protection to the community by consuming disease vectors.

The Project should not be approved with a "Statement of Overriding Considerations" without sufficient analysis of potential biological impacts and mitigation of impacts to a level that is less-than-significant.

Proper environmental review of this project can bring awareness to an often over looked issue in the development community that is gaining broad recognition in the environmental community.

The City's deficiency in environmental review of biological resources can be restored by hiring a biologist to the position of "planner"; a position that was lost to attrition in 2017. The City's environmental review process has languished without a biologist in the more than three years since... the same period of time in which the two bat colonies that were destroyed in warehouse demolitions occurred.

The City of Los Angeles can avoid delay of future developments and save time and money for everyone by implementing these remedies and hiring a biologist on staff who knows how to properly consider environmental effects. Therefore, we object to all of the alternatives in the Bay Street EIR until these remedies are satisfied.

Please see our guidance listed below for specific deficiency remedies for the Initial Study, mandatory findings of significance and cumulative effects analysis and which are included as detail for our formal request for remedy.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Kinsinger".

Debbie Kinsinger
Owner/Principal Scientist
Kinsinger Environmental Consulting

Guidance

The habitat assessment we conducted is inadequate to do more than assess potential since we did not have permission to access the site and conducted that assessment from the site perimeter. Therefore, we present the following remedies to satisfy the IS and EIR deficiencies:

After the presence/absence acoustic survey is conducted by a qualified bat biologist team, if results are negative, the site should be inspected by a qualified bat biologist for signs of **previous occupancy because significant impacts may have already occurred**:

- 1) Require that a qualified biologist have access to a crane lift to safely inspect rafters/laths and beams inside the warehouse roof structure for evidence of past use and white wash
- 2) Inspect all aerial structures for evidence of incidental abandonment
- 3) Inspect all aerial structures for evidence of non-humane removal methods and/or dead bats
- 4) If necessary, subpoena SOHO and Bay Street employees for statements about actions taken to clean up the site for parking use

The City's method of presence/absence surveys should be guided by a qualified bat biologist with local experience in the urban setting. Briefly and in general, the biologist should recommend:

- One or more nights of survey or surveys and/or in more than one seasons depending on the specific species biology under consideration, time of year and current and predicted weather.
- A team of biologists to monitor multiple potential access points on the survey nights
- Specific infrared visual tools and species-specific acoustic devices
- Detailed and species-specific if exclusion is unavoidable, detailed methodology for humane exclusion and mitigation recommendations for temporary and permanent habitat replacement
- Mitigation and monitoring plan with success criteria and 5-year monitoring for habitat adoption and success

A biologist that is not able to do this, may not be qualified. We can provide the City with a list of qualified biologists with local experience. To help the City better understand what proper implementation of CEQA with respect to bats is presented by CDFW in this one-hour Youtube video from the CDFW Conservation Lecture Series Archive titled "Conserving California's Bats Through Environmental Review and Permitting":

<https://www.youtube.com/watch?v=QFXLRa5mCII&feature=youtu.be>

The City should have required a biological habitat assessment rather than a "site inspection". Based upon the finding of our habitat assessment, the Initial Study CEQA biology checklist questions should be revised the initial study using some of the original language from the IS and inserting revisions as follows with our insertions in italics:

IV. BIOLOGICAL RESOURCES: 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?

A significant impact would occur if a project would remove or modify habitat for any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the State or federal regulatory agencies cited above. The Site contains a vacant industrial shed, surface parking, and vacant manufacturing buildings. There are no City or county significant ecological areas on the Project Site or near the Project Site's vicinity *but there is some potential for the Western mastiff bat to occur on site, which is a CDFW Species of Special Concern (SSC).*

The Los Angeles River is a significant hydrologic feature only 550 feet from the subject property that currently provides well documented foraging habitat for many bat species and insectivorous birds that roost or nest in the adjacent urban habitat. The subject project and adjacent projects act as a wildlife corridor between roosting and foraging habitat for these species when they occur on site and therefore possess significant biological resource value.

The site has natural open spaces under the warehouse shed which has a wood lath and corrugated tin roof and open beam wooden struts with a height of approximately 30 feet, enough drop to support the Western mastiff bat, California's largest bat. It requires such height to gain flight after dropping from a roost.

The crevices and spaces between the rafters, lathes and some enclosed walls with openings provide ample opportunity for many other species of colony roosting bats. This structure's adjacency to the LA River is also important for nesting suitability to insectivorous birds such as barn swallows, cliff swallows, swifts as well as habitat for common seed eaters, house finches and doves.

Due to the presence of biotic resources for bats and nesting birds a CNDDDB query of the urban habitats and review of e-bird listing show that there is (no, low medium or high) potential for XX number of candidate, sensitive, or special status species identified in local plans, policies, regulations, by the California Department of Fish and Game (CDFG), or the U.S. Fish and Wildlife Service (USFWS) would be expected to occur on the Site.

In addition to the shed habitat, there is a brick building on site that provides crevice habitat suitable for bats between that building and the adjacent building owned by Virgin Hyperloop One.

The CNDDDB query and California Native Plant Society (CNPS) for the habitat assessment show that there is XX potential for threatened, endangered, sensitive or rare plants to occur. Therefore, XX mitigation will maintain impacts that are less-than-significant.

To reduce impacts to wildlife to a level less-than-significant, focused acoustic surveys should be conducted by a qualified bat biologist to determine the level of potential impacts and the nature of mitigation required for specific bat species in the EIR evaluation.

Demolition should occur outside of the nesting season from February 1 through August 31 or a qualified biological monitor should be onsite to monitor for nesting birds and maintain mitigation.

Since bats may use the site during any season, a qualified bat biologist should conduct a pre-construction bat survey at any time of year in addition to pre-construction nesting surveys during the bird nesting season. Details for survey specifics and mitigation measures are in the attached appendix XX mitigation and monitoring plan, to be updated at the completion of scheduled focused bat surveys and pre-construction surveys.

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 US Fish and Wildlife Service?

A significant impact would occur if riparian habitat or any other sensitive natural community identified locally, regionally, or by the State and federal regulatory agencies cited would be adversely modified by a project.

The nearby LA River is classified as Wetland (Riverine habitat) and is 550 feet East from the Site. It provides well documented foraging habitat for bats and insectivorous birds. The warehouses, bridges and rooves, both flat and pitched, provide unique ecological niches for a variety of wildlife that forage on the river within the warehouse district. Although this river is contained within a trapezoidal cement channel and will not be physically modified by the proposed project, loss of a significant colony of bats and or nesting birds could create an adverse imbalance in the insect population. The insect species that are associated with the LA River are part of its habitat and natural community. An adverse imbalance within their populations would be a significant impact which can be avoided by maintaining the balance of insectivorous species that forage there.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

A significant impact would occur if federally protected wetlands, as defined by Section 404 of the Clean Water Act, would be modified or removed by a project. The nearby LA River is classified as Wetland (Riverine) but is 550 feet from the Site and there are intervening buildings and railroad uses.³⁰ This habitat area is not near the Project Site and will not be affected by Project construction or operations. Therefore, the Project will not result in the direct removal, filling, or hydrological interruption of a federally protected wetland as defined by Section 404 of the Clean Water Act. Therefore, no impact would occur. Further evaluation of this issue in an EIR is not required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

A significant impact would occur if a project would interfere or remove access to a migratory wildlife corridor or impede the use of native wildlife nursery sites.

The Site contains a vacant industrial shed, surface parking, and vacant manufacturing buildings and has no vegetation. It does possess suitable crevice and roof habitat for nesting birds and bats (see IV-a). Loss of bat hibernacula and/or maternal roosts would substantially interfere with the movement of native bats and could result in exceeding the significance threshold of any of several factors of "mandatory significance".

For example loss of an individual colony of bats would "eliminate and animal community" and/or cause a fish or wildlife population to drop below self-sustaining levels" Loss of a Western

mastiff bat, an SSC, could substantially reduce the number or restrict the range of and endangered, rare or threatened species”

Bats have a high site fidelity and a single hibernacula and/or maternal roost, even if unoccupied is significant. A signal colony may represent 8 to 10 generations of reproduction therefore the loss of even one can be catastrophic causing genetic isolation of intermingling colonies of the same species and/or stochastic extirpation, i.e. “loss of self-sustaining levels”.

Because of bat’s high site fidelity, mitigation in the form of replacement habitat does not guarantee reduction of impacts to less-than-significant. For this reason, mitigation as it is often done in Caltrans projects, is conducted over a multiple year period to guarantee success in humane exclusion and successful adoption of substitute habitat. For example, since the Bay Street’s planned pedestrian walkway between the Bay Street project and the Hyperloop One project is already in the design phase, mitigation in the form of crevice habitat can be designed into the underside of the walkway, if focused surveys determine that type of habitat is appropriate.

The Site is located within an urban area that is highly disturbed with a combination of new and old structures. As old structures are gradually replaced with new ones the habitat for nesting birds and bats changes in unpredictable ways. Therefore, it’s prudent in the habitat assessment to know what types of habitats the birds and bats in the area use. For instance, flat gravel rooftops are used for nesting by the common nighthawk. The biologist for our habitat assessment determined that the types of habitats used by birds in this area include xx for xx species. And that the flat roof-top and eaves of the brick building on site (do or do not) provide nesting habitat for XX species. Likewise, the pitched open beam rooftop of the shed (does or does not) provide habitat for XX species.

Since the Project would involve changes in the existing environment that could interfere with the movement of migratory birds or other wildlife species including bats and these species rely on the adjacent bodies of water, the LA River that provides habitat for insects, without further investigation, the project may interfere with the movement of native resident or wildlife species and established native resident or migratory wildlife corridors and may impede the use of native wildlife nursery sites such as bat hibernacula and/or maternal roosts. Therefore, focused presence absence surveys are required before a significance threshold determination can be made and what mitigations would be necessary to reduce those impacts to a level that is less-than-significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

(This section unchanged)

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

A significant impact would occur if a project would be inconsistent with policies in any draft or adopted conservation plan. The Project Site is located in an urbanized area of Los Angeles and is currently developed with buildings, paving, and minimal landscaping. The Site is not located in or adjacent to an existing or proposed Significant Ecological Area. *However, it is 550 feet from the Los Angeles River which provides foraging habitat for insectivorous birds and bats that use the adjacent buildings and structures for roosting and nesting.*

While there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that applies to the Project Site, non-sensitive wildlife within the area is still subject to CEQA “mandatory findings of significance” and the significance thresholds discussed in d) above.

Otherwise, the Project is within the River Improvement Overlay District (RIO), which requires compliance with the RIO District and development regulations in LAMC Section 13.17. The Project would comply with these regulations. The Project would not conflict with any habitat conservation plans.

However, significant impacts may occur with or without mitigation and further evaluation of these issues will include a detailed habitat assessment for both birds and bats. For bats that habitat assessment will consider the past or present use of the site by bats for day roosts, maternal roost and hibernacula. If there is indication that the site was used by bats in the past then mitigation will be proposed for replacement habitat with species-specific maintenance and monitoring 5-year success criteria in the mitigation and monitoring plan.

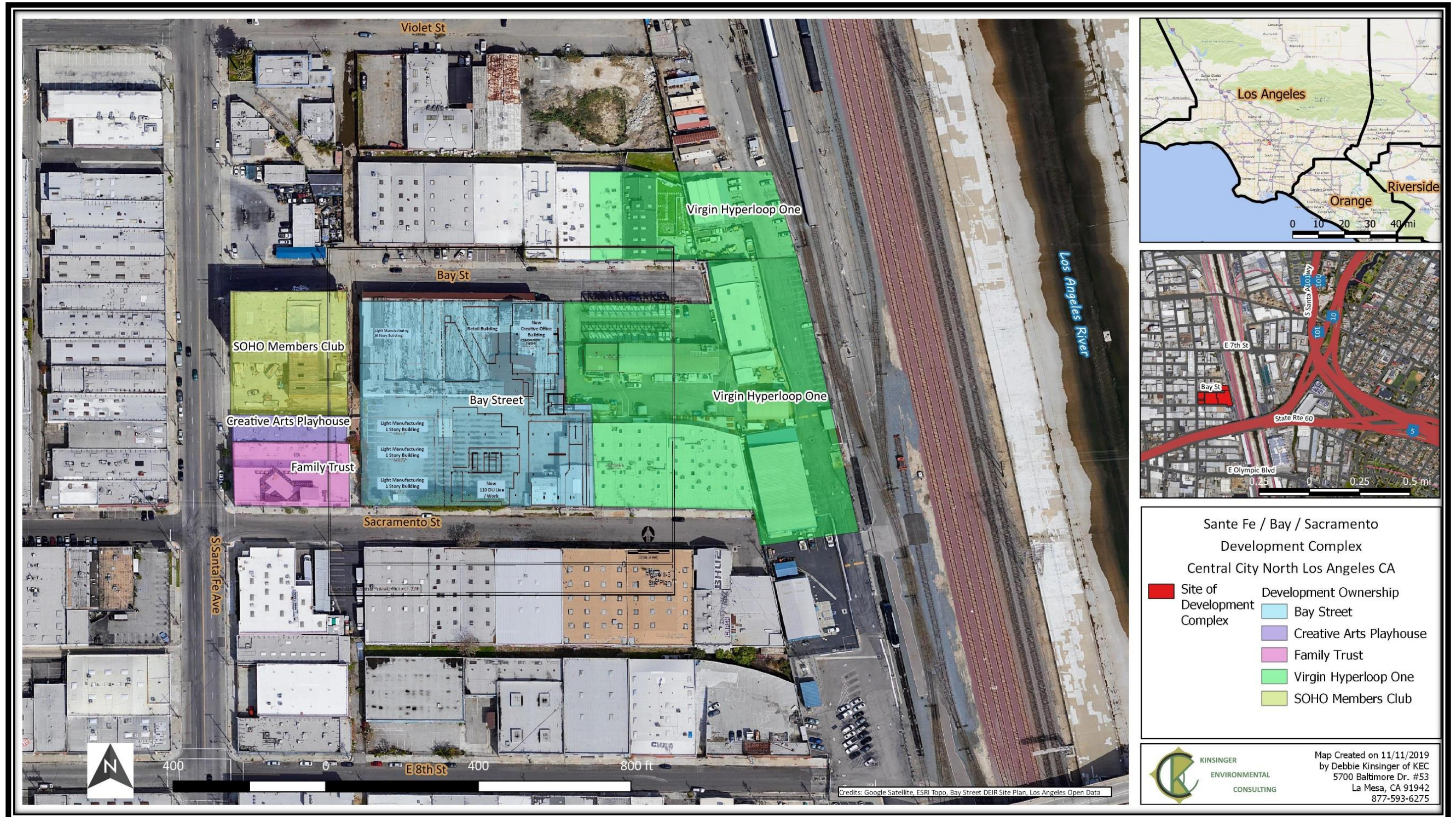


Figure 1 Development on the Block Bounded by S. Santa Fe Ave, E. Bay Street, Sacramento Street, in the Alameda East Redevelopment Study Area and Central City North Community Plan of Los Angeles California.

Communication from Public

Name: Fred Gaines
Date Submitted: 06/08/2020 10:24 AM
Council File No: 20-0105-S1
Comments for Public Posting: Please see attached Bat Habitat Assessment referenced in letter from Gaines & Stacey LLP dated June 5, 2020.

Bat Habitat Assessment
2110 Bay Street Warehouse in Los Angeles, California

Prepared By:

Stephanie Remington

P.O. Box 4153
Costa Mesa, CA 92628
Designated Bat Biologist

Prepared For:

Kinsinger Environmental Consulting

5700 Baltimore Drive, #53
La Mesa, CA 91942
Attn: Ms. Debbie Kinsinger

Blue Arch Investments Inc.

6300 Wilshire Boulevard, Suite 1420
Los Angeles, CA 90048
Attn: Mr. Kamran Benji

October 2019

Updated, February 2020

Background

Bat populations in Southern California have been declining in recent years due to multiple human-induced pressures, particularly on the coast where bat species lose both roosting and foraging habitat regularly to urban development. Roosts of species that can adapt to human presence are frequently disturbed (deliberately or inadvertently) and colonies are often eradicated. Additional impacts faced by local bat populations are pathogen and pesticide poisoning (from eating insect prey); severe and extensive light pollution that exposes bats to diurnal predators and disperses insect prey, rather than concentrating it; water pollution and mosquito abatement that also affect prey quality and availability; and increasingly frequent wildfires that reduce the prey base and may kill bats directly.

Bats typically have one pup a year. Their low reproductive rate, high juvenile mortality, and long generational turnover make them even more likely to experience population declines in the face of multiple human-induced pressures. Recovery from population declines may take years and requires availability of good quality roosting and foraging habitat. With the loss of natural roosting habitat, anthropogenic roost structures, such as bridges and buildings, are increasingly important to the survival of local bat populations. Because buildings often involve cohabitation of bats and humans, bats are at a much higher risk of disturbance (both accidental and deliberate) and extermination in these situations.

Site Description

The parcel located at 2110 Bay Street in Los Angeles is located in a commercial zone bound by Bay and Sacramento Streets to the north and south, respectively, and between Santa Fe Avenue and the railroad tracks/Los Angeles River to the west and east, respectively. It contains two buildings. A warehouse (approximately 150 feet by 250 feet) at the north side of the parcel bordering Bay Street, and a smaller building (approximately 30 feet by 40 feet) at the southeast corner of the parcel bordering Sacramento Street. The larger building has a high corrugated metal roof, varied in height and pitch, above wooden rafters with multiple crevices and recessed areas.

Methods

On 6 October 2019, a site inspection was conducted at the Bay Street parcel, the purpose of which was to assess the property for the presence of bat roosting habitat.

A site inspection is a daytime site visit to examine existing features at a given location for the presence of suitable roosting and/or foraging habitat. On parcels less than a few acres in size, this typically involves a thorough inspection of all accessible structures and an evaluation of the site and surrounding area for foraging. The first component is to determine whether features are present that are suitable for bat roosting and to look for bats, sign (e.g. guano), and listen for audible vocalizations. The second component can provide additional insight about the likelihood of bats occurring in the area. If suitable roosting habitat is found, but bats, sign, or vocalizations are not observed, a follow-up night-time survey is usually conducted to gather additional data, such as presence, roost type and size, and species present.

Biologists evaluating the site did not have permission to access the site, so both buildings were inspected primarily from the entrance and the streets. This precluded a thorough inspection of the buildings' interiors and a follow-up nighttime survey, the latter of which requires appropriate positioning of personnel for determining the exit locations of emerging bats.

Weather conditions were as shown in Table 1:

Table 1. Weather conditions during the on 6 October 2019 habitat assessment.

	Start	End	Units
Time	1638	1819	hrs.
Temp	82.9	77.8	°F
Wind (avg)	1.6	3	mph
RH	35.2	33.9	%
CC	0	0	%

Discussion

The features of the larger building (high corrugated metal roof, varied in height and pitch, above wooden rafters with multiple crevices and recessed areas) all provide suitable day- and night-roosting habitat for bats. The space between the small building and adjacent property, visible from Sacramento Street, is also suitable crevice roosting habitat for bats.

Day roosts are structures that protect bats from predators and the elements during the day. A roost may house an individual bat or a colony. A maternity roost is a type of day roost used by a colony of females that gather to give birth and raise young. Maternity colonies, in Southern California, may be comprised of a few dozen to thousands of individuals of one or more species in a given structure. In human-made structures such as buildings or bridges, these roosts are usually in crevices. A night roost refers to a structure or structural feature (natural or human-made) in which bats roost during the evening between foraging bouts. In addition to crevices, examples of night-roosting habitat include box girders and closure pours of bridges, cavities, corners, culvert walls, and recessed open spaces that are sheltered from the wind. Night roosts are often situated in or near a foraging area and play an important role in the energetics and social interaction of bats. A given structure may serve as any or all of these roost types. Bats may travel significant distances to travel from a high-quality roost to a high-quality foraging area, or they may return to night roost in the same structure used as a day roost, particularly if it is near a foraging area and if there are nursing females present.

Bats are particularly vulnerable to disturbance in maternity colonies and hibernacula, but loss or disturbance of a night roost can also harm bat populations, as can the loss of foraging habitat. While more direct impacts to bats occur through roost removal, destruction, or disturbance, indirect impacts such as the decline of prey base due to loss or modification of foraging habitat can also be substantial. The potential consequences of traveling longer distances to forage include individual mortality or even failure of a maternity colony, as failure to put on sufficient weight may result in the inability to migrate, nurse, or hibernate without starving.

Recent records from bat surveys conducted for the City of Los Angeles, Griffith Park, private landowners, and the Los Angeles County Museum of Natural History's (LACMNH) Backyard Bats Program indicate that at least eight bat species occur in urban and urban edge habitat in Los Angeles County (Remington & Cooper, 2014). Five of these are known to roost in buildings (Table 2). Species accounts for these five species are included below. Mexican free-tailed bats and Yuma bats have the highest potential to occur on site. The Lasiurines have a moderate potential of occurring on site, but are foliage-roosting species. The others have a moderate to low potential of occurring on site.

Table 2. Bat species detected in and near urban areas of Los Angeles County by S. Remington and LACMNH (from Remington, 2014), Unpublished data from the Los Angeles River and Arts District in 2015 and 2017, and Backyard Bats of Los Angeles County, (NHMLAC, 2019)).

Common Name	Latin Name	Known to roost in buildings	Documented in/near downtown Los Angeles	Method of Detection
California bat	<i>Myotis californicus</i>	X		A
Yuma bat	<i>Myotis yumanensis</i>	X	X	A, V
Canyon bat	<i>Parastrellus hesperus</i>	X		A, V
Western red bat*	<i>Lasiurus blossevillii</i>		X	A
Hoary bat	<i>Lasiurus cinereus</i>		X	A
Western yellow bat*	<i>Lasiurus xanthinus</i>		X	A
Mexican free-tailed bat	<i>Tadarida brasiliensis</i>	X	X	A, V
Western mastiff bat*	<i>Eumops perotis</i>	X		A

* California Species of Special Concern

A = Acoustic V = Visual

The two species shown in yellow, [Mexican free-tailed bat (*Tadarida brasiliensis*) and Yuma bat (*Myotis yumanensis*)], have been observed and recorded acoustically within a quarter mile of this property in the Los Angeles River, and within a half mile in another warehouse to the north (pers. obs.). Ms. Remington was the lead biologist on these projects. Of over 40 sites surveyed in Los Angeles County by LACMNH, Mexican free-tailed bats were documented in every neighborhood surveyed (Ordeñana, 2020, pers. comm.). Although *T. brasiliensis* is not a California Species of Special Concern, this species is known to form large maternity colonies that can be considered significant – and, therefore, protected – under the California Environmental Quality Act (CEQA). Their tendency to roost in large numbers leaves them vulnerable to sudden population declines when a single roost is disturbed. Two known roosts in the area have been demolished within the last three years.

Species identifications are generally made by comparing call recordings with a library of “voucher” calls from known hand-released bats. A variety of detectors were used for the surveys described above, including Anabat, Echometer Touch, and Binary Acoustics detectors. Ms. Remington used Analook software to analyze call files. LACMNH used full spectrum programs for analysis (Ordeñana, 2020, pers. comm.).

Some limitations are inherent in acoustic monitoring and in the analysis of acoustic data and include, but are not limited to, human bias and past experience in data interpretation, as well as the fact that bat species are not equally detectable. Some bats, such as Mexican free-tailed bats (*Tadarida brasiliensis*), emit loud relatively low-frequency echolocation calls that can be recorded from great distances and will be overrepresented in the data, while “whispering” bats, such as Townsend’s big-eared bats (*Corynorhinus townsendii*), emit faint calls that may not be recorded at all. Some species, such as pallid bats (*Antrozous pallidus*), may forage without echolocating at all.

In addition, not all call sequences are identifiable. Different bat species may use similar types of echolocation calls, or the same species may use different types of echolocation calls based on the perceptual task involving, among other factors, the immediate habitat, season, and/or prey species.

Multiple surveys should be conducted whenever possible, because species composition and activity levels recorded during a single nighttime visit to a site cannot be used to extrapolate long-term patterns of presence, colony size, species composition, or habitat use. Each of these may change seasonally or even nightly. Despite these limitations inherent in acoustic monitoring and inherent variability in bat activity patterns, bats are highly vocal animals, producing one to several hundred pulses of sound per second. The data gathered from the acoustic call identifications and concurrent field observations are useful in understanding the behavior and activities of the bats utilizing each site, particularly when data can be collected periodically over time. Exit counts performed by trained biologists, combined with crevice inspection, provide data useful in estimating the number of bats roosting at a given location and ascertaining the presence of maternity colonies.

Conclusion

As the primary predators of nocturnal flying insects, bats play a vital role in controlling insect populations. They are also known to be dead-end hosts of the West Nile Virus, meaning that – unlike birds – bats do not spread the disease and may play an important role in controlling its spread. Given the introduction of new mosquito species – including disease vectors – into southern California, maintaining healthy bat populations are important in urban environments, particularly near water features, such as the Los Angeles River, that attract multiple mosquito species including recently introduced vector species.

Healthy bat populations rely on secure, stable roosting environments. Bat surveys have not been conducted on this parcel. A thorough inspection of the inside of the buildings and an exit survey should be performed at this site during the maternity season (approximately April through August) prior to demolition to determine whether bats are present at the site. If bats are roosting in either of the buildings on the property, arrangements should be made to humanely exclude them prior to demolition. If either building is occupied by a maternity colony, alternate roosting habitat should be installed prior to the exclusion. Bat surveys, humane exclusions, and installation of alternate roosting habitat should be overseen by a bat biologist with experience conducting them. Upon request, I can provide a list of biologists qualified to perform these tasks.

Species Accounts

California bat (*Myotis californicus*) – Family Vespertilionidae (Evening bats)

This is a tiny (weight is slightly more than a penny) species that is known to roost colonially or individually in a variety of natural and human-made structures including caves, mines, rocky outcrops, trees (e.g. under exfoliating bark), buildings, and bridges. They eat small moths, flies (including mosquitoes) and other insects. In parts of their range, which includes most of western North America, they are known to mate in the fall, store sperm over the winter, and give birth to a single pup in spring after forming maternity colonies in early spring. Mating may occur during the spring in California. Although known to use human-made structures for roosting, this species is more common in open space and urban edge habitat than in large urban centers in coastal southern California (pers. obs.). The LACMNH Backyard Bats Study found this species to be widespread in Los Angeles County (Ordeñana, 2020, pers. comm.)

Yuma bat (*Myotis yumanensis*) – Family Vespertilionidae

This small, urban-adapted bat is one of the two most common species occurring in urban coastal southern California. Its distribution is strongly correlated with the presence of permanent water sources. This species specializes in the capture of aquatic emergent insects (including caddis flies, flies, midges, small moths and small beetles), but will forage in other habitats, as well, when insect abundance is elsewhere. This species mates in the fall and gives birth to a single pup in spring. Yuma bats are colonial, forming maternity colonies of anywhere from a few individuals to thousands. They often roost in natural or human-made structures near their preferred foraging habitat. The LACMNH Backyard Bats Study found this species to be widespread in Los Angeles County (Ordeñana, 2020, pers. comm.)

Canyon bat (*Parastrellus hesperus*) – Family Vespertilionidae

This tiny species is similar in size to the California bat, although some individuals weigh less than a penny, but is known to give birth to twins, meaning that pregnant females of this species forage while carrying more than 2/3 of their body weight. This species is known to roost alone or in small groups, often the first bats to emerge at dusk to forage on small, swarming insects, such as flying ants, fruit flies, and mosquitoes. They are common in rocky canyons, but were found to be widespread in Los Angeles County by LACMNH Backyard Bats Study (Ordeñana, 2014) and (Ordeñana, 2020, pers. comm.).

Mexican free-tailed bat (*Tadarida brasiliensis*) – Family Molossidae (Free-tailed bats)

This fast-flying, long-distance foraging species is one of the two most common bats found in urban southern California. Throughout their range, they form large maternity colonies that vary in size from a few dozen to millions of individuals. In California, the largest known colony of this species is approximately a quarter of a million individuals. In southern California, the largest colonies are comprised of approximately 25,000 individuals. Their tendency to congregate in large numbers is tremendously beneficial to people because they control insect populations (a colony of 1,000 individuals may consume 25 lbs. of insects nightly in the spring and summer), but this also poses a risk to the bats. If a single colony is disturbed or exterminated, this could cause a dramatic population decline. Bats, in general, are long-lived species, living for decades. Their maternity colonies may contain dozens of generations, and – with them – the long-term knowledge of the surrounding area and conditions, passed down from mothers to pups (Tartarian, 2020, pers. comm.). Free-tailed bats typically mate in early spring and give birth in late spring or early summer. LACMNH documented Mexican free-tailed bats in every neighborhood surveyed (Ordeñana, 2018) and (Ordeñana, 2020, pers. comm.)

Western mastiff bat (*Eumops perotis*) – Family Molossidae

This is the largest of the four free-tailed species known to occur in coastal southern California, and – with a nearly two-foot wingspan – is the largest species occurring in the United States. Despite their large size, this species is rarely seen by people because they tend to roost in cliff faces and forage high above the ground. When they do form roosts in urban areas, they are often quickly discovered and often exterminated. This species is a California species of Special Concern (CDFW, 2019). The closest locations to downtown Los Angeles where LACMNH documented this species were the L.A. Zoo and Los Feliz (Ordeñana, 2014) and (Ordeñana, 2020, pers. comm.).

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Figure 1 Bay Street Project Site Plan and Surrounding Planned Buildout, Location and Vicinity Map



Figure 2 Location of Photo Points and Corresponding Photos

Communication from Public

Name: Fred Gaines
Date Submitted: 06/08/2020 10:27 AM
Council File No: 20-0105-S1
Comments for Public Posting: Please see attached resume of Stephanie Remington - Bat Biologist, referenced in letter from Gaines & Stacey LLP dated June 5, 2020.

Stephanie Remington, M.S.

Designated Bat Biologist

Years of Experience

23

Education

- M.S., Biological Sciences, California Polytechnic University, Pomona, CA 2000
- B.S., Zoology, University of California, Berkeley, CA, 1998

Specialized Experience

- Work on transportation projects involving small and large bat colonies, including maternity colonies and sensitive species
- Habitat assessments
- Bat identification, visually and acoustically
- Bat capture and handling
- Humane bat exclusion
- Installation of alternative roosting structures
- Roost surveillance

Co-Authored

Bat survey of Griffith Park, Los Angeles, CA
Author(s): Stephanie Remington and Daniel S. Cooper
Source: The Southwestern Naturalist, 59(4):471-477.
Published By: Southwestern Association of Naturalists
DOI:
<http://dx.doi.org/10.1894/SGM-32.1>

PROFESSIONAL EXPERIENCE

Ms. Remington has 20+ years of specializing in the field of bat biology. Ms. Remington designs and conducts biological field surveys for bats throughout southern California using primarily capture, acoustic, and roost surveillance techniques to address questions relating to presence/absence, species composition, roosting locations and types, and habitat use on public and private lands. Current projects are primarily related to transportation structures (e.g. widening, retrofitting), but vary from land development to long-term acoustic/capture surveys. Project areas range from large public and private property to point locations, such as buildings and bridges. Tasks include identification of roost structures (natural and human-made), determination of the type of use by bats, development of site-specific species lists, measurement of activity levels, analysis of acoustic data, oversight of exclusions, and artificial roost installation. Final products submitted to clients include reporting of methods and results, and project-specific elements, such as recommending mitigation measures and management strategies.

For bats that are encountered before, during, or after construction and maintenance operations, Ms. Remington's expertise contributes to transportation-related projects in the following ways:

- Inspect bridges, culverts, and other structures where it is suspected that bats may occur; and confirm presence/absence.
- Relocate small numbers of individuals from areas where personnel are working.
- Provide methods and oversight for humanely excluding larger numbers of individuals.
- Identify the species present and type of roost to ensure that removal/exclusion methods and timing are in compliance with California regulations.
- Identify existing access points and potential access points for bats to prevent future re-entry into locations where personnel need to work.
- Provide designs and oversight of installation of alternative roosting habitat when required.
- Work with project engineers and construction personnel to minimize bat-related costs.

RECENT BAT PROJECTS

Interstate 10 Santa Ana River Bridges Seismic Retrofit Project

This project includes proposed repairs to, and retrofitting of, the three I-10 Bridges over the Santa Ana River. Ms. Remington was responsible for an emergence survey and writing of the draft Bat Avoidance, Monitoring, and Protection Plan, including recommendations of mitigation measures related to installation of alternate roosting habitat and humane exclusion. She is also responsible for oversight of the panel installation and humane exclusion.

Interstate 10 Corridor Project

This project includes proposed lane additions and other improvements including modification and replacement of existing structures along 33 miles of Interstate 10 in Los Angeles and San Bernardino Counties. Ms. Remington was responsible for initial site inspections and follow-up nighttime bat surveys along a 13 mile stretch of the project area in western San Bernardino and eastern Los Angeles Counties, and for writing the draft Bat Management Plan, including recommended mitigation measures.

State Route 91 Corridor Improvement Project, Riverside County, CA

The project included modifications to existing structures, replacement of existing structures, and construction of new bridges along two segments of SR-91 totaling approximately 12.5 miles. Ms. Remington is responsible for 20 months of post-construction monitoring at two sites with installed bat roosting habitat, and on evaluating the effectiveness of the project's bat-related mitigation.

Interstate 15 Express Lanes Project, Riverside County, CA

The project was to widen approximately 14.5 miles of I-15. Ms. Remington conducted pre-construction bat surveys throughout the project area, conducted a habitat assessment survey and identified structures within the project area that had bats roosting in them, authored the draft Bat Management Plan, including recommended mitigation measures, and oversaw vegetation removal, geologic boring, and installation of alternative roosting habitat. Exclusion from the impact area occurred in April 2018 and pre-construction roost monitoring continued through July 2018.

City of Santa Barbara- Multiple projects related to flood control and bridge replacement and retrofitting, Santa Barbara County, CA

Ms. Remington participated in this bridge widening and replacement project. She conducted pre-construction surveys on four small bridges and the surrounding habitat for the purpose of identifying roosting habitat, bat presence/absence, species identification, and recommending mitigation measures, when necessary.

6th Street Viaduct Replacement Project, Los Angeles County, CA

Ms. Remington participated in this viaduct replacement project. The project was to demolish and replace the 6th Street Viaduct. Ms. Remington conducted pre-construction bat surveys, recommended mitigation measures, and oversaw the installation of alternative roosting habitat on adjacent structures and exclusion of bats from the full length of the viaduct. She met with project engineers and other project personnel to discuss means of incorporating bat roosting habitat into the planned new viaduct.

State Route 91/SR-55 Separation Project: Santa Ana River Bridge Widening, Orange County, CA

The project was to widen and seismically retrofit the SR-91 Bridge. Ms. Remington conducted pre-construction bat surveys (identifying bat species roosting in the bridge and determining numbers of individuals present), provided specifications for alternative bat roosting habitat appropriate for the species present in the bridge, oversaw installation of alternative roosting habitat panels on the bridge structure, and oversaw installation of bat exclusion materials from the bridge hinges, as well as the exclusion of bats from swallows nests attached to the bridge. During the construction phase, she provided input to ensure construction operations complied with existing agreements with the California Department of Fish and Wildlife, including the streambed alteration agreement and bat monitoring plan. When issues arose during construction, Ms. Remington recommended mitigation measures designed to protect biological resources and maintain project schedules as closely as possible. After construction was completed, she monitored bat activity in the panels and hinges until the first evidence of bats re-inhabiting hinges. She trained Caltrans personnel in post-construction monitoring and they continued monitoring after the project ended.

Warehouse site inspection and exit survey: Los Angeles, Los Angeles County, CA

The project was to evaluate the potential of buildings on a parcel near the Fashion District for bat roosting, determine species and numbers present, determine the type(s) of roost(s), and recommend steps for compliance with California regulations prior to demolition.

Slauson Avenue Bridge Project: San Gabriel River, Los Angeles County, CA

The project was to seismically retrofit the Slauson Avenue Bridge. Ms. Remington conducted a pre-construction bat survey, identified types of roosts and bat species present in the bridge, determined numbers of individuals present, and provided recommendations and specifications for alternative bat roosting habitat appropriate for the species present in the bridge.

Riverside-Figueroa Viaduct: Los Angeles River, Los Angeles County, CA

The project was to replace the portion of the viaduct over the Los Angeles River. Ms. Remington conducted a pre-construction bat survey, identified types of roosts and bat species present in the bridge, determined minimum numbers of individuals present, and provided recommendations and specifications for alternative bat roosting habitat appropriate for the species present in the bridge.

Firestone Bridge over the Los Angeles and San Gabriel Rivers, Los Angeles County, CA

Ms. Remington conducted pre-construction bat surveys, identified types of roosts and bat species present in the bridge, determined minimum numbers of individuals present, and provided mitigation recommendations.