3.3 Biological Resources

3.3.1 Introduction

This section describes and evaluates potential impacts to biological resources that could result from implementation of the Arroyo Seco Music and Arts Festival Project (proposed Project). Existing biological conditions within the Project site; applicable policies, ordinances, and regulations; potential environmental impacts; and mitigation measures, where appropriate, are described. The information included in this analysis is based on a general site survey conducted by a qualified Biologist in June 2015, as well as other relevant literature regarding the Project site, including the Arroyo Seco Master Plan. The potential for the Project to result in impacts to biological resources was evaluated in the Initial Study (see Appendix A), and only the biological resources that may be impacted by the Project are further evaluated in this Environmental Impact Report (EIR).

Several comment letters received in response to the Notice of Preparation (NOP) requested that the EIR consider impacts on birds and wildlife, urban wildlife interface, and wildlife movement corridors (see Appendix A). These comments have been acknowledged in the preparation of this analysis.

3.3.2 Environmental Setting

The proposed Project is the annual 3-day Arroyo Seco Music and Arts Festival (the Festival), with a 2-week setup and 1-week breakdown. The Project site is located within Arroyo Seco Canyon (Central Arroyo) in the western portion of Pasadena, within a small valley associated with the Rose Bowl Stadium and facilities (Figures 2-1, 2-2, and 2-3). The Project site includes the Festival Site/Operations Perimeter, and surrounding parking areas, depicted on Figure 2-4. The environmental setting within the Project site is described below to account for all potential biological resources and existing conditions on and adjacent to the Festival site. The Festival site includes the Festival venue (stages, food court, VIP areas, etc.) and the Operations Perimeter depicted on Figure 2-5, which will be used to analyze potential impacts from the Project.

Rose Bowl Facilities

The Project site is generally located in a developed area associated with existing Rose Bowl facilities, surrounded by suburban development, and connected to the Angeles National Forest to the north through the Arroyo Seco and Hahamongna watershed. The Arroyo Seco, a major tributary of the Los Angeles River, flows out of the San Gabriel Mountains in the northwestern corner of Pasadena, through Arroyo Seco Canyon, and ultimately to the Los Angeles River in downtown Los Angeles. As it flows through Pasadena, the Arroyo Seco passes three major areas that comprise Arroyo Seco Canyon: the Upper Arroyo Seco (Hahamongna Watershed Park); the Central Arroyo Seco (the Rose Bowl and associated facilities); and the Lower Arroyo Seco. The Central
Arroyo Seco, which contains the Project site, is generally bounded by the Colorado Street Bridge to the south, Arroyo Boulevard and Arroyo Terrace to the east, Interstate 210 (I-210) and Devil’s Gate Dame to the north/east, and Linda Vista Avenue to the west.

The Central Arroyo comprises approximately 470 acres and is the most developed and active section of Arroyo Seco Canyon. Uses in the Central Arroyo Seco include the Rose Bowl Stadium, Brookside Golf Course and Clubhouse, Recreation Loop, Brookside Park, Kidspace Children’s Museum, Rose Bowl Aquatic Center, Rosemont Pavilion, Jackie Robinson baseball and softball diamonds, tennis courts, amphitheater, recreation and equestrian trails, multipurpose fields, and parks. Single-family residential neighborhoods bound the Central Arroyo Seco to the east and west of the Project site along the slopes of Arroyo Seco Canyon. The southeast edge of the Central Arroyo Seco along Arroyo Terrace also contains some small areas developed with multi-family residential uses.

The entire Project site contains disturbed and developed habitat associated with the Rose Bowl Stadium and associated infrastructure. A vast majority of the vegetation on the Project site consists of grass sod and a mix of native and non-native ornamental landscaped trees typically observed in golf course settings. Tree species observed during the site survey include a dominance of coast live oak (Quercus agrifolia) and western sycamore (Platanus racemosa), as well as scattered pine (Pinus spp.), gum (Eucalyptus spp.), Peruvian pepper (Schinus molle), and Brazilian pepper (Schinus terebinthifolius) trees. The slopes of the Arroyo Seco are planted with many mature stands of oak and sycamore trees along with a variety of other native and non-native tree and shrub groupings. Because of the development in the area and disturbances from previous grading and regular maintenance, no natural vegetation communities or soils occur on the Project site. Additionally, the site is subject to regular disturbances from human-related activities such as recreation, vehicle traffic, and displacement events (described in the Arroyo Seco Master Plan).

Wildlife species observed during the site survey include species that are commonly found in upland habitats and urban environments, such as: house finch (Haemorhous mexicanus), western bluebird (Sialia mexicana), European starling (Sturnus vulgaris), Lesser goldfinch (Spinus psaltria), acorn woodpecker (Melanerpes formicivorus), rock dove (Columba livia), barn swallow (Hirundo rustica), northern rough-winged swallow (Stelgidopteryx serripennis), blue-gray gnatcatcher (Polioptila caerulea), black phoebe (Sayornis nigricans), northern mockingbird (Mimus polyglottos), Pasadena parrot (red-masked parakeet) (Aratinga erythrogenys), mourning dove (Zenaida macroura), Canada goose (Branta canadensis), and California ground squirrel (Otospermophilus beecheyi).

Off-Site Parking Locations
The proposed Project includes five off-site parking and shuttle locations to accommodate parking demand for the Festival. Three of the off-site parking locations are in the city of Pasadena: Parsons Pasadena Building, Pasadena City College (PCC) Main Campus,
and PCC East Campus. Additional parking locations include Santa Anita Park in the city of Arcadia and University of Southern California (USC) University Park Campus in the city of Los Angeles (see Chapter 2, “Project Description,” for more detail on locations). Each of these parking locations are within established and developed parking lots that are used on a daily basis for parking, as well as for occasional large-event parking. There are no sensitive biological resources on-site or in the immediate vicinity of any of the five parking lots.

### 3.3.3 Regulatory Framework

**Federal**

*Federal Endangered Species Act*

The Federal Endangered Species Act (FESA) was established to protect wildlife species and habitats from extinction and diminishment. The FESA is administered by the U.S. Fish and Wildlife Service and applies to federally listed species and habitat occupied by the federally listed species. FESA Section 9 forbids acts that directly or indirectly harm listed species. Specifically, Section 9 identifies prohibited acts related to endangered species, and it states that all persons, including federal, state, and local governments, are prohibited from taking listed fish and wildlife species, except as specified under the provisions for exceptions (16 United States Code [U.S.C.] 1539). The term “take” is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such activity (16 U.S.C. 1532 (19)).

*Clean Water Act*

In 1948, Congress passed the Federal Water Pollution Control Act. The Act was later amended in 1972 and became known as the Clean Water Act (CWA). The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States. The Act specifies a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff.

The following describes relevant sections of the CWA in the context of the Project:

- Sections 303 and 304 provide for water quality standards, criteria, and guidelines.

- Section 401 requires every applicant for a federal permit or license for any activity that may result in a discharge to a water body to obtain a water quality certification that the proposed activity will comply with applicable water quality standards. Under Section 401 of the CWA, the State Water Resources Control Board (SWRCB) must certify that actions receiving authorization under Section 404 of the CWA also meet state water quality standards.
Section 402 regulates point- and nonpoint-source discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program. In California, the SWRCB oversees the NPDES program, which is administered by the Regional Water Quality Control Boards. The NPDES program provides for both general permits (those that cover a number of similar or related activities) and individual permits. Anti-backsliding requirements provided for under CWA Sections 402(o)(2) and 303(d)(4) prohibit slackening of discharge requirements and regulations under revised NPDES permits. With isolated/limited exceptions, these regulations require effluent limitations in a reissued permit to be at least as stringent as those contained in the previous permit.

Section 404 of the Clean Water Act establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including some wetlands. Activities in waters of the United States that are regulated under this program include fills for development, water resource Projects (e.g., dams and levees), infrastructure development (e.g., highways and airports), and conversion of wetlands to uplands for farming and forestry. This program is administered by the U.S. Army Corps of Engineers.

**Migratory Bird Treaty Act**

The Migratory Bird Treaty Act (MBTA) of 1918, as amended, is designed to protect birds that migrate and cross state lines to provide management of migratory birds at a federal level. The MBTA prohibits the kill or transport of native migratory birds, or any part, nest, or egg of such bird, or any otherwise lawful activity that results in take of the bird or its nest, including indirect impacts such as harassment, unless allowed by another regulation adopted in accordance with the MBTA.

**State**

**California Endangered Species Act**

The California Endangered Species Act (CESA) is similar in many ways to the FESA. CESA is administered by the California Department of Fish and Wildlife (CDFW). CESA provides a process for the California Department of Fish and Wildlife to list species as threatened or endangered in response to a citizen petition or by its own initiative (Fish and Game Code Sections 2070 et seq.). Section 2080 of CESA prohibits the take of species listed as threatened or endangered pursuant to the Act (Fish and Game Code Section 2080). Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: (1) the taking is incidental to an otherwise lawful activity; (2) the taking will be minimized and fully mitigated; (3) the applicant ensures adequate funding for minimization and mitigation; and (4) the authorization will not jeopardize the continued existence of listed species (California Fish and Game Code Section 2081).
California Fish and Game Code

The California Fish and Game Code regulates the taking of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the State. It includes the CESA (Sections 2050–2115) and Streambed Alteration Agreement regulations (Sections 1600–1616), as well as provisions for legal hunting and fishing, and tribal agreements involving the take of native wildlife. Any project impact to state-listed species within or adjacent to a project site would require a permit under CESA. Also, if a project proposes to alter a state-defined wetland, then a Streambed Alteration Agreement would be required from CDFW.

Local

City of Pasadena Municipal Code

City of Pasadena Tree Ordinance

Chapter 8.52, “City Trees and Tree Protection Ordinance,” of the Pasadena Municipal Code addresses the protection of trees within the city limits. The Ordinance specifically protects native, specimen, landmark, public, and mature trees within the City of Pasadena, as defined by the Code. It is the policy of the City to protect and maintain mature and healthy trees, as well as city trees as defined in the Code. Any property owner that intends to trim, remove, or relocate any tree protected under this Code must first submit an application to the City Manager, which may be subject to discretionary approval. The Project site contains native mature trees; however, no trees would be trimmed or removed as a result of the Project.

Arroyo Seco Master Plans

The City of Pasadena maintains three Master Plans for the Arroyo Seco: the Hahamongna Watershed Park Master Plan (for the Upper Arroyo area); the Central Arroyo Master Plan; and the Lower Arroyo Master Plan. The Project site is located within the Central Arroyo Seco and is therefore subject to the provisions set forth within that plan. Policies, goals, and objectives that apply to the Project site from the Lower Arroyo Seco Master Plan and the Hahamongna Watershed Master Plan are also discussed below.

Central Arroyo Master Plan

The Central Arroyo Master Plan Advisory Committee developed the Central Arroyo Master Plan in 2003 based on community input, interviews with public agencies, analysis of the Recreation Loop, and a review of pertinent City plans. The Master Plan was adopted by the City Council as of September 26, 2005. The Master Plan was designed to modify and enhance existing facilities and to provide recommendations for areas within the Central Arroyo, including the area surrounding the Rose Bowl. Recommendations generally fall into the following topic areas: Brookside Park (including both hillside areas and group picnic areas); Rosemont Pavilion; the Recreation Loop; recreation trails, landscape, and aesthetic improvements; parking; flood protection; the
permitting process; management and maintenance; land and conservation acquisitions; accessibility and security; and implementation.

**Lower Arroyo Master Plan**

**Goal 1:** Restore, preserve, and enhance the natural character of the Arroyo in its urban setting as a self-sustaining, healthy system of people, plants, and animals interacting with the land. The natural character will continue to inspire people, as it has throughout time, and provide a setting for human activities and in the future.

**Objectives**
- Maintain the Arroyo’s function as a corridor for wildlife and people.

**Hahamongna Watershed Master Plan**

**Goal 1:** Preserve, restore, and enhance the native habitats.

**Objectives**
- Protect and enhance the Hahamongna Watershed Park wildlife corridor linkages to the upper watershed and the downstream reaches of the Arroyo Seco.

### 3.3.4 Impacts

This section describes the impact analysis relating to biological resources for the proposed Project. It describes the methods and applicable thresholds used to determine the impacts of the proposed Project.

**Methodology**

A direct impact would occur if a modification, disturbance, or destruction of biological resources would result from Project-related activities, such as the removal of a wetland. An indirect impact would occur if Project-related development would indirectly affect protected plant and wildlife species or habitat, such as through the introduction of invasive plants. Temporary impacts would occur if impacts that are considered to be reversible and temporary in nature, such as temporary noise and lighting increases, result from implementation of the proposed Project. Permanent impacts are impacts that are considered to be irreversible.

**Festival Operations Features**

As part of the proposed Project, the Festival Operator would be required to implement a Waste Management Program, including a Waste Management Plan, to assist in reducing potential impacts to biological resources during setup, operation, and breakdown of the Festival. The Waste Management Plan would identify the location of waste and recycling containers and policies for minimizing waste and increasing recycling awareness during the Festival, in order to avoid any increased draw of wildlife to the area. A handout or poster describing the goals of the California Department of Fish and Wildlife’s Keep Me Wild campaign would be disturbed to vendors and/or posted...
3. Environmental Setting, Impacts, and Mitigation Measures

Biological Resources

at the Festival and within parking areas. Information regarding wildlife encounters (particularly coyote, deer, mountain lion, and bear) would be included.

Thresholds of Significance

Implementation of the Project may have a significant impact related to biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

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

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal) through direct removal, filling, hydrological interruption, or other means.

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

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

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

Potential impacts to biological resources were evaluated in the NOP/Initial Study for the Project (see Appendix A). It was determined in the Initial Study that implementation of the proposed Project would have no impact related to any special-status species, riparian habitat, sensitive natural communities, jurisdictional waters or wetlands, local policies and ordinances, and adopted conservation plans. The Project site is within a disturbed area with a golf course and paved/developed surfaces, with little to no native vegetation or soils that could support sensitive biological resources that would be affected by the annual 3-day Festival, including setup and breakdown. Additionally, the proposed Project involves a temporary use of the area that would not result in the temporary or permanent removal of any species or habitats that could support sensitive biological resources. The temporary displacement of common wildlife species known to occur in the area by the proposed Project is not considered a significant impact, particularly given the level of existing disturbances and displacement events that
currently occur on the Project site. Thus, these topics will not be discussed further in this EIR. The only potential impacts to biological resources relate to the movement of wildlife species via wildlife corridors, the urban wildlife interface, and to wildlife nursery sites that provide suitable habitat for nesting birds. These three potential impacts relate to the CEQA Threshold pertaining to the movement of native, resident, or migratory wildlife species that may be impacted by the Project. Thus, this is the only threshold discussed in further detail in this EIR.

Impact Evaluation

The Project could interfere with the movement of native, resident, or migratory wildlife avian species or with established native resident or migratory wildlife corridors. (Less-than-Significant Impact)

Project Site

The proposed Project would include increasing the number of displacement events to be held at the Rose Bowl Stadium and Brookside Golf Course from 12 to 15 annually, without further City Council approval, in order to allow for hosting of the Festival. Additionally, it would include amending the PMC to allow for uses on the Brookside Golf Course other than parking, consistent with current practice. Festival uses on the Brookside Golf Course would be the maximum level of disturbance and activity that would occur on the Brookside Golf Course. Any other events held on the golf course would be similar in size and scope to those that already occur (i.e., alumni events with amplified music, weddings, car shows, etc.).

Wildlife Corridors

The Project site and immediate surroundings contain landscaped and regularly maintained trees as part of the Brookside Golf Course and Rose Bowl facilities. The Central Arroyo Seco flows north-south along the western portion of the Project site and provides connectivity to the Upper Arroyo/Hahamongna Watershed Park to the north of the Project site, upstream of Devils Gate Dam. The Central Arroyo Seco provides a suitable corridor for native resident species to move through the area, particularly medium to large mammals such as coyote, bear, deer and mountain lion. Coyote and deer have been frequently observed in the area by local residents due to the Project location’s proximity to Los Angeles National Forest. Evidence of mountain lion (Puma concolor) use (observed prey remains) has been observed in the vicinity of the Project site and the species has the potential, though extremely rare, to move through the Project site using the Central Arroyo Seco and surrounding recreation areas (Wilson, 2015). Additionally, the Rose Bowl Operating Committee (RBOC) observed a black bear (Ursus americanus), near the golf course in 2013, at night, near the ponds that occur on the golf course that currently is enclosed by an 8-foot tall fence (RBOC pers. comm. 2015).
While the Project site and vicinity provide opportunities for the movement of wildlife, the immediate surroundings are entirely developed and frequently used for recreational purposes and ongoing displacement events. The Project site contains developed portions of the Rose Bowl facilities adjacent to the existing Brookside Golf Course, in a small valley between residential developments. The surrounding areas outside the Project site boundaries, including undeveloped hillsides to the east and west as well as natural areas north of Devil’s Gate Dam may provide opportunities for the movement of wildlife species; however, these areas would not be impacted, either directly or indirectly, by the Project. The channelized Arroyo Seco flows through the Project site and could also support the movement of wildlife species; however, the Arroyo Seco would be fenced through the entire Project site to prevent impacts to any wildlife that may be moving through the area, and it would not be altered or impacted by the Project even though Festival activities are proposed on either side of the Arroyo Seco. Additionally, the temporary displacement of wildlife species that could move through the area is not considered a significant impact, particularly when compared to daily high levels of human activity and other ongoing displacement events in the area. The proposed Project does not include any permanent barriers or changes to the Project site that would alter or otherwise inhibit the ability of wildlife to move thorough this area, any more than the normal disturbed and heavily used condition of the area.

The Project site is more than 1,500 feet from the Upper Arroyo/Hahamonga Watershed Park and is physically separated from that area by I-210 and the Devil’s Gate Dam, both of which are barriers to non-avian wildlife movement. Wildlife entering the Rose Bowl area are likely common residents, such as skunk, opossum, and raccoon that travel to and from the San Rafael Hills. Displacement events, such as the proposed Project, bring people and their associated food and waste to an area that could attract wildlife. Additionally, trash left behind or not disposed of properly can also attract wildlife to an area. As described in Chapter 2, “Project Description,” the proposed Project would include a Waste Management Program that would detail the regular cleaning of the Festival site and surrounding areas. This would include continual cleanup during the Festival hours, immediate cleanup after the end of each Festival day, and a larger cleanup effort within 24 hours after the conclusion of the Festival weekend. In addition, security fencing and lighting would be located around the Festival boundaries, including fencing around the Arroyo Seco channel, thus deterring wildlife from entering the area overnight. Nighttime lighting would be temporary, and would be directed onto the Festival site such that it would not significantly spill onto the Arroyo Seco channel rendering it unsuitable for resident wildlife to move through the area.

The proposed Project would not result in significant impacts to a significant or regional wildlife movement corridor or indirectly increase the potential for wildlife interaction at the Project site. Therefore, impacts would be less than significant.
Nesting Birds

The landscaped trees and infrastructure on the Project site, and native vegetation surrounding the site, provide suitable nesting habitat for avian species protected under the MBTA. The proposed Project is expected to occur on or around June each year, which is during the general avian breeding season of February through August. Project-related activities (setup, operation, and takedown) that occur during the general nesting season of February through August may result in potential indirect impacts (e.g., excessive noise, lighting, or human presence that can inhibit nesting activity) to nesting birds. Disturbing or destroying active nests is a violation of the MBTA (16 U.S.C. 703 et seq.), and areas containing active bird nests are considered a wildlife nursery site. In addition, avian nests and eggs are protected under California Fish and Game Code Section 3503.

Avian species that could build a nest on the Project site, and particularly within the Festival site, are species that would typically occur in disturbed and upland habitats, as well as urban environments, and would be highly accustomed to a high level of human presence, noise, and light disturbance associated with regular ongoing activities within the Central Arroyo Seco, including regular daily recreational use, smaller displacement events (i.e., Rose Bowl Flea Market), and large displacement events (12 annually). The proposed Project would not clear, trim, or remove any vegetation, including trees, on the Project site; therefore, there would be no physical alteration or destruction of suitable nesting habitat and thus no potential direct take to a bird or its nest as defined by the MBTA.

However, the noise, lighting, and increased human presence on the Festival site generated during the 3-day Festival, as well as the 2-week setup and 1-week breakdown, could potentially be a significant indirect impact to nesting birds, particularly when compared to ambient conditions and current displacement events. Active nests that occur in the immediate vicinity (within 250 feet) of the Festival site may be potentially indirectly impacted by the Project. Night-time lighting in direct line of sight with active nests may result in potential impacts to nesting birds by disrupting sleep behavior. The temporary (3 day) increase in noise within the site from an existing average ambient level of approximately 48 dB, to a range of noise levels from approximately 85 dBA (and not exceeding 85 dBA at the property line) to 100 dBA (interior to the Festival Site, in front of stages), would be considered a significant impact to nesting birds. Figures 3.7-5 and 3.7-6 depict the composite noise contours for the Project, and birds that may nest within this area, which overlaps with the Nesting Bird Survey Area depicted on Figure 3.3-1, may potentially be impacted by noise generated from the Project. The combination of noise, lighting, and the increase in human presence during the Festival, are considered indirect impacts since they may result in harassment and potential nest failure that would be considered significant. Therefore, to reduce potential indirect impacts to nesting birds protected by the MBTA and California Fish and Game Code, Mitigation Measure BIO-1, Nesting Bird Surveys, would be implemented.
Figure 3.3-1
Nesting Bird Survey Area
Off-Site Parking Locations
As stated further above, the proposed Project includes five off-site parking and shuttle locations to accommodate parking demand for the Festival. Three of the off-site parking locations are in the city of Pasadena: Parsons Pasadena Building, Pasadena City College (PCC), and an east PCC campus location. Additional parking locations include Santa Anita Park in the city of Arcadia and University of Southern California (USC) University Park Campus parking in the city of Los Angeles (see Chapter 2, “Project Description,” for more detail on locations). Each of these parking locations are within established and developed parking lots/areas that are used on a daily basis for parking, as well as for occasional large event parking. There are no sensitive biological resources on-site or in the immediate vicinity of any of the five parking lots. Parking and shuttle services would be within entirely developed areas in urban settings, consistent with existing use. There is no potential for off-site parking locations to affect biological resources, either directly or indirectly.

Mitigation Measures
Mitigation Measure BIO-1: Nesting Bird Surveys. Impacts to nesting birds protected by the MBTA and California Fish and Game Code will be avoided through implementation of the following measures:

- A pre-activity nesting bird survey shall be conducted prior to the onset of the Festival each year, within a maximum of 14 days prior to Project setup activities. The survey shall be conducted by a qualified biologist within all suitable nesting habitat located within the Nesting Bird Survey Area, as shown in Figure 3.3-1, which includes a 250-foot survey buffer around the Festival site to account for all potentially nesting birds on and in the immediate vicinity of the Project site. If no nesting birds are found, the Project may commence without potential impacts to nesting birds.

- If any active nest is observed during the pre-activity survey, a suitable buffer shall be established around the nest as determined by a qualified biologist to ensure no direct or indirect impacts occur to the nest. Many avian species that would nest in the area are accustomed to urban environments and regular activities that occur at the Rose Bowl Stadium; therefore, the buffer distance will be determined based on the location of the nest as well as the species tolerance to human presence. A qualified biologist will monitor the nesting activity after the buffer is delineated and during typical Project-related noises to verify that the buffer is adequately placed and to confirm that breeding is not compromised by the Project. Any excessive noise or lighting that could potentially impact the nest shall be directed away from the nest to the greatest extent feasible. On-site monitoring during the 2-week setup, the 3-day Festival, and 1-week breakdown may also be required as determined by the qualified biologist based on sensitivity of the species and proximity to Festival activities. The buffer shall remain in place for the duration the nest is active as determined by a qualified biologist.
Significance Determination: Less than Significant

3.3.5 Cumulative Effects

The proposed Project would not result in the temporary or permanent removal of any species or habitat on the Project site, and would only potentially result in the temporary displacement of species that can occur on the site or move through the area, which is not considered significant on account of the amount of temporary displacement events that currently occur at the Project site. Given the amount of existing disturbances on the Project site from ongoing activities (displacement events) authorized by the Arroyo Seco Master Plan and limited potential impacts of the proposed Project, implementation of the proposed Project would not have a cumulatively considerable effect on biological resources. The historic uses of the Project site, including relatively heavy daily use and regular displacement events that can occur annually, have not created a significant impact to birds protected under the MBTA and California Fish and Game Code, and thus the addition of the proposed Project (three additional displacement event days, annually) would not result in a cumulatively considerable effect and birds would be expected to use the site at the same level as they have done in the past. While the Project site and immediate vicinity could provide a refuge for animals displaced by other future projects in the area (i.e. Devils Gate Dam project and Arroyo Seco River Restoration projects), the immediate vicinity is of relatively low quality due to existing disturbances compared to the higher quality habitat that exists north of Devils Gate Dam and into the Angeles National Forest. Additionally, the projects listed in Table 3-1 are almost entirely located within urban settings where there would be no change to biological resources. Those located within the Project site and Central Arroyo Seco area are primarily infrastructure related (i.e., Devil's Gate Dam Sediment Removal Project, Brookside Park improvements, Pasadena Non-Potable Water Project and other projects that would not further restrict wildlife movement through the Central Arroyo Seco, and cumulative impacts would be less than significant.
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