

Notice of Preparation

To: Public Agencies and Other Interested Parties (see attached Distribution List)

From: City of Burbank
Community Development Department
Planning Division
150 North Third Street
Burbank, California 91502

Subject: Notice of Preparation of a Draft Environmental Impact Report

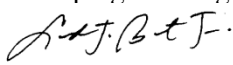
Project Title: 777 North Front Street Project

The City of Burbank will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the 777 North Front Street Project (“Project”), which proposes to construct a mixed-use development including residential units, a hotel and commercial uses on an 8-acre site (“Project site”) in the City of Burbank, California. The City requests input from affected public agencies and interested members of the public as to the scope and content of the environmental information that is germane to your agency’s statutory responsibilities in connection with the Project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the Project.

The Project description and location are described in the attached materials. The City expects that the EIR will include analyses for the following issues that are considered to have potential for significant impacts on the environment in association with the Project: aesthetics, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation and traffic, tribal cultural resources, and utilities/service systems. Issues that have been determined not to have a significant impact, or any impact, include agriculture and forestry resources, biological resources, recreation, and mineral resources.

Due to the time limits mandated by State law, your response must be sent at the earliest possible time but not later than 30 days after receipt of this notice, and no later than **5:00 PM on May 2, 2018**. Please send your response to the City of Burbank, Community Development Department, Attn: Leonard Bechet, 150 North Third Street, Burbank, California 91502. You may also email your response to lbechet@burbankca.gov. Please provide the name of a contact person at your agency.

A joint Community Meeting and EIR Public Scoping Meeting will be held on April 10, 2018 from 6:00 P.M. to 8:30 PM at Community Services (Room 104) on the first floor of the Community Services Building at 150 North Third Street in the City of Burbank. The Community Meeting portion will be held from 6:00 PM to 7:00 PM, followed by the EIR Public Scoping Meeting from 7:30 PM to 8:30 PM.

Date: April 3, 2018 Signature: 
Leonard Bechet
Title: Senior Planner
Telephone: (818) 238-5250

777 North Front Street Project Description

The 777 North Front Street Project (“Project”) involves clearing and excavation of the approximately 8-acre Project site to accommodate new construction of a mixed-use project that would include a total of 572 residential units, 1,067 square feet of retail gallery space, and 317 hotel rooms with ground floor and rooftop retail/restaurant uses. The development would include three separate buildings: a seven-story building, an eight-story building, and a 15-story building.

The residential component of the Project would be developed at a density of approximately 80 units per acre while the retail/hotel portion of the Project would be developed with a floor-to-area ratio (FAR) of 0.55. The overall site would have building coverage of 81 percent and a FAR of 2.9.

The 572 residential units would be located in two buildings. The proposed seven-story building would contain 262 units, and the eight-story building would contain 310 units. Associated residential common areas may include, but would not be limited to, a rooftop terrace, business center/internet café, coffee bar, demonstration kitchen, billiards table, resident lounge, fitness center with indoor exercise studio, resort-style pools with cabanas, jacuzzis, public plaza and bike trail access, pet grooming station, pet park, concierge services, and bike storage.

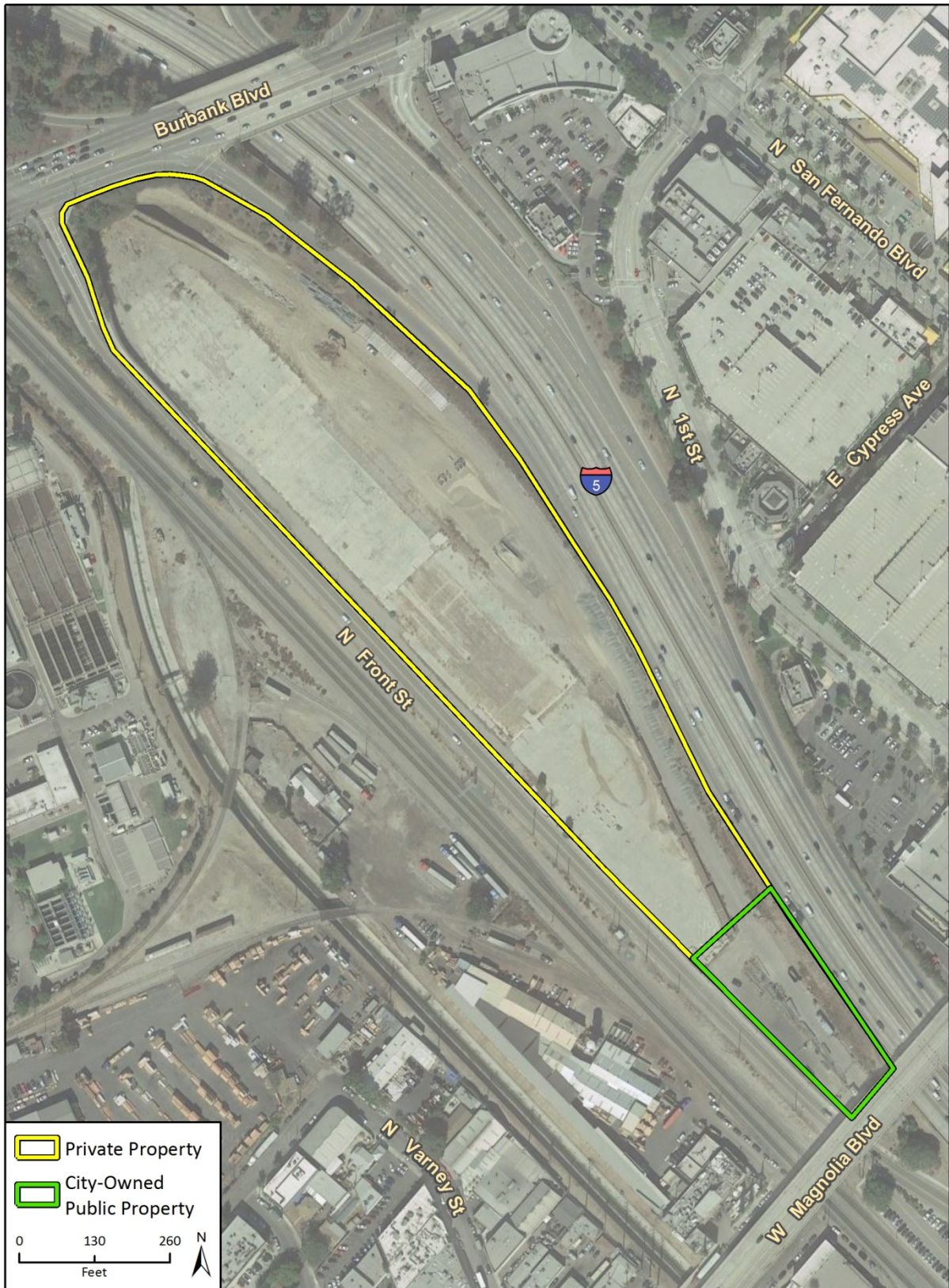
The hotel would be located in the 15-story building at the southeastern end of the Project site and would include 317 hotel rooms. Associated hotel amenities may include, but would not be limited to, restaurants, café, bar, pool terrace, fitness center, meeting rooms, and lounge. The retail uses would include accessory retail and restaurant uses on the ground floor and rooftop of the hotel, and a 1,067-square foot pedestrian gallery retail/restaurant link on Front Street near the intersection of Burbank Boulevard.

The primary entries for the hotel, retail, and apartments would be provided along Front Street. The Project includes 1,141 parking spaces for the residential uses, four parking spaces for the retail gallery, and 317 parking spaces for the hotel. Total parking provided is 1,462 spaces, which exceeds the required parking by one space, for the proposed uses. The Project includes one subterranean level for parking at the southern half of the Project site beneath a portion of the southern residential building and also beneath the hotel. One to two levels of parking would be between grade and the residential units in both residential buildings, as well as a seven-story parking structure between the residential buildings. There would also be a five-story parking structure adjacent to the hotel for hotel parking.

Loading for the residential units would be provided at two loading areas along the northeastern fire truck access lane, and loading for the hotel would be provided via a loading dock located at the northwest corner of the building with access along the fire truck access lane. The Project would include widening Front Street to include a turn lane and a bike lane across the street from the Project site.

Construction of the proposed Project is expected to be completed in one complete phase over a period of approximately five years, with construction beginning in August 2019 and ending in June 2024. Figure 1 shows the location of the Project site and surrounding roadways.

Figure 1 Project Location



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777 North Front Street Project

Initial Study

prepared by

City of Burbank

Community Development Department
150 North Third Street
Burbank, California 91502
Contact: Leonard Bechet, Senior Planner

prepared with the assistance of

Rincon Consultants, Inc.

250 East 1st Street, Suite 301
Los Angeles, California 90012

April 2018

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Los Angeles, California 90012

April 2018

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Initial Study

1 Project Title

777 North Front Street Project (“Project”)

2 Lead Agency Name and Address

City of Burbank
Community Development Department
150 North Third Street
Burbank, California 91502

3 Contact Person and Phone Number

Leonard Bechet, Senior Planner
(818) 238-5250
lbechet@burbankca.gov

4 Project Location

The Project site is located at 777 North Front Street in the City of Burbank, California. The site is generally bounded by Old Front Street and Interstate Highway 5 (I-5) to the north and east, Front Street to the south and west, Burbank Boulevard is northwest of the site, and Magnolia Boulevard at the southeast end of the site. Figure 1 shows the location of the site in the region, Figure 2 shows the site in its neighborhood context, and Figure 3a through Figure 3d show the existing conditions of the Project site.

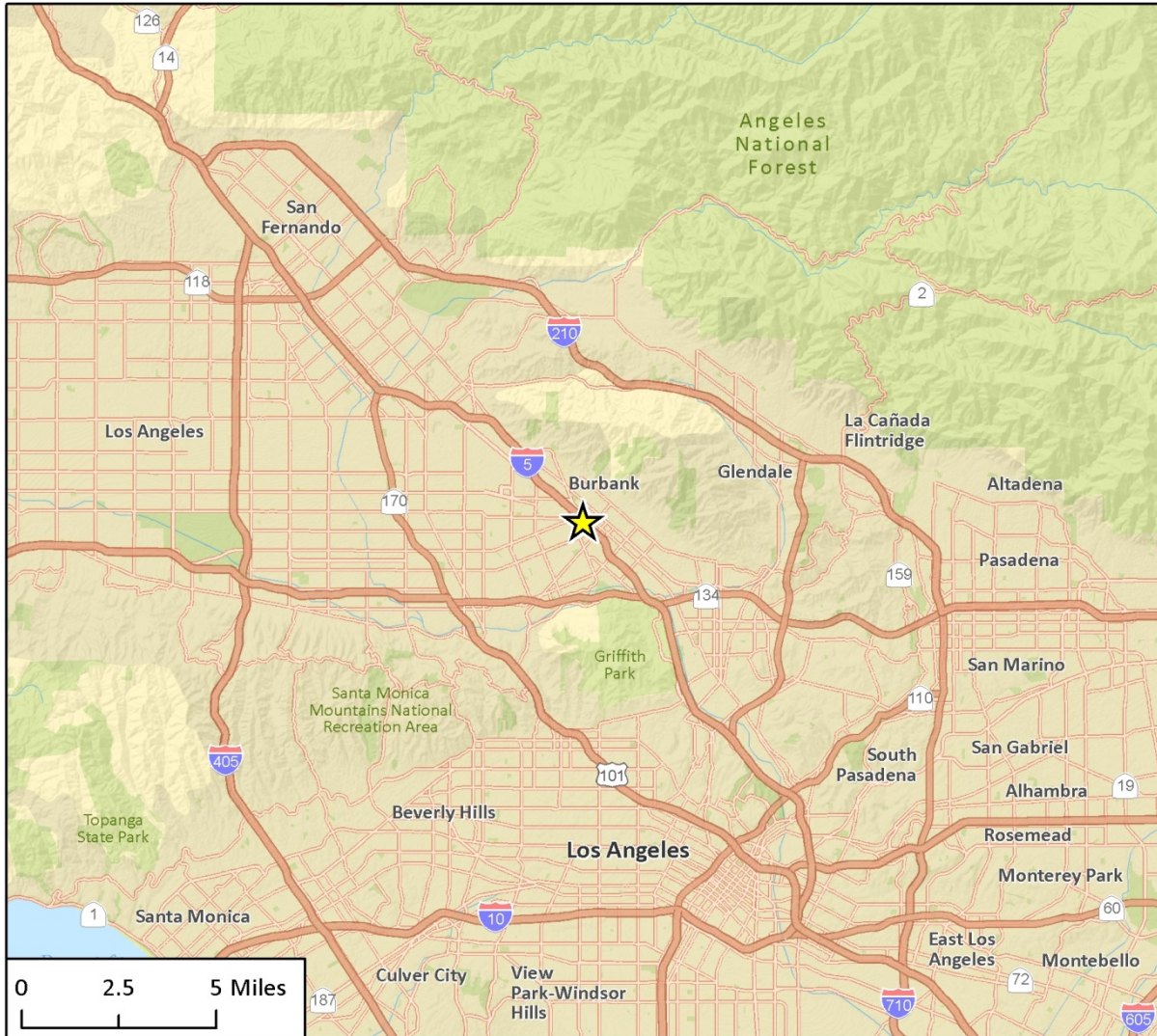
5 Project Sponsor’s Name and Address

SJ4 Burbank LLC c/o La Terra Development
777 South Highway 101, Suite 107
Solana Beach, California 92075

6 Existing Setting

The Project site is an approximately eight-acre, irregularly-shaped parcel that is the former location of the General Water Heater Company (GWHC) from the 1930s until 1961. The Zero Corporation (Zero) manufactured metal cases and other products from approximately 1961 to 1991 in a facility comprised of six buildings. In 1998, the Ford Leasing Development Company (FLDC) purchased the site with the intent to redevelop the property as a car dealership, which did not occur. The site has been dormant since 1991, aside from occasional use for storage and as a filming location for the entertainment industry. The former Zero buildings were demolished with the building slabs left intact in 2004. The site currently contains mounds of soil and construction materials throughout the

Figure 1 Regional Location



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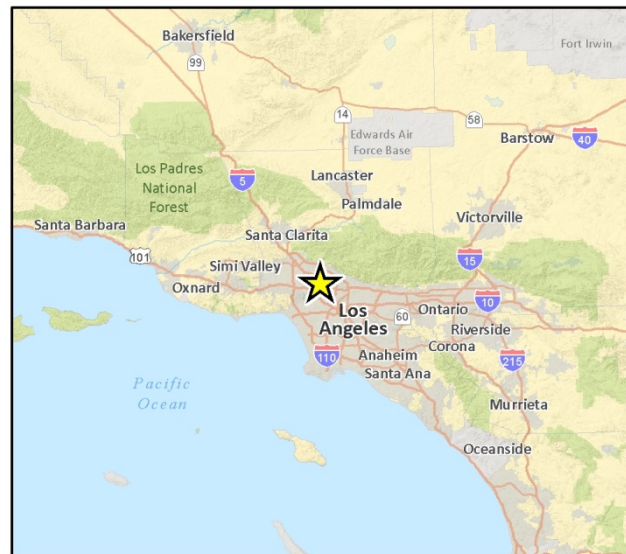
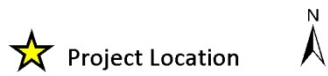


Fig 1 Regional Location_vec

Figure 2 Project Location



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High Project Location

Figure 3a Project Site Photograph



View of the Project site looking northeast from the western boundary (at the northern end of the Project site)

Figure 3b Project Site Photograph



View of the Project site looking northeast near the northwestern corner of the Project site

Figure 3c Project Site Photograph



View of the Project site looking southeast from northwestern boundary of the Project site

Figure 3d Project Site Photograph



View of the vacant lot and former building pads

site. The site is partially fenced along Front Street. As shown in Figure 4, a California Department of Transportation (Caltrans) easement is adjacent to the northeast end of the site.

7 General Plan Designation

Downtown Commercial by the General Plan

Mixed Commercial/Office/Industrial by the Burbank Center Plan (Specific Plan)

8 Zoning

Auto Dealership (AD)

9 Description of Project

The proposed Project involves clearing and excavation of the Project site to accommodate new construction of a mixed-use project that would include a total of 572 residential units, 1,067 square feet of retail gallery space, and 317 hotel rooms with ground floor and rooftop retail/restaurant uses (see Figure 4). The development would include three separate buildings: a seven-story building, an eight-story building, and a 15-story building. Parking for the residential and hotel uses is described below.

The residential component of the Project would be developed at a density of approximately 80 units per acre while the retail/hotel portion of the Project would be developed with a floor-to-area ratio (FAR) of 0.55. The overall site would have building coverage of 81 percent and a FAR of 2.9.

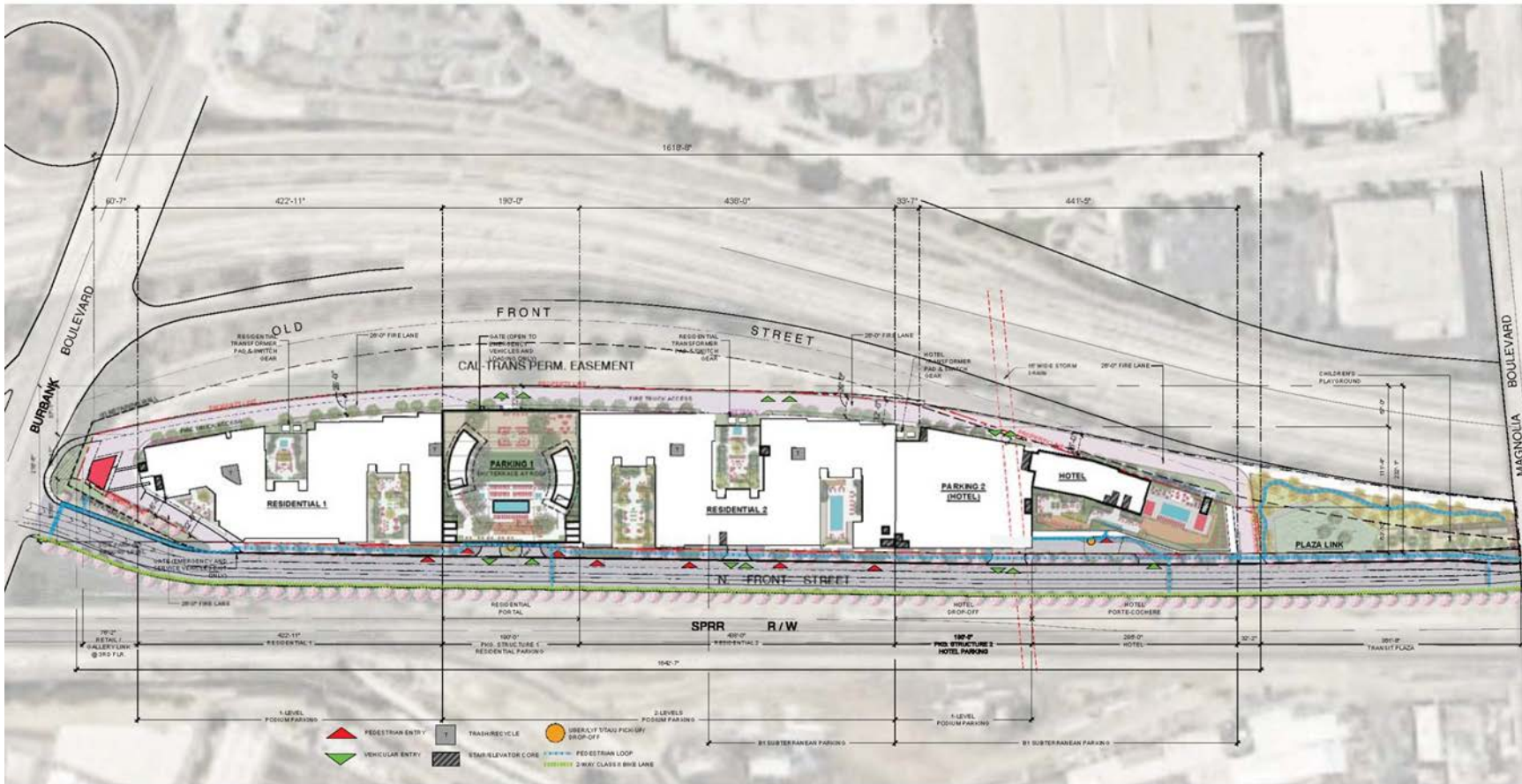
The 572 residential units would be located in two buildings. The proposed seven-story building would contain 262 units, and the eight-story building would contain 310 units. Associated residential common areas may include, but would not be limited to a rooftop terrace, business center/internet café, coffee bar, demonstration kitchen, billiards table, resident lounge, fitness center with indoor exercise studio, resort-style pools with cabanas, jacuzzis, public plaza and bike trail access, pet grooming station, pet park, concierge services, and bike storage.

The hotel would be located in the 15-story building at the southeastern end of the Project site and would include 317 hotel rooms. Associated hotel amenities may include, but would not be limited to, restaurants, café, bar, pool terrace, fitness center, meeting rooms, and lounge. The retail uses would include accessory retail and restaurant uses on the ground floor and rooftop of the hotel, and a 1,067-square foot pedestrian gallery retail/restaurant link on Front Street near the intersection of Burbank Boulevard. Conceptual site renderings are shown in Figure 5 through Figure 9.

Access and Parking

The primary entries for the hotel, retail, and apartments would be provided along Front Street. The project includes 1,141 parking spaces for the residential uses, four parking spaces for the retail gallery, and 317 parking spaces for the hotel. Total parking provided is 1,462 spaces, which exceeds the required parking by one space, for the proposed uses. The Project includes one subterranean level for parking at the southern half of the Project site beneath a portion of the southern residential building and also beneath the hotel. One to two levels of parking would be between grade and the residential units in both residential buildings, as well as a seven-story parking structure between the residential buildings. There would also be a five-story parking structure adjacent to the hotel for hotel parking.

Figure 4 Project Site Plan



Source: Nadel Architects, 2018

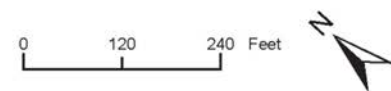


Figure 5 Conceptual Site Rendering – Aerial View of West Elevation

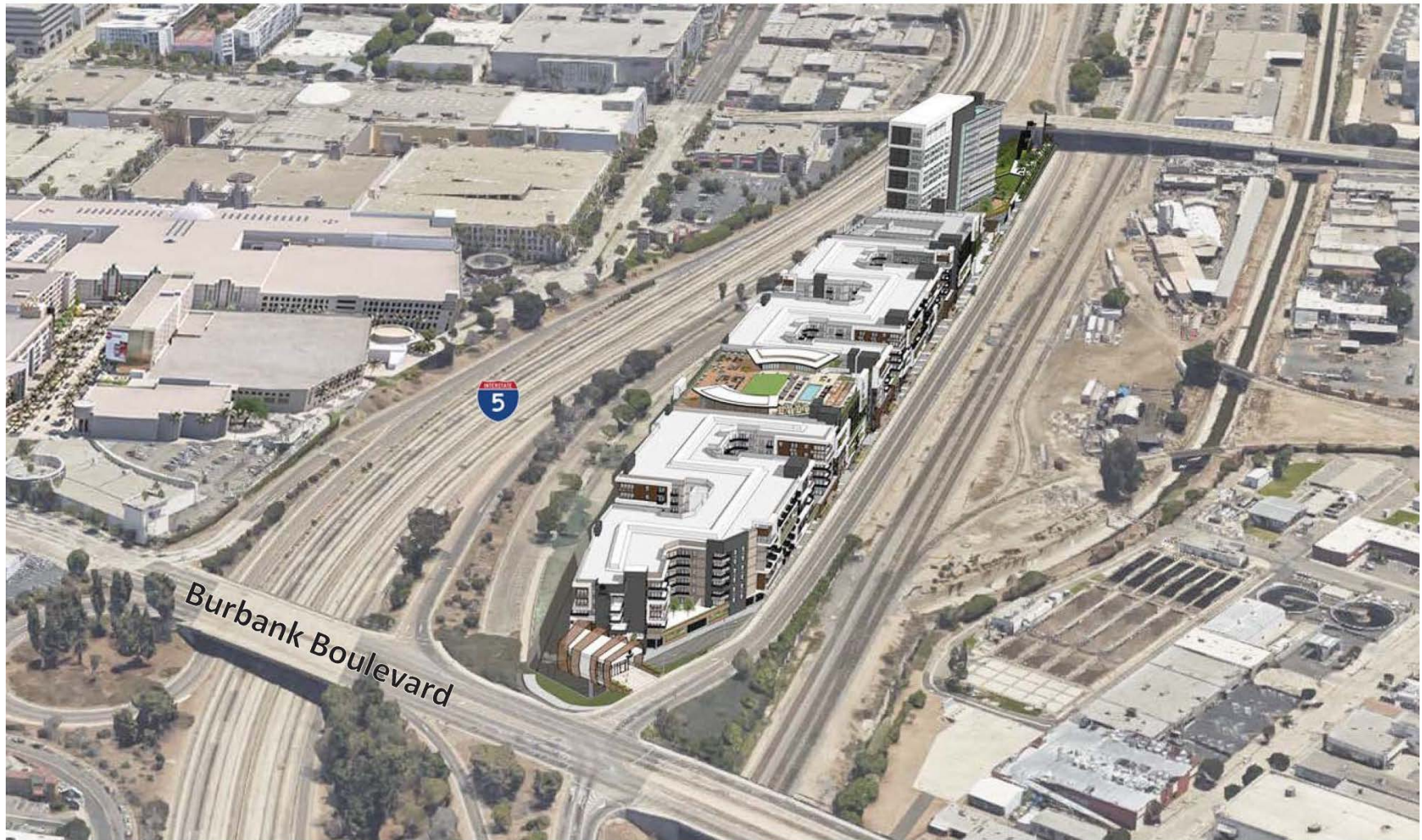


Source: Nadel Architects, 2018

Figure 6 Conceptual Site Rendering – East Elevation (View of Project site Across from I-5 Freeway)



Figure 7 Conceptual Site Rendering – Aerial View of North Elevation



Source: Nadel Architects, 2018

Figure 8 Conceptual Site Rendering – West Elevation



Source: Nadel Architects, 2018

Figure 9 Conceptual Site Rendering – East Elevation



Loading for the residential units would be provided at two loading areas along the northeastern fire truck access lane, and loading for the hotel would be provided via a Loading Dock located at the northwest corner of the building with access along the fire truck access lane. The Project would include widening Front Street to include a turn lane and a bike lane.

Table 1 Project Summary

Project Site Area		8.09 acres (352,297 sf)		
Component	Building Area (sf)	Height	Units/Rooms	
Residential ¹	660,936	–	–	
Building 1	–	7-story	262	
Building 2	–	8-story	310	
Retail	1,067	1-story	–	
Hotel ²	194,881	15-story	317	
Basement	156,575			
Total	1,013,459	–	–	
Open Space Area				
Courtyards	28,897			
Pool Deck	32,303			
Transit Plaza	27,800			
Private Balconies	17,250			
Total area	106,250			
Parking Stalls				
Type	Residential	Hotel	Retail	
Standard	1,119	305	4	
ADA Accessible	22	8	–	
Tandem	63	–	–	
Compact	–	4	–	
Total		1,462³		
Bicycle Stalls				
Type	Residential	Hotel	Retail	
Short-term	14	4	–	
Long-term	43	12	–	
Total		73		

¹ Residential area includes residential space in both Buildings 1 and 2

² Hotel area includes square footage of 317 hotel rooms, a lounge, bar, a meeting room, and a fitness club

³Total does not include the tandem residential spaces

Construction and Grading

Construction of the proposed Project is expected to be completed in one complete phase over a period of approximately five years, with construction beginning in August 2019 and ending in June 2024. The anticipated schedule for the construction phases are as follows:

- Site Preparation: August – October 2019
- Grading: October – November 2019
- Building Construction: November 2019 – June 2024

The entire Project site would be graded and approximately 90,000 cubic yards of cut soil would be exported from the Project site. Given an estimated haul truck capacity of 24 cubic yards (using tandem trailers), approximately 3,750 haul truck trips would be required for soil export. The Project site would be watered daily as needed to control dust from grading and construction activities.

Building construction would involve widening of Front Street to include a bike lane across the street from the project site that would require approximately 15,000 square feet of additional excavation and paving. Total areas paved both within the Project site and on Front Street would be approximately 1.1 acres.

Landscaping and Open Space

The Project includes approximately 89,000 square feet of common open space, a minimum of approximately 15 percent of which would be landscaped. The Project would include a publicly accessible, privately maintained Plaza Link and pedestrian Bridge that connects the plaza to Magnolia Boulevard and downtown Burbank on City-owned land immediately due south of the Project site. The plaza would be approximately 27,800 square feet. Along the north/northeast as perimeter where the Project site is adjacent to I-5, there would be earth mounds to provide a sound buffer and landscape screening.

Sustainable Design

The Project would be designed to be the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certified. The Project would also be designed to obtain the WELL Certified under the USGBC. The Project is oriented and designed to minimize site disruptions and maximize pedestrian-oriented landscaped open space. Project design features and materials include sustainable products and locally sourced materials that would include an energy efficient HVAC system and MERV filters, cool roofs, LED lighting, and high performance glazing. Water efficient appliances and fixtures, drip irrigation, and drought tolerant landscaping would be included. Indoor environmental quality favors formaldehyde-free finishes, low-allergen materials, and use of products with minimum off-gassing or low volatile organic compounds (VOC's). Development under the proposed Project would also comply with all applicable California Green Building Standards Code.

Project Design Feature (PDF)

The following PDF is included as part of the Project during the construction period.

Biological PDF – Nesting Birds

While common bird species are not designated special-status species, destruction of their eggs, nests, or nestlings is prohibited by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFG) (Sections 3503, 3503.5, 3511, and 3513). Potentially suitable habitat for nesting birds exists on-site. If site preparation and construction activities are initiated during the nesting bird season (typically February 1 and August 31, and as early as January 1 for raptors), a preconstruction nesting bird survey must be conducted within seven days prior to initial grading or

vegetation removal to determine the presence/absence, location, and status of any active nests onsite or within 100 feet of the site for nesting birds, or within 500 feet of the site for nesting raptors to comply with State CFGC and federal MBTA regulations. In areas where site access is limited or prohibited (e.g., private property), the area will be surveyed using binoculars. If results of the nesting bird survey identify active nests that could be impacted by project activities, the following measures should be applied:

- If active nests are discovered on the Project site, a qualified biologist will establish an appropriate buffer around each nest(s). Typical buffers range from 100 feet for nesting birds and up to 500 feet for raptor nests, depending on the species.
- No construction within the buffer should occur until a qualified biologist has determined the nest(s) are no longer active. Encroachment into the buffer may occur at the discretion of a qualified biologist in coordination with the City of Burbank.

10 Required Approvals

The following entitlements are required for the proposed development:

- Specific Plan Amendment to the Burbank Center Plan to allow housing
- Development Review
- Planned Development
- Development Agreement
- Vesting Tentative Tract Map

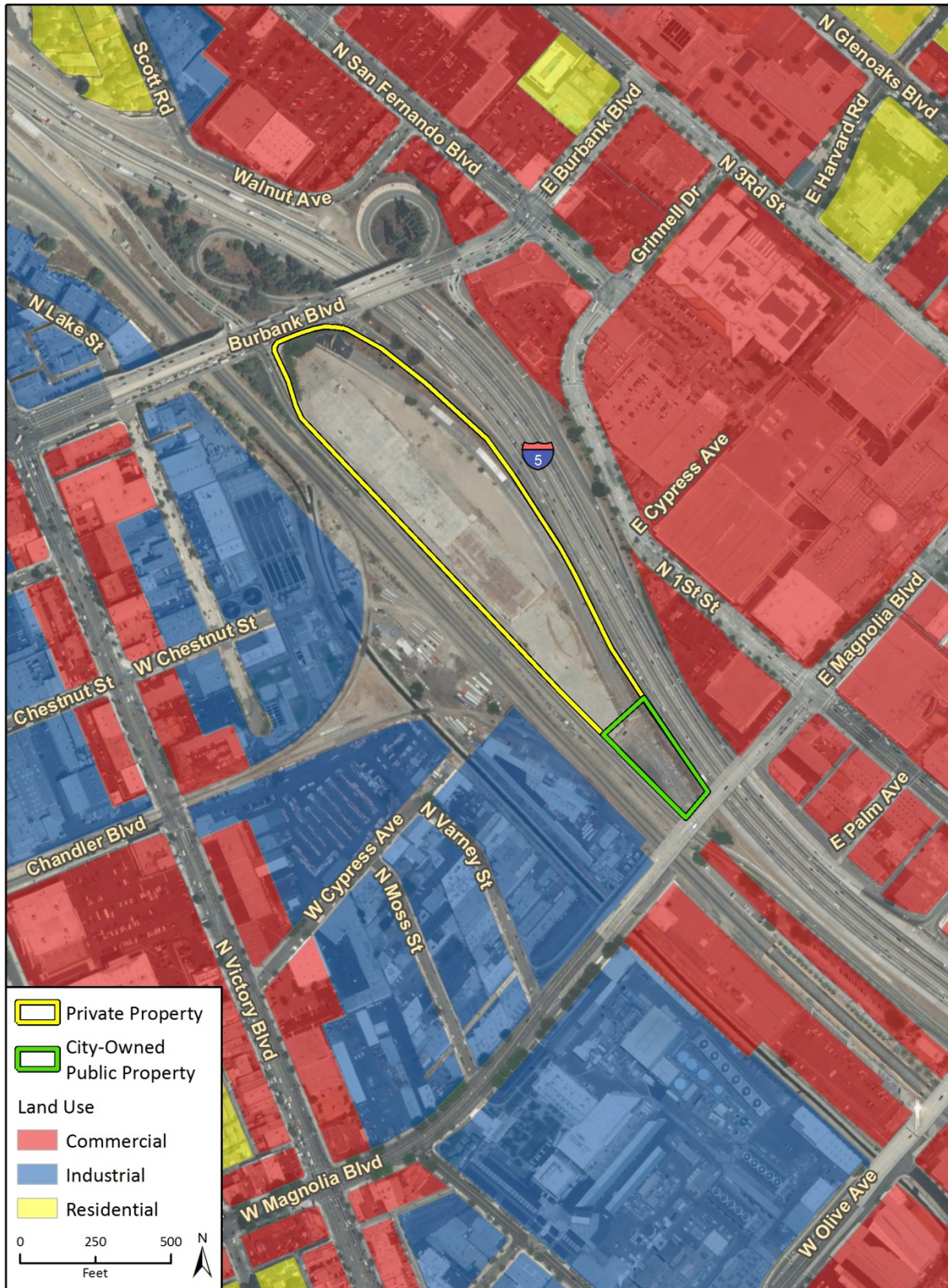
11 Surrounding Land Uses and Setting

The Burbank Metrolink Station is southeast of the Project site, on the west side of North Front Street, which serves as a major public transportation node in the City. The site is located near Downtown Burbank. The City is home to Walt Disney, Warner Brothers, Nickelodeon Animation, and other media companies. A renovation of the Burbank Town Center is currently under city review that can add housing and retail to the community. I-5 separates the Project site from the northeast portion of Downtown Burbank that consists of retail, office and residential land uses. Along the west portion of the Project site, industrial and commercial land uses are located within the immediate blocks surrounding the Project site. Residential areas are located a few blocks west of the Project site, as well as north of the site on the northeast side of I-5. The United Water Services treatment facility located on the Burbank Water and Power (BWP) power plant site is approximately 150 feet southwest of the site. See Figure 10 for a map of the surrounding land uses.

12 Other Public Agencies Whose Approval is Required

The City of Burbank is the lead agency with responsibility for approving the Project. Discretionary approval from other public agencies may include permits from Caltrans and the Regional Water Quality Control Board.

Figure 10 Surrounding Land Uses



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Land Use data provided by County of Los Angeles, 2017.

Fig. 10 Surrounding Land Uses

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Potentially Significant Unless Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology and Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality |
| <input checked="" type="checkbox"/> Land Use/ Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population / Housing | <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input checked="" type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

Determination

Based on this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

L. J. Bechet

4/2/18

Signature

Date

Leonard Bechet

Senior Planner, City of Burbank

Printed Name

Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantial damage to scenic resources, including but not limited to trees, rock outcroppings, and historic buildings along a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. *Would the project have a substantial adverse effect on a scenic vista?*

As identified in the Conservation and Open Space Element of the City’s 2035 General Plan, scenic vistas in Burbank are limited to the Verdugo Mountains, which are located over a mile and half northeast of the Project site (City of Burbank 2013). The Project site is not located in an area with a viewshed of the Verdugo Mountains, and would not interfere with established views to the northeast. Similarly, the Project site would not interfere with views of the Santa Monica Mountains to the southwest, which are over three miles with intervening development between. Additionally the Project site is relatively flat and does not provide views of either identified scenic vista. Impacts would be less than significant, and further analysis of this issue in an EIR is not warranted.

LESS THAN SIGNIFICANT IMPACT

b. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings in a state scenic highway?*

The Project site does not contain any scenic resources, as identified in the City Open Space and Conservation Element (City of Burbank 2013). Existing vegetation on-site consists of ruderal vegetation and ornamental trees. The Project site does not contain rock outcroppings, or historic buildings on-site. The California Scenic Highway System and the County of Los Angeles Scenic Highways Element indicate that no existing or proposed County or State scenic highways are located in the vicinity of the Project site. The closest scenic highway is the 210 freeway, located over three miles north of the Project site (Caltrans 2011). Therefore, no impact to scenic resources would occur and further analysis of this issue in an EIR is not warranted.

NO IMPACT

- c. *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The Project site would be cleared and excavated to accommodate new construction of a mixed-use Project that would include 572 residential units with 1,067 square feet of retail space and 317 hotel rooms with ground floor and rooftop retail/restaurant uses in buildings ranging from one to 15 stories. Implementation of the proposed Project would represent a substantial change in the visual character of the site and fundamentally change the aesthetics of the site. However, the Project site has been dormant since 1991, aside from occasional use for storage and as a filming location for the entertainment industry. The former Zero buildings were demolished with the building slabs left intact in 2004. The Project site is partially fenced along Front Street and currently contains mounds of soil and construction materials throughout the site. Development of the proposed Project would improve the visual character of the site in comparison to the existing conditions. In addition, the proposed mix of land uses and heights of the buildings would be consistent with the surrounding development of Downtown Burbank. Therefore, impacts related to the existing visual character or quality of the site would be less than significant and further analysis of this issue in an EIR is not warranted.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Project site is surrounded by an urban, industrial area with existing sources of light and glare. Primary sources of light are associated with the vehicles along I-5 and the existing commercial and industrial buildings, including building mounted lighting. New sources of glare would include headlights from cars entering and leaving the site at night, as well as windows on cars and the proposed buildings, which could reflect sunlight during certain times of the day. The proposed Project would incorporate exterior lighting in the form of pedestrian walkway lighting, building mounted lighting, and other safety related lighting. These light sources would add to the existing lighting conditions in the Project area since the site is currently undeveloped. Impacts related to the Project's lighting and glare would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

2 Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land. This includes the Forest and Range Assessment Project and the Forest Legacy Assessment Project, along with the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use or a Williamson Act contract	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
- b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*
- e. *Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

Based on the Department of Conservation's Farmland Mapping and Monitoring Program and Williamson Act maps, neither the Project nor adjacent properties are State-designated Farmland, enrolled in Williamson Act contracts, or support forest land or resources (California DOC, 2014 and 2016). The Project site is zoned as Auto Dealership (AD). Upon Project approval, the Project site would be rezoned for residential and commercial uses. The Project site is not located on or adjacent to agricultural land or forest land, and the Project would not involve any development that could result in the conversion of Farmland to non-agricultural uses. The Project would have no impact with respect to: the conversion of Farmland to non-agricultural use; conflicts with existing agricultural zoning or Williamson Act contract; the loss of forest land or conversion of forest land to non-forest use; or other conversions of Farmland to a non-agricultural use. No impact would occur and further study of this issue is not warranted.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Conflict with or obstruct implementation of the applicable air quality plan	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- c. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?*
- d. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

The Project site is located in the South Coast Air Basin (the Basin), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The local air quality management agency is required to monitor air pollutant levels to ensure that applicable air quality standards are met, and, if they are not met, to develop strategies to meet the standards. The SCAQMD has adopted an Air Quality Management Plan (AQMP) that provides a strategy for the attainment of State and federal air quality standards.

Emissions generated by the proposed Project would include temporary construction emissions and long-term operational emissions.

Construction activities such as the operation of construction vehicles and equipment over unpaved areas, grading, trenching, and disturbance of stockpiled soils have the potential to generate fugitive dust (PM10) through the exposure of soil to wind erosion and dust entrainment. In addition, exhaust emissions associated with heavy construction equipment would potentially degrade air quality. Construction emissions could exceed SCAQMD significance thresholds.

Long-term emissions associated with operational impacts would include emissions from vehicle trips, natural gas and electricity use, landscape maintenance equipment, and consumer products and architectural coating associated with development of the Project site. Emissions could exceed SCAQMD significance thresholds. Long-term vehicular emissions could also result in elevated concentrations of carbon monoxide (CO) at congested intersections in the vicinity of the Project site.

Certain population groups, such as children, the elderly, and people with health problems, are considered particularly sensitive to air pollution. Sensitive receptors include land uses that are more likely to be used by these population groups. Sensitive receptors include health care facilities, retirement homes, school and playground facilities, and residential areas.

Impacts related to both temporary construction-related air pollutant emissions and long-term emissions may be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

e. Would the project create objectionable odors affecting a substantial number of people?

The eight-acre Project site would include commercial and residential land uses with a variety of amenities such as restaurants, office and retail space, open space, and a hotel. Restaurant uses have the potential to generate odors associated with cooking and preparing food. However, restaurant odors are not typically offensive, ventilation systems are usually required to avoid substantial odor impacts, and solid waste generated from the restaurant would be stored in designated areas and containers. In addition, office, retail, and restaurant uses are not listed or identified as land uses associated with Odor Complaints on Figure 4-3 of the 1993 SCAQMD CEQA Air Quality Handbook that require analysis of odor impacts. Substantial objectionable odors are normally associated with uses such as agriculture, wastewater treatment, industrial facilities, or landfills.

Construction activities associated with the development of the Project could result in odorous emissions from diesel exhaust generated by construction equipment. However, due to the temporary nature of such emissions and the highly diffusive properties of diesel exhaust, nearby receptors would not be adversely affected by diesel exhaust odors associated with construction activities. Therefore, development of the proposed mixed-use project would not generate objectionable odors affecting a substantial number of people. Impacts would be less than significant and no further analysis is warranted.

LESS THAN SIGNIFICANT IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
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 Wildlife or U.S. Fish and Wildlife Service	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Rincon Consultants, Inc. prepared a Biological Resources Assessment (BRA) for the Project in December 2017. The following analysis is based on the information and analysis contained in the BRA that is included as Appendix A.

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

A reconnaissance level field survey was conducted on November 22, 2017. No special status plant and wildlife species were observed on the Project site during the survey and none are expected to occur on the Project site based on the lack of suitable habitat. Therefore, the proposed Project is not expected to affect sensitive plant and wildlife species. While common bird species are not designated special-status species, destruction of their eggs, nests, or nestlings is prohibited by the MBTA and CFGC Sections 3503, 3503.5, 3511, and 3513. Potentially suitable habitat for nesting birds exists on-site. Therefore, construction activities and post-construction vegetation maintenance could result in impacts to nesting birds and raptors. However, as discussed in Section 9, *Description of the Project*, the proposed Project includes a Biological Project Design Feature (PDF) that would require the Project site to be surveyed if construction occurs during the nesting bird season. If active nests are identified, buffers would be implemented to minimize impacts to nesting birds. With implementation of the Biological PDF, potential impacts would be less than significant and no further analysis is warranted.

LESS THAN SIGNIFICANT IMPACT

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

No sensitive plant communities or habitat types were observed on the Project site during the survey. Therefore, the proposed Project is not expected to affect any sensitive plant communities or habitat types. No impact would occur and no further analysis is warranted.

NO IMPACT

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

The Project site does not contain any federally protected waters or wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.); riparian habitat or streambed as defined by Section 1600 et seq. of the CFGC; or “waters of the State,” as defined by the Porter-Cologne Water Quality Control Act. Therefore, the proposed Project is not expected to affect any jurisdictional waters and wetlands, and no further analysis is warranted.

NO IMPACT

- d. *Would the project 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?*

The Project site is located within a highly developed urban area and surrounded by urbanized uses in each direction including roads, highways and commercial uses, with dense residential

development further out. Given the urban nature of the regional vicinity, it is unlikely wildlife utilize the immediate area for regional movement. Furthermore, the CDFW does not include any mapped California Essential Habitat Connectivity areas within the Project site. Therefore, no impacts are anticipated and no further analysis is warranted.

NO IMPACT

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

The Project site is located within a highly developed urban area and surrounded by urbanized uses; however, there are trees located on-site and along the boundaries of the Project site. The City of Burbank Municipal Code Section 7-4-108 provides for the protection of landmark trees, trees of outstanding size and beauty, and dedicated trees. No such trees were observed in the project site during the survey.

If final plans for the proposed Project include the removal of trees on City property (including street trees), the plans will be reviewed through the City's Plan Check process to ensure they comply the Municipal Landscape Ordinance and BMC Section 7-4-111 (Removal for the Purpose of Construction). Therefore, potential conflicts with local policies or ordinances would result in less than significant impacts.

LESS THAN SIGNIFICANT IMPACT

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

The Project site is not located in an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other applicable plan. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

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5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

According to historic aerial imagery, a structure appears on the Project site beginning as early as 1972 (NETRonline 2017). Subsequent images depict this structure undergoing various alterations through 2004, after which it does not appear on the Project site. This suggests that the structure was removed from the property sometime between 2004 and 2005. Although the structure foundation is still present on the Project site, the building associated with it was less than 50 years old, thus not reaching sufficient age as a cultural resource under CEQA. Therefore, there would be no potential impact to historical resources and further analysis of this issue is not warranted.

NO IMPACT

- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*
- c. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*
- d. *Would the project disturb any human remains, including those interred outside of formal cemeteries??*

The proposed Project involves grading to allow for development on the eight acre site, and would require extensive cut and earthwork. Preliminary plans anticipate the Project would require export of approximately 90,000 cubic yards of material. Grading and ground disturbing activity could potentially impact currently unknown subsurface archaeological or paleontological resources or human remains. Impacts would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

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6 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Strong seismic ground shaking	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Result in substantial soil erosion or the loss of topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Be located on a geologic unit or soil that is made unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be located on expansive soil, as defined in Table 1-B of the <i>Uniform Building Code</i> , creating substantial risks to life or property	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Geocon West, Inc. prepared a Geotechnical Report for the Project in February 2016 (Geocon 2016). The following analysis is based on the information and analysis contained in the geotechnical report that will be provided as an appendix to an EIR.

- a.1. *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

Southern California is located in an active seismic region. Moderate to strong earthquakes can occur on numerous local faults. Southern California faults are classified as “active,” “potentially active,” or “inactive.” Faults from past geologic periods of mountain building that do not display any evidence of recent offset are considered “potentially active” or “inactive.” Faults that have historically produced earthquakes or show evidence of movement in the past 11,000 years are known as “active faults.”

The Project site is not within an Alquist-Priolo Earthquake Fault Zone and no active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project site. Therefore, the potential for surface rupture due to faulting occurring beneath the Project site during the design life of the proposed development is considered low. Therefore, potential impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

- a.2. *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

No known faults cross the Project site; however, the Verdugo Fault is located approximately one mile northeast of the Project site (Geocon 2016). In addition, the Project site is located in the highly seismic Southern California region where several fault systems are considered to be active or potentially active. The site may be subject to ground shaking in the event of an earthquake originating along one of the faults designated as active or potentially active in the vicinity of the Project site. This hazard is common throughout California and the proposed buildings would pose no greater risk to public safety or destruction of property than is already present for the region. Development in Burbank is required to adhere to the Uniform Building Code (UBC) and California Building Code (CBC). The CBC and UBC regulate the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking. The impact to people, buildings, or structures on the Project site from strong seismic ground shaking would be reduced by the required conformance with applicable building codes, and accepted engineering practices. Impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

- a.3. *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

Liquefaction is a phenomenon in which loose, saturated, relatively cohesionless soil deposits lose shear strength during strong ground motions. Primary factors controlling liquefaction include intensity and duration of ground motion, gradation characteristics of the subsurface soils, in-situ stress conditions, and the depth to groundwater (Geocon 2016). The alluvial soils below the groundwater level could be prone to less than 1.1 inches of liquefaction induced settlement during Maximum Considered Earthquake ground motion (Geocon 2016). Because the Project site poses liquefaction risks and requires measures to address liquefaction hazards, this impact is potentially

significant. Potential impacts associated with liquefaction and other seismic related hazards will be addressed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

a.4. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The Project site is located in an urbanized area. The geologic character of an area determines its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential for slope failure and landslide events. In order to fail, unstable slopes need to be disturbed; common triggering mechanisms of slope failure include undercutting slopes by erosion or grading, saturation of marginally stable slopes by rainfall or irrigation; and, shaking of marginally stable slopes during earthquakes. The topography at the Project site is relatively flat to gently sloping to the southwest. Evidence of ancient landslides or gross slope instabilities at this site was not observed during the investigation. (Geocon 2016)

Therefore, landsliding would not affect Project site development or adjacent properties and impacts related to landslides would be less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial soil erosion or the loss of topsoil?

Long term and temporary erosion could occur during construction of the proposed Project. However, construction activity would be required to comply with the development standards set forth in Burbank Municipal Code (BMC) Section 7-1-302, which includes standards for mass grading. Nevertheless, potential impacts associated with long term and temporary erosion may occur and will be addressed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

b. Would the project be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Subsidence is the sudden sinking or gradual downward settling of the earth's surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydrocompaction. Lateral spreading is the horizontal movement or spreading of soil toward an open face. The potential for failure from subsidence and lateral spreading is highest in areas where the groundwater table is high and where relatively soft and recent alluvial deposits exist. As stated in the Geotechnical Report, groundwater was not encountered during Project site exploration and the current groundwater table is sufficiently deep that it not expected to be encountered during construction (Geocon 2016). Therefore, impacts associated with landslide, lateral spreading and subsidence would be less than significant. However, as stated under item *a.3*, the Project site poses liquefaction risks and requires measures to address liquefaction hazards. As such, impacts associated with liquefaction will be addressed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. *Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property?*

Expansive soils are generally clays that increase in volume when saturated and shrink when dried. The soils encountered during Project site exploration are considered to have a “very low” expansive potential (EI = 3) and are classified as “non-expansive” in accordance with the 2013 California Building Code (CBC) Section 1803.5.3 (Geocon 2016). As such, potential impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The proposed Project would be connected to the local wastewater treatment system. Septic systems would not be used. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

7 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation adopted to reduce the emissions of greenhouse gases	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Construction and operation of the proposed Project would generate greenhouse gas (GHG) emissions through the burning of fossil fuels or other emissions of GHGs, thus potentially contributing to cumulative impacts related to global climate change. Emissions could potentially conflict with local and regional plans adopted for the purpose of reducing GHG emissions, including the regional Sustainable Communities Strategy (SCS), the 2008 Burbank Sustainability Action Plan, and the goals and policies of the Burbank 2035 Air Quality Element. Impacts related to GHG emissions would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

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8 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project have any of the following impacts?

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project near a private airstrip, would it result in a safety hazard for people residing or working in the project area	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The proposed Project would involve the development of an eight-acre site that consists of previously developed vacant land. Any hazardous wastes produced by construction activities would be subject to the City’s requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. As part of removal of any hazardous waste from the Project site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal. In the long-term, the proposed residential, hotel and commercial uses would not involve the use, transport, or storage of large quantities of hazardous materials. Compliance with applicable regulations would result in impacts associated with the use, transport, or storage of hazardous materials to a less than significant level. Impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

d. *Would the project be located on a site included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The following databases and listings compiled pursuant to Government Code Section 65962.5 were checked (January 19, 2018) for known hazardous materials contamination at the Project site:

- United States Environmental Protection Agency (U.S. EPA)
 - Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) / Superfund Enterprise Management System (SEMS)/Envirofacts database search
- State Water Resources Control Board (SWRCB)
 - GeoTracker search for leaking underground storage tanks (LUST) and other cleanup sites
- Department of Toxic Substances Control (DTSC)
 - Envirostor database for hazardous waste facilities or known contamination sites
 - Cortese list of Hazardous Waste and Substances Sites

As identified through the U.S EPA system search, the Project site previously had an unpermitted facility that was the point and non-point emissions generator of Trichloroethane (U.S. EPA 2017b).

According to GeoTracker, the Project site has traces of hexavalent chromium (CrVI), which was historically used on the site. CrVI has been detected at 410 ug/kg. (State Water Resources Control Board 2017). Based on the findings of CrVI in soil during the 2009 CalTrans investigation and the documented use of chromium for historical manufacturing at the site, the Regional Water Quality Control Board ordered an investigation of CrVI in soil at the site that remains on-going (Blackstone 2016). There are no LUST cleanup sites within 1,000 feet of the Project. A search of the Envirostor database identified no facilities or other cleanup sites within 1,000 feet of the Project site.

In addition to the identified materials in the database search above, Blackstone Consulting conducted a Phase I Environmental Site Assessment (ESA) in March 2016 and Leighton Consultants conducted a follow up Phase II ESA in July 2016. The results of the Phase II ESA revealed concentrations of volatile organic compounds (VOCs), hexavalent chromium (CrVI), and other heavy metals (lead, zinc, and copper). Without proper remediation of hazardous contaminants on-site prior to grading and construction, construction workers in and others in the vicinity of the Project site could potentially be exposed to contaminants that may be released into the atmosphere during Project site grading. This impact is potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The educational facility closest to the Project site is Burbank High School (902 N. 3rd Street), located approximately 0.25 miles northeast of the site. As discussed above, operation of the proposed Project would not involve the use or transport of large quantities of hazardous materials. However, due to the proximity of Burbank High School to the Project site, and the potential for release of contamination during the construction period, this impact is potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*
- f. *For a project near a private airstrip, would it result in a safety hazard for people residing or working in the project area?*

The Hollywood Burbank Airport is approximately two miles northeast of the Project site; however, the Project site is located outside of the Airport Influence Area and runway protection zones (County of Los Angeles 2003). The Project would not result in a safety hazard for people residing or working in the Project area, and this impact would be less than significant. The Project site is not located in the vicinity of a private airstrip. No further analysis of these issues is warranted.

LESS THAN SIGNIFICANT IMPACT

- g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Project would be required to comply with applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the City police department and fire departments. Construction activities associated with the Project would not include permanent or temporary street closures. The Project would include the development of a 26-foot access road along the northern portion of the site that would accommodate fire truck and other emergency vehicle access. In addition, gates would be included on-site to allow access to the parking area. The proposed project would not involve the development of structures that would alter emergency response or evacuation plans or otherwise potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

- h. Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The Project site is in an urbanized area that is not located in a wildland fire hazard area as defined by the Department of Forestry and Fire Protection (Department of Forestry and Fire Protection 2011). No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

9 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Violate any water quality standards or waste discharge requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h. Place structures in a 100-year flood hazard area that would impede or redirect flood flows	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including that occurring as a result of the failure of a levee or dam	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Result in inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project violate any water quality standards or waste discharge requirements?*
- e. *Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- f. *Would the project otherwise substantially degrade water quality?*

The Project site is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (RWQCB), which is responsible for the preparation and implementation of the water quality control plan for the Los Angeles Region. Regulations under the Federal Clean Water Act require compliance with the National Pollutant Discharge Elimination System (NPDES) storm water permit for projects disturbing more than one acre during construction. All components of the Project would be required to comply with the NPDES Multiple Separate Storm Sewer System (MS4) Permit issued by the Los Angeles RWQCB, which would require implementation of Best Management Practices (BMPs). BMPs would be required to reduce polluted runoff from the Project site by retaining, treating, or infiltrating polluted runoff onsite. The Project developer would also be required to prepare a Standard Urban Storm Water Management Plan (SUSMP), which requires the integration of post-construction BMPs into the site’s overall drainage system. However, the quantity and quality of runoff from the Project site could affect the ability of the existing storm drain system to handle these flows. Because potential runoff from construction and operation of the proposed Project could increase on-site erosion and degrade water quality of runoff, impacts would be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- b. *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering or the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?*

Implementation of the Project would utilize water for construction, operations, and landscape maintenance. The Project site is in the jurisdiction of the BWP and water supply requirements for

the Project would be met by the BWP. The City's water comes from two sources: local groundwater from the San Fernando Valley Groundwater Basin and water purchased from Metropolitan Water District of Southern California. Because a portion of BWP's water supply is from groundwater resources, groundwater could potentially be a source in supplying water to the project site. However, the proposed project would not install a new groundwater pump and would not directly pump groundwater resources. In addition, BWP does not have ownership rights to naturally occurring local groundwater supplies, but is entitled to extract groundwater supplies under terms outlined in the 1979 groundwater adjudication that ensure long-term sustainability. Therefore, potential impacts to groundwater resources would be less than significant.

The water demand generated by the Project for construction and operation will be discussed in a Water Supply Assessment (WSA) that will be prepared for the EIR. The results of the WSA and impact analysis will be provided in the *Utilities and Service Systems* section of the EIR.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project substantially alter the existing drainage pattern of the site or area, including by altering the course of a stream or river, in a manner that would result in substantial erosion or siltation on or offsite?*
- d. *Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite?*

The Project site is located in an urban area and is almost entirely covered with impervious surfaces. Although the proposed Project would not involve alteration of a stream or river, the Project would require substantial grading and installation of a drainage system that would affect existing drainage conditions compared to the current undeveloped state of the site. Development of the site would involve re-grading of the sites existing conditions and the final site improvement would change the surface runoff pattern. Stormwater runoff could potentially impact erosion or siltation on or off-site. However, as discussed above, all components of the Project would be required to comply with the NPDES MS4 Permit issued by the Los Angeles RWQCB. BMPs and the SUSMP would be required to reduce polluted runoff from the Project site by retaining, treating, or infiltrating polluted runoff onsite, and integrate post-construction BMPs into the site's overall drainage system. These construction and erosion control practices would reduce the potential for adverse effects caused by excavation and general construction. Therefore, impacts related to site drainage and runoff would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

- g. *Would the project place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map?*
- h. *Would the project place structures in a 100-year flood hazard area that would impede or redirect flood flows?*

The Project site is in Federal Flood Zone X, meaning it is outside the 100-year flood hazard area (FEMA 2008). Zone X represents areas outside the 0.2 percent annual chance floodplain. Since the Project site is not located within a 100-year flood hazard area, the Project would not place housing

or structures that would impede or redirect flood flows. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

- i. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding including that occurs as a result of the failure of a levee or dam?*

Based on a review of the Los Angeles County Safety Element (Leighton, 1990), the Project site is located in a potential inundation area for an earthquake-induced dam failure from Hansen Dam and Lopez Dam. However, these dams, as well as others in California, are continually monitored by various governmental agencies (such as the State of California Division of Safety of Dams and the U.S. Army Corps of Engineers) to guard against the threat of dam failure. Current design and construction practices and ongoing programs of review, modification, or total reconstruction of existing dams are intended to ensure that all dams are capable of withstanding the maximum considered earthquake for the site (Geocon 2016). Therefore, although the Project site is located in a potential inundation area, the potential for inundation at the Project site as a result of an earthquake-induced dam failure is considered low, and impacts are less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

- j. Would the project result in inundation by seiche, tsunami, or mudflow?*

Seiches are large waves generated by ground shaking effects within enclosed bodies of water. No major water-retaining structures are located immediately up-gradient from the Project site, therefore flooding from a seismically induced seiche is unlikely (Geocon 2016). Tsunamis are tidal waves generated by fault displacement or major ground movement. Since the Project site is not located within a coastal area, and is located over 15 miles from the Pacific Ocean, tsunamis are not considered a hazard (Geocon 2016). The Project site is not adjacent to any landslide/mudslide hazard zones (Geocon 2016). Therefore, the Project would not expose people or structures to inundation hazards from seiche, tsunami, or mudflows, no impact would occur and further analysis of this issue is not warranted.

NO IMPACT

10 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts?				
a. Physically divide an established community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Conflict with an applicable habitat conservation plan or natural community conservation plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Would the project physically divide an established community?

The proposed Project involves development of residential and commercial uses in an urban area. The Project site consists of eight acres of undeveloped land that is surrounded by commercial and industrial development. The primary entry for the hotel, retail, and apartments would be provided along Front Street. The Project would include a publicly accessible, privately maintained plaza and pedestrian bridge that connects the plaza to Magnolia Boulevard and downtown Burbank on City-owned land immediately due south of the Project site. Therefore, the proposed Project would be compatible with the surrounding land uses and would not divide an established community. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site is currently designated as Downtown Commercial by the General Plan and Mixed Commercial/Office/Industrial by the Burbank Center Plan (Specific Plan). The site is zoned Auto Dealership. As stated in Section 10, *Required Approvals*, development of the proposed Project requires the following amendments and changes to applicable land use documents:

- Specific Plan Amendment to the Burbank Center Plan to allow housing,
- Development Review,
- Planned Development,

- Development Agreement, and
- Vesting Tentative Tract Map.

Consistency of these requested approvals with applicable City and regional land use policies will be analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?*

The Project site is not located in an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other applicable plan. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

11 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project have any of the following impacts:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

The Project site is located in an area classified by the California Geological Survey (CGS) as Mineral Resource Zone-2 (MRZ-2). This designation indicates that there are mineral deposits present, or there is a high likelihood of their presence and development should be controlled (Department of Conservation 1979). Further, the City of Burbank General Plan EIR states historically, no mining has occurred in the MRZ-2 area. Conservation of aggregate resources in the City is no longer feasible because the City is urbanized in the MRZ-2 area. The Project would not result in the direct or indirect loss of availability of a known or locally important mineral resource, because urbanization in the MRZ-2 area now precludes mining activities in Burbank (City of Burbank 2013a).

Although there is a possibility that significant mineral resources could be located within the MRZ-2 area, mining would not be feasible. The Project does not propose the exploration, or harvesting of mineral deposits, and would not result in the loss of availability of known mineral resources. Because the Project would not have an adverse effect on mineral resources, further analysis of this issue is not warranted.

NO IMPACT

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12 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project result in any of the following impacts?

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels above those existing prior to implementation of the project	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above those existing prior to implementation of the project	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project near a private airstrip, would it expose people residing or working in the project area to excessive noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The most common sources of noise in the vicinity of the Project site are transportation-related, such as automobiles, trucks, and motorcycles. Motor vehicle noise is of concern because it is characterized by a high number of individual events that often create a sustained noise level. The primary sources of roadway noise near the Project site are automobiles traveling on Front Street, West Burbank Boulevard, and I-5. In addition, the Project site is located directly adjacent to UPRR tracks located approximately 100 feet west of southwest of the Project site. These sources of noise

have the potential to expose persons to noise levels exceeding standards in the City of Burbank Municipal Code and Burbank 2035 General Plan. In addition, according to the City's General Plan, new construction activities that generate noise are only permitted during the weekday hours of 7 A.M. and 7 P.M. and 8 A.M. to 5 P.M. on Saturday. Traffic and noise levels associated with construction and operation of development under the proposed Project could potentially expose nearby sensitive receptors to unacceptable noise levels. Impacts would be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- b. Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Commercial and residential uses are not typically associated with the generation of vibration. Therefore, operation of the proposed Project would not perceptibly increase groundborne vibration or groundborne noise within the Project site above existing conditions. However, construction of the proposed Project would temporarily increase groundborne vibration. Residential neighborhoods are located west and north of the Project site, and construction of the Project could expose receptors to excessive groundborne vibration. Impacts would be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. Would the project result in a substantial permanent increase in ambient noise levels above levels existing without the project?*
- d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Implementation of the proposed Project could generate temporary noise increases during construction and long-term increases associated with Project operation.

Nearby noise-sensitive land uses, including the residential land uses nearby the Project site, would be exposed to temporary construction noise during development under the proposed Project. The generation of noise is a function of the type of activity being undertaken and the distance to the receptor location. Construction noise impacts would be potentially significant and will be analyzed further in an EIR.

Noise associated with operation of the proposed Project may be periodically audible at adjacent uses. Noise events that are typical of commercial developments include music and conversations, particularly with the potential restaurant spaces, and the loading and unloading of merchandise and supplies. Retail and restaurant noise levels would vary depending on how the commercial and retail space is filled. Site operations are expected to also involve noise associated with rooftop ventilation, heating systems, and trash hauling. Traffic associated with the residential and commercial land uses would also increase local traffic noise levels. Such increases potentially could be audible at nearby sensitive receivers. Impacts related to operational noise increases would be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- e. *For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
- f. *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise?*

As discussed in Section 8, *Hazards and Hazardous Materials*, the Project site is approximately two miles from the Hollywood Burbank Airport. The Project site is not located within the Airport Influence Area and is not located within the 65 dBA CNEL noise contour. Although overflight of aircrafts have the potential to expose people residing or working in the Project area to aircraft noise, this type of noise is common in urban areas. In addition, aircraft noise is intermittent and temporary. Therefore, potential impacts would be less than significant and further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

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13 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in any of the following impacts?				
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

a. *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

According to the California Department of Finance (DOF), the City of Burbank has a current population of 105,033 with an average household size of 2.50 (DOF 2017). Based on the average household size of 2.50, the increase of 572 housing units would generate a population increase of approximately 1,430 residents. Implementation of the Project has potential to contribute to population growth in the City. Impacts related to population growth are potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

b. *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

c. *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

The Project site is currently undeveloped, and contains no existing structures or housing. Therefore, no residences would be removed and the Project would not displace housing or people. No impact would occur and further analysis of this issue is not warranted.

NO IMPACT

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14 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Would the project result in any of the following impacts?

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1. Fire protection	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Police protection	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Schools	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Parks	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
5. Other public facilities	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

The Burbank Fire Department (BFD) provides fire protection services in the City. Currently, BFD maintains approximately one fire station per 18,000 residents. The BFD reviews site plans, construction plans, and architectural plans prior to occupancy to ensure the required fire protection safety features, including building sprinklers and emergency access, are implemented. Development with modern materials and in accordance with current standards, inclusive of fire resistant materials, fire alarms and detection systems, automatic fire sprinklers, would enhance fire safety and would support fire protection services (Title 24, Cal. Code Regs. Part 9). Nevertheless, due to the size and complexity of the Project, operation of the Project could potentially create the need for new or expanded fire protection facilities, the construction of which could cause environmental impacts. This is a potentially significant impact that will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

The Burbank Police Department (BPD) provides police protection services within the City limits. BPD currently has 168 sworn officers (BPD 2017). The current population is 105,033, which is a ratio of 1.59 officers per 1,000 residents. The nearest police station is located at 200 N 3rd St. approximately 0.43 mile away from the Project site. They provide several programs and services including community outreach, youth academy, and neighborhood watch.

Nevertheless, due to the size and complexity of the Project, operation of the Project could potentially create the need for new or expanded police protection facilities, the construction of which could cause environmental impacts. This is a potentially significant impact that will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?

The Project site is in close proximity to three schools (Burbank Community Day School, Burbank First Academy, and Burbank High School). As discussed in Section 13, *Population and Housing*, the net increase of 572 dwelling units would generate a resident population of approximately 1,430 persons, which would include school-aged children. This impact will be further analyzed in an EIR to determine the estimated number of school-age children associated with the proposed Project.

POTENTIALLY SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?

As identified in the General Plan's EIR, there are more than 700 acres of parkland within the city (Burbank 2013). The majority of this acreage consists of the 500-acre Wildwood Canyon Park, a regional park that is largely undeveloped. There are five parks within approximately one mile of the Project site (Olive Recreation Center, Santa Anita Playlot, Compass Tree Park, Robert R. Ovrom Park and Community Center, and McCambridge Recreation Center). The park nearest to the site is Robert R. Ovrom Park and Community Center located approximately 0.75 mile southeast of the Project site. The proposed Project would also include approximately 89,000 square feet of common open space and a 27,800-square foot privately maintained, publicly accessible plaza. As discussed in Section 13, *Population and Housing*, the addition of 1,430 residential units would generate population growth in the City which, in turn, could increase demand for City parkland resources. However, the project would include approximately 89,000 square feet of on-site common open space (which includes a 27,800 square foot plaza). In addition, BMC Section 10-1-2224, Division 3 (Community Facilities-

Non-Transportation Related Fees) establishes the community facility fees that will be collected from new developments in the City to assure that the current level of service goals are met as a result of any additional demands on public facilities. The fees are calculated at the time of project permitting based on the gross square feet of floor area and type of use for non-residential development and the number of bedrooms for residential development. Therefore, the proposed Project would not result in the need for additional parks and overall impacts would be less than significant. Further analysis of this issue is not warranted.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

Implementation of the proposed Project would increase the local population by approximately 1,430 residents. As such, the proposed Project would incrementally increase the use of the City's public services and facilities. Impacts to the storm drain system (discussed in Section 8, *Hydrology and Water Quality*), solid waste disposal, water usage and wastewater disposal (discussed in more detail in Section 18, *Utilities and Service Systems*) would be potentially significant and addressed in the identified sections.

A significant impact may occur if a project includes substantial employment or population growth that could generate a demand for other public facilities (such as libraries), which would exceed the capacity available to serve the Project site, necessitating a new or physically altered library, the construction of which would have significant physical impacts on the environment. However, increased demand would be nominal because there are three libraries in an approximately two-mile radius of the Project site that would continue to accommodate the needs of the residents. Therefore, impacts would be less than significant and further analysis is not warranted.

LESS THAN SIGNIFICANT IMPACT

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15 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in any of the following impacts?				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The Project site is served by nearby recreational facilities, including five parks within a one-mile radius (see Section 14, *Public Services*, for details). The proposed Project would also include approximately 89,000 square feet of on-site common open space (which includes a 27,800 square foot plaza). The Project would not increase the use of off-site recreational facilities or other facilities such that physical deterioration of the facilities would occur or be accelerated due to the distance of the parks from the Project site. In addition, as discussed in Section 14, *Public Services*, the Project would be required to pay community facilities fees, which are calculated at the time of project permitting based on the gross square feet of floor area and type of use for non-residential development, and the number of bedrooms for residential development. Therefore, the overall impact to existing parks would be less than significant and further analysis is not warranted.

LESS THAN SIGNIFICANT IMPACT

- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed Project would include a publicly accessible, privately maintained plaza, and pedestrian bridge that connects the plaza to Magnolia Boulevard and downtown Burbank on City-owned land immediately due south of the Project site. The plaza would be approximately 27,800 square feet. The site is currently vacant and unimproved. Therefore, the open space associated with the proposed Project would expand recreational facilities and opportunities in the community in comparison to the existing conditions. Impacts would be less than significant and further analysis is not warranted.

LESS THAN SIGNIFICANT IMPACT

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16 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in any of the following impacts?				
a. Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?*
- b. *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*
- d. *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*
- e. *Would the project result in inadequate emergency access?*
- f. *Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?*

The proposed Project would involve the new construction of a mixed-use project that would include a total of 572 residential units, 1,067 square feet of retail gallery space, and 317 hotel rooms with ground floor and rooftop retail/restaurant uses. Traffic during construction would include worker-related commuter trips, trucks used for delivering construction equipment, and trucks used for delivering and hauling construction materials and wastes. Traffic during operation would include resident- and worker-commute trips and patrons of the commercial and restaurant uses. Trips generated as a result of the proposed Project have the potential to impact area intersections and roadway segments and contribute to cumulative traffic increases. As such, a traffic analysis will be prepared to analyze the potential traffic impacts based on the City's impact criteria. The proposed Project may also result in hazards, inadequate emergency access, or conflict with applicable plans and policies, including the Los Angeles Congestion Management Plan. Transportation and traffic related impacts would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The Hollywood Burbank Airport is approximately two miles northeast of the Project site; however, the Project site is located outside of the Airport Influence Area and runway protection zones (County of Los Angeles 2003). Therefore, the Project would not present any impediments to air traffic and would not affect air traffic patterns. No impact to air traffic would occur and further analysis of this issue is not warranted.

NO IMPACT

17 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|---|---|---|---|
| a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | ■ | □ | □ | □ |
| b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 2024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | ■ | □ | □ | □ |

- a. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
- b. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

As discussed in Section 5, *Cultural Resources*, there is potential for development of the Project to disturb intact cultural resources. The origin of these resources is unknown, and to date, AB 52 consultation between the City of Burbank and Native American tribes is underway. Therefore, there is potential any of the resources that may be exposed to the Project’s development or disturbance could be of tribal or Native American importance. Due to the potential to impact culturally sensitive resources in the area, impacts may be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

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18 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in any of the following impacts?				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>				
a. <i>Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</i>				
b. <i>Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</i>				

- e. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The proposed Project would increase demand for water and increase generation of wastewater during construction and operation in comparison to the existing conditions. Burbank's existing wastewater system consists of three types of facilities: gravity collection system pipelines, wastewater pump stations, and a water reclamation plant. The collection system consists of approximately 230 miles of underground pipelines. The majority of the wastewater that flows within the City end up at the Burbank Wastewater Reclamation Plant (BWRP), from which sludge is transported out of the City.

Implementation of the Project would increase the amount of wastewater delivered to the BWRP. In addition, existing sewer lines may require upgrades to accommodate Project-generated wastewater. Therefore, impacts are potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- c. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Development of the proposed Project would alter the existing amount of impervious surfaces, which would alter the existing drainage patterns. Since Project development would result in the disturbance of more than one acre, the Project would be required to develop a Stormwater Pollution Prevention Plan (SWPPP) in order to manage and properly maintain stormwater during both construction and operation of the Project. Although the development of the SWPPP would ensure that the Project employs best management practices (BMP's) to control and maintain stormwater on-site, the exact location and capacity of the drainage facilities servicing the Project is unknown, which is a potentially significant impact. This impact is potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- d. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Implementation of the Project would utilize water for construction, operations, and landscape maintenance. The demand generated by the Project during construction and operation will be discussed in a Water Supply Assessment that will be prepared for the proposed Project. This is a potentially significant impact that will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

- f. *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- g. *Would the project comply with federal, state, and local statutes and regulations related to solid waste?*

The City of Burbank owns and operates one active landfill, Burbank Landfill, located in the Verdugo Mountains. The Burbank Recycling Center is a private/public partnership that houses a materials recovery facility, buyback drop-off center, used-oil center, compost corner, and learning center. The

facility collects and diverts waste that contributes to landfill capacity, and has an expected closure date of 2053 (City of Burbank 2013). The landfill currently has a remaining capacity of 5,174,362 cubic yards as of 2010, with the maximum throughput capacity of 240 tons per day (CalRecycle 2018).

The Project would generate both construction and operational solid waste, which would be disposed of at the aforementioned landfill and other collection centers. The introduction of hotel, residential, commercial, and retail uses, would all contribute daily solid waste that would be diverted to the local landfills. Due to the magnitude of the Project, impacts would be potentially significant and will be further analyzed in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

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19 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. *Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

As noted in Section 4, *Biological Resources*, implementation of the proposed project would have potentially significant impacts to biological resources due to the possible presence of federal and/or state-listed species and will be further analyzed in an EIR. As noted under Section 5, *Cultural Resources*, and Section 17, *Tribal Cultural Resources*, development of the project has the potential to adversely affect historic and cultural resources. Impacts to cultural and tribal cultural resources would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

b. Does the project have impacts that are individually limited, but cumulatively considerable?

In combination with other planned and pending development in the area, development of the proposed project could contribute to significant cumulative impacts. In particular, cumulative impacts could occur with respect such issues as transportation, air quality, greenhouse gases, biological resources, hazardous materials, and noise. The cumulative effects of development under the project, in combination with other planned projects in the vicinity, would be potentially significant and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise impacts. Potentially significant impacts could result related to the emission of criteria air pollutants exceeding local thresholds, emissions of hazards and hazardous materials, transportation and congestion, and excessive generation of construction and operational noise. Because the project has the potential to cause adverse effects to human beings, these impacts discussed throughout the Initial Study are potentially significant, and will be analyzed further in an EIR.

POTENTIALLY SIGNIFICANT IMPACT

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Appendix A

Biological Resources Assessment



777 North Front Street Project

Biological Resources Assessment

prepared for
City of Burbank
Community Development Department
150 North Third Street
Burbank, California 91502
Contact: Leonard Bechet, Senior Planner

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January 2018

777 North Front Street Project

Biological Resources Assessment

prepared for

City of Burbank

Community Development Department

150 North Third Street

Burbank, California 91502

Contact: Leonard Bechet, Senior Planner

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January 2018



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This report prepared on 50 percent recycled paper with 50 percent post-consumer content.

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1 Introduction

1.1 Project Location

The proposed project involves construction of a mixed-use development located at 777 North Front Street (Assessor's Parcel Number [APN] 2449-037-013) in the City of Burbank, Los Angeles County, California. The regional location is depicted in Figure 1. As shown in Figures 2 and 3, the project site is bounded by West Burbank Boulevard to the north and Varney Street to the south. The Golden State Freeway (Interstate [I] 5) is present approximately 30 feet east of the eastern boundary of the project site with ruderal vegetation in between. North Front Street occurs to the west of the project site. The site is bounded by transportation corridors with surrounding land uses consisting of commercial businesses and an urban three-story shopping mall. For the purposes of this report, the area used for assessment was the entire project site as it appears in Figure 3.

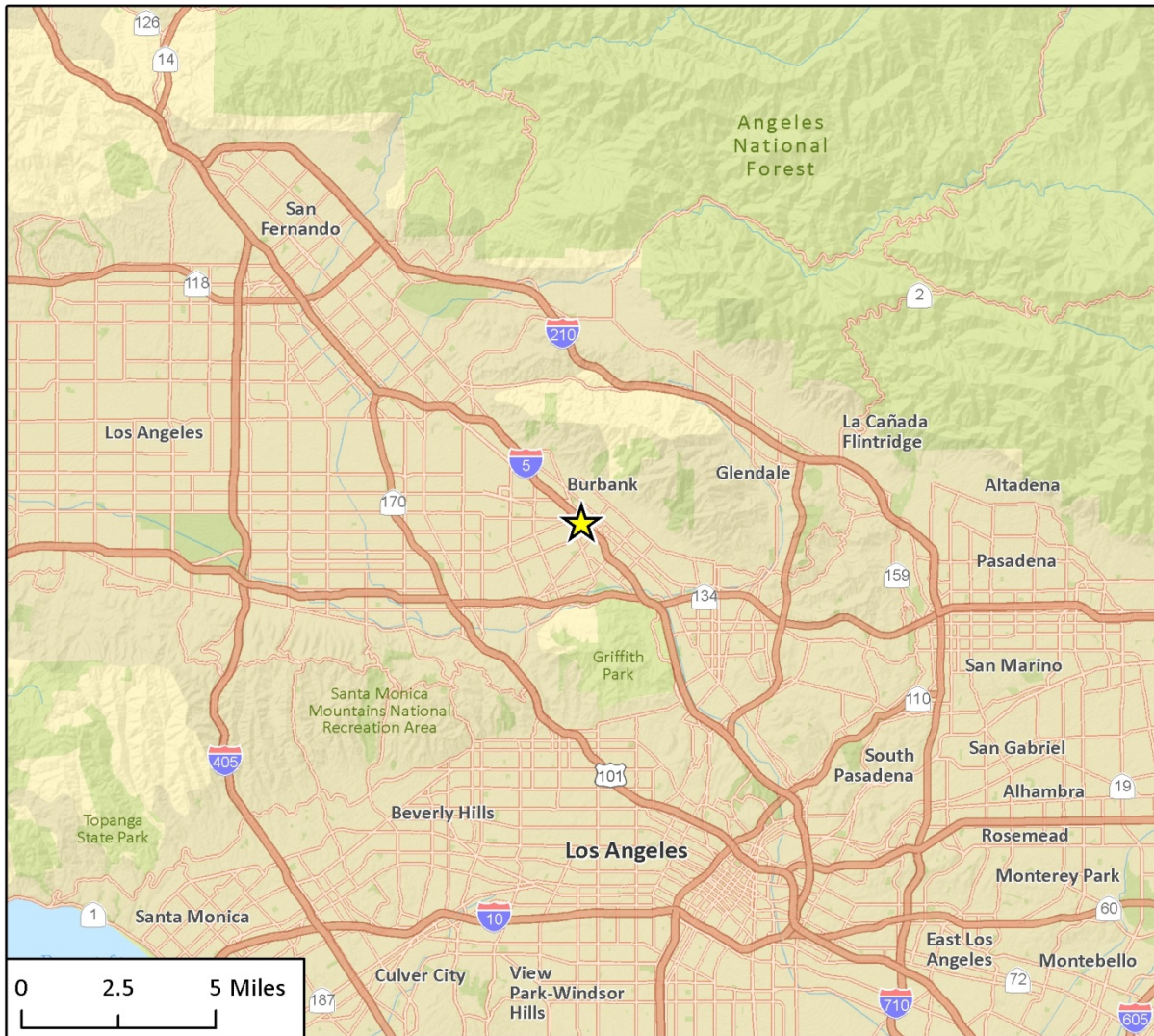
1.2 Project Description

The project site is an eight-acre, irregularly-shaped parcel that is currently occupied by concrete slabs and an abandoned section of old Front Street. The project site would be cleared and excavated to accommodate new construction of a mixed-use project that would include a total of 572 residential units, 1,067 square feet of retail gallery space, and 317 hotel rooms with ground floor and rooftop retail/restaurant uses (see Figure 2). The residential portion of the project would be developed to a density of approximately 80 units per acre, while the retail/hotel portion of the project would be developed with a floor-to-area ratio (FAR) of 0.55. The overall site would have a total building coverage of 81 percent, and a FAR of 2.9.

The 572 residential units would be located in two separate buildings. The proposed seven-story building would contain 262 units, and the eight-story building would contain 310 units. Associated residential common areas may include, but would not be limited to a rooftop terrace, business center/internet café, coffee bar, demonstration kitchen, billiards table, resident lounge, fitness center with indoor exercise studio, resort-style pools with cabanas, jacuzzis, public park and bike trail access, pet grooming station, pet park, concierge services, bike storage, and Metrolink rail line access.

The hotel use would be located in a 15-story building at the southeastern end of the property, and contain 317 hotel rooms. Associated hotel amenities may include, but would not be limited to, restaurants, café, bar, pool terrace, fitness center, meeting rooms, and lounge. The commercial uses would include accessory retail and restaurant uses on the ground floor and rooftop of the hotel and a pedestrian gallery retail/restaurant link in a one-story building on Front Street near the intersection of Burbank Boulevard.

Figure 1 Regional Location Map



Imagery provided by Esri and its licensors © 2017.

★ Project Location

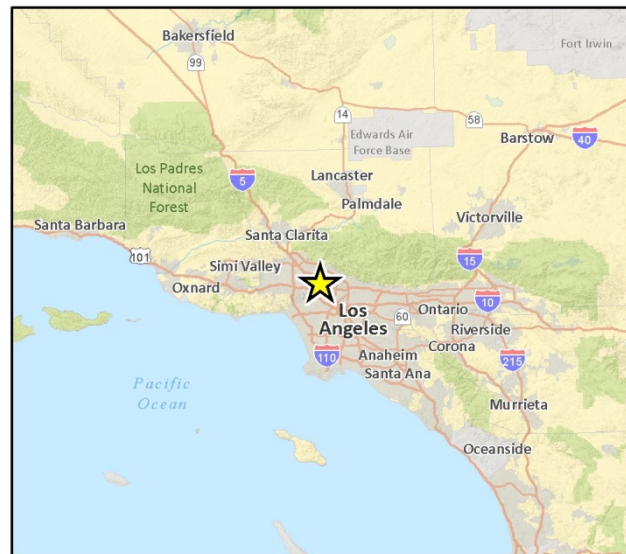
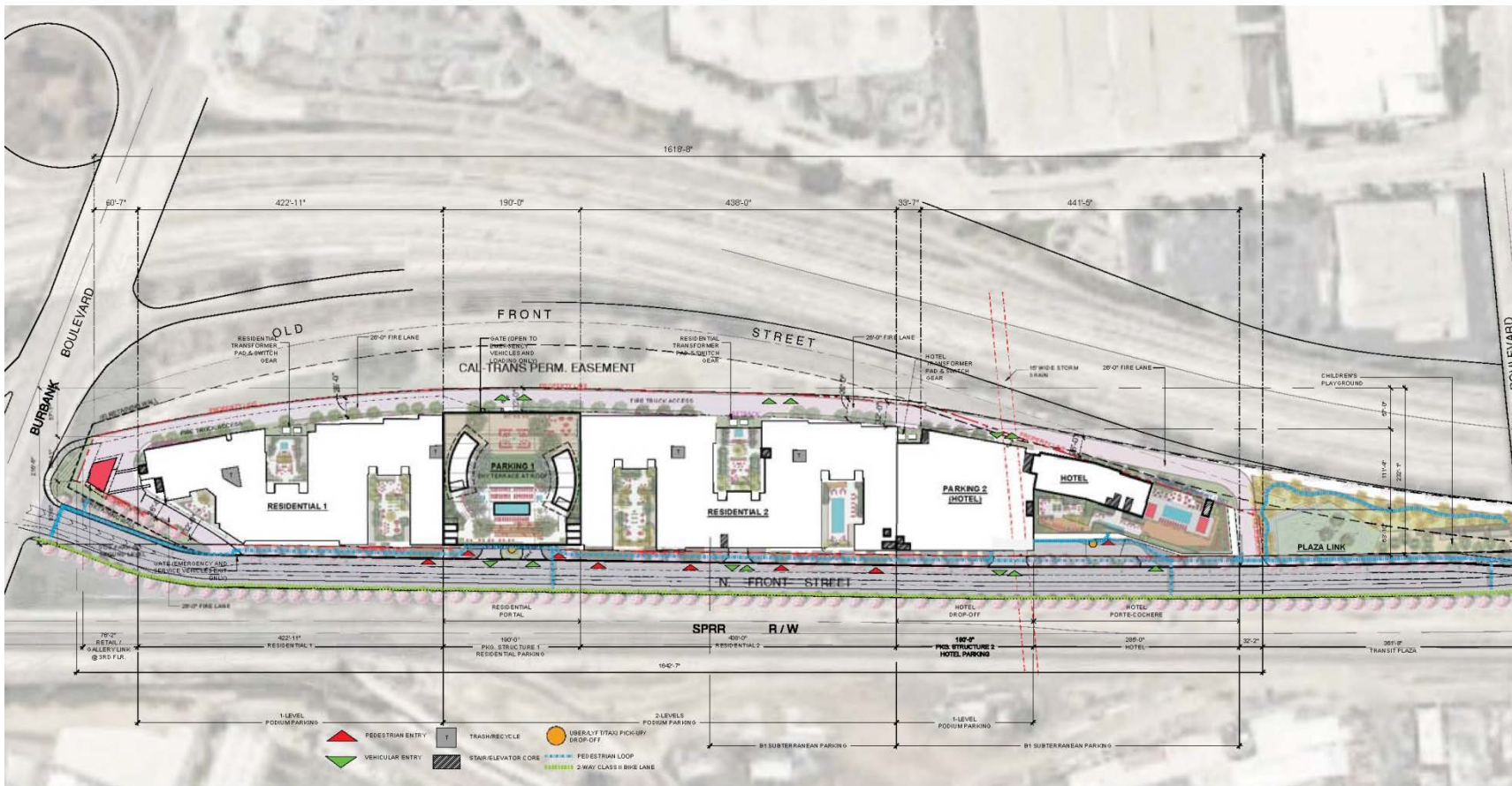


Fig 1 Regional Location_vec

Figure 2 Site Plan



Source: Nadel Architects, 2018



Figure 3 Land Cover Types



2 Methodology

2.1 Regulatory Overview

Regulated or sensitive resources studied and analyzed herein include special status plant and wildlife species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, and locally protected resources, such as protected trees.

2.1.1 Environmental Statutes

For the purpose of this report, potential impacts to biological resources were analyzed based on the following statutes:

- California Environmental Quality Act (CEQA)
- Federal Endangered Species Act (ESA)
- California Endangered Species Act (CESA)
- Federal Clean Water Act (CWA)
- California Fish and Game Code (CFGC)
- Migratory Bird Treaty Act (MBTA)
- The Bald and Golden Eagle Protection Act
- Porter-Cologne Water Quality Control Act
- City of Burbank Municipal Code
- City of Burbank General Plan

A discussion of the regulatory framework for each of the above statutes is presented in Appendix A.

2.1.2 Guidelines for Determining CEQA Significance

The following threshold criteria, as defined by the CEQA Guidelines Appendix G Initial Study Checklist, were used to evaluate potential environmental effects. Based on these criteria, the proposed project would have a significant effect on biological resources if it would:

- a) Have substantial adverse effects, 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 (CDFW) or U.S. Fish and Wildlife Service (USFW).
- b) 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 US Fish and Wildlife Service.
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

2.2 Field Reconnaissance Survey

Rincon Associate Biologist, Amy Leigh Trost, conducted a reconnaissance level field survey on November 22, 2017, from 8:50 to 9:30 am. The purpose of the survey was to document existing biological conditions within the project site, including plant and wildlife species, vegetation communities, jurisdictional waters and wetlands, and the potential for presence of special status species and/or habitats. The biologist conducted the survey on foot. Weather conditions during the survey included an average temperature of 77 degrees Fahrenheit, winds between zero and three miles per hour, with zero percent cloud cover. Because of the heavily urbanized area, a two mile search radius was used to run a species query in the California Natural Diversity Database (CNDDDB). A 9-Quad search of the California Native Plant Society (CNPS) database was conducted. Search results of the query can be found in Appendix B. A compendium of all flora and fauna observed during the survey can be found in Appendix C. Site photographs of the project site can be found in Appendix D.

3 Existing Conditions

3.1 Physical Characteristics

The project site consists of two land cover types and is surrounded by development and transportation corridors (Figure 3). Large scale commercial retail stores are located west of the project site with I-5 and a three-story urban shopping mall located to the east. Major city boulevards occur to the north and south of the project site. The general topography of the project site is flat, situated between 575 to 590 feet above mean sea level in the Burbank quadrangle at approximately 34.183380 degrees latitude and -118.316704 degrees longitude (United States Geological Survey Topographic Quadrangle Maps; Google Earth 2017).

3.1.1 Watershed and Drainages

The project site is located within the Los Angeles River watershed under hydrologic unit code (HUC) 8. No natural drainage features or lakes exist on or near the project site. A concrete-lined channel is present approximately 350 feet west of the project site and runs south parallel to the site for approximately 0.32 miles. The site mostly consists of concrete pads with the surrounding land area being heavily urbanized and developed.

3.1.2 Soils

According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, the project site has soil map composition of urban land-palm view-Tujunga gravelly complex with slopes between zero and nine percent (USDA NRCS 2017). Soils are deep to very deep well-drained soils formed in alluvial fans from granitic rock sources.

3.2 Vegetation

The project site is comprised of ruderal and developed land types. During the survey various species of ornamental palm trees (Palmaceae), mulefat (*Baccharis salicifolia*), laurel sumac (*Malosma laurina*), and tree tobacco (*Nicotiana glauca*) were observed near the northern end of the project site. Telegraph weed (*Heterotheca grandiflora*), Russian thistle (*Kali tragus*), and fountain grass (*Pennisetum setaceum*) were observed scattered throughout the project site. Concrete slabs were present throughout a majority of the project site with graveled areas encompassing the remainder of the site. Stockpiles of soil are staged along the eastern edge of the project site with steel beams and concrete k-rails staged near the center of the site.

3.3 General Wildlife

The project site and surrounding area provide habitat for wildlife species that commonly occur in residential urban areas in the region. Wildlife species observed during the survey included American crow (*Corvus brachyrhynchos*), house finch (*Haemorphus mexicanus*), lesser goldfinch (*Spinus psaltria*), and mourning dove (*Zenaida macroura*).

4 Sensitive Biological Resources

This section discusses sensitive biological resources observed on the project site, and evaluates the potential for the project site to support other sensitive biological resources. Local, state, and federal agencies regulate special status species and require an assessment of their presence or potential presence to be conducted on-site prior to the approval of any proposed development on a property. Assessments for the potential occurrence of special status species are based upon known ranges, habitat preferences for the species, species occurrence records from the CNDDDB, species occurrence records from other sites in the vicinity of the survey area, and previous reports for the project site. The potential for each special status species to occur in the survey area was evaluated according to the following criteria:

- **No Potential.** Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- **Low Potential.** Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- **Moderate Potential.** Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- **High Potential.** All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- **Present.** Species is observed on the site or has been recorded (e.g., CNDDDB, other reports) on the site recently (within the last 5 years).

4.1 Special Status Species

4.1.1 Special Status Plant and Wildlife Species

For the purposes of this report, special status species are those plants and animals listed, proposed for listing, or candidates for listing as Threatened or Endangered by the USFWS under the ESA; those listed or candidates for listing as Rare, Threatened, or Endangered under CESA or the Native Plant Protection Act; those identified as Fully Protected under Sections 3511, 4700, 5050, and 5515 of the CFGC; Species of Special Concern (SSC) identified by CDFW; and plants occurring on Ranks 1 and 2 of the California Native Plant Society's California Rare Plant Rank (CRPR) system per the following definitions.

- List 1A = Plants presumed extinct in California.
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat).
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened).

- List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known).
- List 2A = Plants presumed extirpated in California, but more common elsewhere.
- List 2B = Rare, threatened or endangered in California, but more common elsewhere.

Based on a query of CNDDDB and CNPS there are five special status plant species and three special status animal species documented within a 2-mile radius of the project site (Appendix B).

- Parish's brittle scale (*Atriplex parishii*); CRPR 1B.1
- Nevin's barberry (*Berberis nevinii*); CRPR 1B.1, Federally endangered/State endangered
- Round-leaved filaree (*California macrophylla*); CRPR 1B.2
- San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*); CRPR 1B.1; Proposed Federally threatened/State endangered
- Mesa horkelia (*Horkelia cuneata* var. *puberula*); CRPR 1B.1
- California glossy snake (*Arizona elegans occidentalis*); SSC
- Big free-tailed bat (*Nyctinomops macrotis*); SSC
- Least Bell's vireo (*Vireo bellii pusillus*); Federally endangered/State endangered

Parish's brittle scale typically occurs in habitats with vernal pools and dry alkali flats with fine soils; habitat that was not found on or near the project site. Nevin's barberry typically occurs in habitats of coastal and/or riparian scrub upon steep north-facing slopes. The project site is primarily flat and covered with concrete slabs and gravel. Round-leaved filaree habitat consists of clay soils in valley and foothill grasslands; habitat that was not found on or near the project site. San Fernando Valley spineflower typically occurs in coastal scrub and valley and foothill grasslands with sandy soils; habitat that was not found on or near the project site. Mesa horkelia typically occurs in chaparral, cismontane woodland, and/or coastal scrub habitat; habitat that was not found on or near the project site. California glossy snakes are distributed sporadically between the San Francisco Bay area south to Baja California and typically inhabit scrub and grassland habitats. Least Bell's vireo are summer residents of Southern California in low riparian areas near waterways or dry river bottoms. All seven species were evaluated for potential to occur within the survey area and results of this evaluation can be found in Appendix B.

No special status plants were observed during the survey. No special status plant species have a moderate to high potential to occur within the project site and there is little to no potential for any special status plants to occur on site due to the developed land type and general lack of native vegetation within the survey area. Therefore, no further analyses of these species are included in the report.

Special status wildlife species typically have specific habitat requirements which may include, but are not limited to, vegetation communities, elevational levels and topography, and availability of primary constituent elements (i.e., space for individual and population growth, breeding, foraging, and shelter).

Of the three special status wildlife species that occur within two miles of the project site, all three were excluded from having the potential to occur in the project site based on the lack of suitable habitat.

No special status wildlife species were observed during the survey and therefore, no further analyses of species are included in the report. No nesting birds were observed during the survey, but potentially suitable nesting bird habitat was observed at the northern tip of the project site.

4.1.2 Nesting Birds

Under the provisions of the MBTA, it is unlawful “by any means or manner to pursue, hunt, take, capture (or) kill” any migratory birds except as permitted by regulations issued by the USFWS. The term “take” is defined by the USFWS regulation to mean to “pursue, hunt, shoot, wound, kill, trap, capture or collect” any migratory bird or any part, nest, or egg of any migratory bird covered by the MBTA, or to attempt those activities. In addition, sections 3503, 3503.5, 3511, and 3513 of the CFGC describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFGC protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. While common birds are not special-status species, destruction of eggs/nests/nestlings is prohibited by law and must be avoided.

The project site is developed with ruderal vegetation and trees located along the eastern border and northern tip. Vegetation and trees on site may potentially support nesting birds.

4.2 Sensitive Plant Communities

Plant communities are considered sensitive biological resources if they have limited distributions, have high wildlife value, include sensitive species, and/or are particularly susceptible to disturbance. The CDFW ranks sensitive communities as “threatened” or “very threatened” and keeps records of their occurrences in CNDDDB. Similar to special status plant and wildlife species, vegetation alliances are ranked 1 through 5 based on NatureServe’s (2012) methodology, with alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive.

Southern Cottonwood Willow Riparian Forest and Southern Sycamore Alder Riparian Woodland are both documented within CNDDDB as occurring within a 2-mile radius of the project site. However, no sensitive plant communities or habitat types were observed on-site. Therefore, no further analysis of sensitive plant communities or habitat is included in this report.

4.3 Jurisdictional Waters and Wetlands

The project site does not contain any federally protected waters or wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.); riparian habitat or streambed as defined by Section 1600 et seq. of the CFGC; or “waters of the State”, as defined by the Porter-Cologne Water Quality Control Act. The nearest riverine body is the Los Angeles River located approximately 1.70 miles south from the southernmost point of the project site. A concrete-lined channel is present approximately 350 feet west of the project site and runs parallel with the site for about 0.32 miles.

4.4 Wildlife Movement

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing linkage between foraging

and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The project site is located within a highly developed urban area and surrounded by urbanized uses in each direction including roads, highways and commercial uses, with dense residential development further out. Given the urban nature of the regional vicinity, it is unlikely wildlife utilize the immediate area for regional movement. Furthermore, the CDFW does not include any mapped California Essential Habitat Connectivity areas within the project site. Therefore, no further analysis of wildlife movement is included within this report.

4.5 Resources Protected By Local Policies and Ordinances

4.5.1 Protected Trees

The City of Burbank Municipal Code Section 7-4-108 provides for the preservation and protection of landmark trees, trees of outstanding size and beauty, and dedicated trees. In addition, Article 1. Trees, Shrubs and Plants in Chapter 4, Title 7 of the Charter of the City of Burbank provides many more provisions towards the preservation and protection of trees, shrubs and plants within the city limits of Burbank. In addition, the City's Municipal Code Section 7-4-111 regulates the removal of trees on City property (City trees).

No landmark trees, trees of outstanding size and beauty, and dedicated trees were observed on the project site during the survey. City trees are located adjacent to the project site along Front Street.

4.6 Adopted or Approved Plans

The project site is not subject to any Habitat Conservation Plans, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, conservation plans are not addressed further in this analysis.

5 Impact Analysis and Mitigation Measures

5.1 Special Status Species

The proposed project would have a significant effect on biological resources if it would:

- 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 Wildlife or U.S. Fish and Wildlife Service.

No special status plant and wildlife species were observed in the project site during the survey and none are expected to occur on the project site based on the lack of suitable habitat. Therefore, the proposed project is not expected to affect sensitive plant and wildlife species.

Potentially suitable habitat for nesting birds exists on-site. If site preparation and construction activities are initiated during the nesting bird season (typically February 1 and August 31, and as early as January 1 for raptors), a preconstruction nesting bird survey must be conducted within seven days prior to initial grading or vegetation removal to determine the presence/absence, location, and status of any active nests on-site or within 100 feet of the site for nesting birds, or within 500 feet of the site for nesting raptors to comply with State CFGC and federal MBTA regulations. In areas where site access is limited or prohibited (e.g., private property), the area will be surveyed using binoculars. If results of the nesting bird survey identify active nests that could be impacted by project activities, the following measures should be applied:

- If active nests are discovered on the project site, a qualified biologist will establish an appropriate buffer around each nest(s). Typical buffers range from 100 feet for nesting birds and up to 500 feet for raptor nests, depending on the species.
- No construction within the buffer should occur until a qualified biologist has determined the nest(s) are no longer active. Encroachment into the buffer may occur at the discretion of a qualified biologist in coordination with the City of Burbank.

If the recommended mitigation measures are implemented successfully, potential impacts to nesting birds and raptors will be less than significant.

5.2 Sensitive Plant Communities

The proposed project would have a significant effect on biological resources if it would:

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

No sensitive plant communities or habitat types were observed in the project site during the survey. Therefore, the proposed project is not expected to affect any sensitive plant communities or habitat types.

5.3 Jurisdictional Waters and Wetlands

The proposed project would have a significant effect on biological resources if it would:

- c) Adversely impact federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means.

The project site does not contain any federally protected waters or wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.); riparian habitat or streambed as defined by Section 1600 et seq. of the CFGC; or “waters of the State”, as defined by the Porter-Cologne Water Quality Control Act. Therefore, the proposed project is not expected to affect any jurisdictional waters and wetlands.

5.4 Wildlife Movement

The proposed project would have a significant effect on biological resources if it would:

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

The proposed project is located within an urbanized setting surrounded by developed land. Therefore, the proposed project is not expected to affect wildlife movement.

5.5 Local Policies and Ordinances

The proposed project would have a significant effect on biological resources if it would:

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

The project site is located within a highly developed urban area and surrounded by urbanized uses; however, there are trees located on-site and along the boundaries of the project site.

The City of Burbank Municipal Code Section 7-4-108 provides for the protection of landmark trees, trees of outstanding size and beauty, and dedicated trees. No such trees were observed in the project site during the survey.

If final plans for the proposed project include the removal of trees on City property (including street trees), the plans will be reviewed through the City’s Plan Check process to ensure they comply the City’s Municipal Code Section 7-4-111 (Removal for the Purpose of Construction). Therefore, potential conflicts with local policies or ordinances would result in less than significant impacts.

5.6 Adopted or Approved Plans

The proposed project would have a significant effect on biological resources if it would:

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

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The project site is not subject to any Habitat Conservation Plans, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the proposed project is not expected to affect adopted or approved plans.

6 Limitations, Assumptions, and Use Reliance

This Biological Resources Assessment has been performed in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The biological investigation is limited by the scope of work performed. Biological surveys for the presence or absence of certain taxa have been conducted as part of this assessment but were not performed during a particular blooming period, nesting period, or particular portion of the season when positive identification would be expected if present, and therefore, cannot be considered definitive. The biological surveys are limited also by the environmental conditions present at the time of the surveys. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and will not be discovered in the future within the site. In particular, mobile wildlife species could occupy the site on a transient basis, or re-establish populations in the future. Our field studies were based on current industry practices, which change over time and may not be applicable in the future. No other guarantees or warranties, expressed or implied, are provided. The findings and opinions conveyed in this report are based on findings derived from site reconnaissance, jurisdictional areas, review of CNDDDB RareFind V.5, and specified historical and literature sources. Standard data sources relied upon during the completion of this report, such as the CNDDDB, may vary with regard to accuracy and completeness. In particular, the CNDDDB is compiled from research and observations reported to CDFG that may or may not have been the result of comprehensive or site-specific field surveys. Although Rincon believes the data sources are reasonably reliable, Rincon cannot and does not guarantee the authenticity or reliability of the data sources it has used. Additionally, pursuant to our contract, the data sources reviewed included only those that are practically reviewable without the need for extraordinary research and analysis.

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Appendix A

Regulatory Guidance

Regulatory Setting

Special status habitats are vegetation types, associations, or sub-associations that support concentrations of special status plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife.

Listed species are those taxa that are formally listed as endangered or threatened by the federal government (e.g. U.S. Fish and Wildlife Service [USFWS]), pursuant to the Federal Endangered Species Act (FESA) or as endangered, threatened, or rare (for plants only) by the State of California (i.e. California Fish and Game Commission), pursuant to the California Endangered Species Act or the California Native Plant Protection Act. Some species are considered rare (but not formally listed) by resource agencies, organizations with biological interests/expertise (e.g. Audubon Society, CNPS, The Wildlife Society), and the scientific community.

The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local levels. A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources. Agencies with the responsibility for protection of biological resources within the project site include:

- U.S. Army Corps of Engineers (wetlands and other waters of the United States);
- Regional Water Quality Control Board (waters of the State);
- U.S. Fish and Wildlife Service (federally listed species and migratory birds);
- California Department Fish and Wildlife (riparian areas and other waters of the State, state-listed species);
- City of Burbank Municipal Code
- City of Burbank General Plan

U.S. Army Corps of Engineers

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that could discharge fill of material or otherwise adversely modify wetlands or other “waters of the United States.” Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetland value or acres. In achieving the goals of the Clean Water Act, the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any fill or adverse modification of wetlands that are hydrologically connected to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetland acres or values is met through compensatory mitigation involving creation or enhancement of similar habitats.

Regional Water Quality Control Board

The State Water Resources Control Board (SWRCB) and the local Central Coast Regional Water Quality Control Board (RWQCB) have jurisdiction over “waters of the State,” pursuant to the Porter-

Cologne Water Quality Control Act, which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to “isolated” waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction). The Central Coast RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the Clean Water Act for waters subject to federal jurisdiction.

United States Fish and Wildlife Service

The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the Federal Endangered Species Act (FESA) (16 USC § 153 et seq.). The USFWS generally implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain permits from the USFWS or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. “Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

California Department of Fish and Wildlife

The California Department of Fish and Wildlife (CDFW) derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 et. seq.) prohibits take of state listed threatened, endangered or fully protected species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW also prohibits take for species designated as Fully Protected under the Code.

California Fish and Game Code sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern (SSC) is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the Fish and Game Code as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands. The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (Fish and Game Code Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of

native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant.

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 et seq. of the Fish and Game Code (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

Local Jurisdiction

The City of Burbank Municipal Code (Code) provides detailed explanations regarding trees and vegetation within the city limits of Burbank, California. Chapter 4 of Title 7 of the Code defines and describes jurisdiction and control, the Master Street Tree Plan, the removal of trees, plants, and shrubs, the protection of trees, restricted removal of certain trees and more. The City of Burbank General Plan (General Plan) provides a broad based outline of overall goals for the City of Burbank as well as codified ordinances.

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Appendix B

Special Status Species Evaluation Table

Special Status Plant and Animal Species in the Regional Vicinity* of the Project Site

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
Plants				
<i>Acanthoscyphus parishii</i> var. <i>parishii</i> Parish's oxytheca	None/None G4?T3T4 / S3S4 4.2	Chaparral, lower montane coniferous forest. Sandy or gravelly places. 1220-2600 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Arctostaphylos glandulosa</i> ssp. <i>gabrielensis</i> San Gabriel manzanita	None/None G5T3 / S3 1B.2	Chaparral. Rocky outcrops; can be dominant shrub where it occurs. 960-2015 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Arenaria paludicola</i> marsh sandwort	Endangered/ Endangered G1 / S1 1B.1	Marshes and swamps. Growing up through dense mats of Typha, Juncus, Scirpus, etc. in freshwater marsh. Sandy soil. 3-170 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Asplenium vespertinum</i> western spleenwort	None/None G4 / S4 4.2	Chaparral, cismontane woodland, coastal scrub. Rocky sites. 180-1000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Astragalus brauntonii</i> Braunton's milk-vetch	Endangered/None G2 / S2 1B.1	Chaparral, coastal scrub, valley and foothill grassland. Recent burns or disturbed areas; usually on sandstone with carbonate layers. Soil specialist; requires shallow soils to defeat pocket gophers and open areas, preferably on hilltops, saddles or bowls between hills. 3-640 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i> Ventura Marsh milk- vetch	Endangered/ Endangered G2T1 / S1 1B.1	Marshes and swamps, coastal dunes, coastal scrub. Within reach of high tide or protected by barrier beaches, more rarely near seeps on sandy bluffs. 1-35 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Astragalus tener</i> var. <i>titi</i> coastal dunes milk- vetch	Endangered/ Endangered G2T1 / S1 1B.1	Coastal bluff scrub, coastal dunes, coastal prairie. Moist, sandy depressions of bluffs or dunes along and near the Pacific Ocean; one site on a clay terrace. 1-45 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Atriplex coulteri</i> Coulter's saltbush	None/None G3 / S1S2 1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland. Ocean bluffs, ridgetops, as well as alkaline low places. Alkaline or clay soils. 2-460 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Atriplex parishii</i> Parish's brittlescale	None/None G1G2 / S1 1B.1	Vernal pools, chenopod scrub, playas. Usually on drying alkali flats with fine soils. 5-1420 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>Atriplex serenana</i> var. <i> davidsonii</i> Davidson's saltscale	None/None G5T1 / S1 1B.2	Coastal bluff scrub, coastal scrub. Alkaline soil. 0-460 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Berberis nevinii</i> Nevin's barberry	Endangered/ Endangered G1 / S1 1B.1	Chaparral, cismontane woodland, coastal scrub, riparian scrub. On steep, N-facing slopes or in low grade sandy washes. 290-1575 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>California macrophylla</i> round-leaved filaree	None/None G3? / S3? 1B.2	Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>Calochortus catalinae</i> Catalina mariposa-lily	None/None G4 / S4 4.2	Valley and foothill grassland, chaparral, coastal scrub, cismontane woodland. In heavy soils, open slopes, openings in brush. 15-700 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Calochortus clavatus</i> var. <i>gracilis</i> slender mariposa-lily	None/None G4T2T3 / S2S3 1B.2	Chaparral, coastal scrub, valley and foothill grassland. Shaded foothill canyons; often on grassy slopes within other habitat. 210-1815 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Calochortus plummerae</i> Plummer's mariposa-lily	None/None G4 / S4 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2500 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.

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Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Calochortus weedii</i> var. <i>intermedius</i> intermediate mariposa-lily	None/None G3G4T2 / S2 1B.2	Coastal scrub, chaparral, valley and foothill grassland. Dry, rocky open slopes and rock outcrops. 60-1575 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Calystegia felix</i> lucky morning-glory	None/None GHQ / SH 3.1	Meadows and seeps, riparian scrub. Sometimes alkaline, alluvial. 30-215 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Camissoniopsis lewisii</i> Lewis' evening- primrose	None/None G4 / S4 3	Valley and foothill grassland, coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub. Sandy or clay soil. 0-300 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Centromadia parryi</i> ssp. <i>australis</i> southern tarplant	None/None G3T2 / S2 1B.1	Marshes and swamps (margins), valley and foothill grassland, vernal pools. Often in disturbed sites near the coast at marsh edges; also in alkaline soils sometimes with saltgrass. Sometimes on vernal pool margins. 0-975 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Centromadia pungens</i> ssp. <i>laevis</i> smooth tarplant	None/None G3G4T2 / S2 1B.1	Valley and foothill grassland, chenopod scrub, meadows and seeps, playas, riparian woodland. Alkali meadow, alkali scrub; also in disturbed places. 5-1170 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Chorizanthe parryi</i> var. <i>fernandina</i> San Fernando Valley spineflower	Proposed Threatened/ Endangered G2T1 / S1 1B.1	Coastal scrub, valley and foothill grassland. Sandy soils. 15-1015 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	None/None G3T2 / S2 1B.1	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1220 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Cladium californicum</i> California saw-grass	None/None G4 / S2 2B.2	Meadows and seeps, marshes and swamps (alkaline or freshwater). Freshwater or alkaline moist habitats. -20-2135 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Clinopodium</i> <i>mimuloides</i> monkey-flower savory	None/None G3 / S3 4.2	North coast coniferous forest, chaparral Streambanks, mesic sites. 305-1800 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Convolvulus simulans</i> small-flowered morning-glory	None/None G4 / S4 4.2	Chaparral, coastal scrub, valley and foothill grassland. Wet clay, serpentine ridges. 30-700 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i> Peruvian dodder	None/None G5T4T5 / SH 2B.2	Marshes and swamps (freshwater). Freshwater marsh. 15-280 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Diplacus johnstonii</i> Johnston's monkeyflower	None/None G4 / S4 4.3	Lower montane coniferous forest. On scree, in rocky or gravelly sites. Also in disturbed areas. 975-2920 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Dodecahema</i> <i>leptoceras</i> slender-horned spineflower	Endangered/ Endangered G1 / S1 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. Sandy soils. 200-765 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Dudleya multicaulis</i> many-stemmed dudleya	None/None G2 / S2 1B.2	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 15-790 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Galium angustifolium</i> ssp. <i>gabrielense</i> San Antonio Canyon bedstraw	None/None G5T3 / S3 4.3	Chaparral, lower montane coniferous forest. Dry rocky or sandy granitic slopes and ridges. 1200-2650 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Galium grande</i> San Gabriel bedstraw	None/None G1 / S1 1B.2	Cismontane woodland, chaparral, broad-leaved upland forest, lower montane coniferous forest. Open chaparral and low, open oak forest; on rocky slopes; probably undercollected due to inaccessible habitat. 425-1450 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Galium johnstonii</i> Johnston's bedstraw	None/None G4 / S4 4.3	Chaparral, lower montane coniferous forest, pinyon and juniper woodland, riparian woodland. 1220-2300 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Helianthus nuttallii</i> ssp. <i>parishii</i> Los Angeles sunflower	None/None G5TH / SH 1A	Marshes and swamps (coastal salt and freshwater). 10-1524 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Heuchera caespitosa</i> urn-flowered alumroot	None/None G3 / S3 4.3	Lower montane coniferous forest, upper montane coniferous forest, cismontane woodland, riparian forest. Rocky sites. 1155-2650 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Hordeum intercedens</i> vernal barley	None/None G3G4 / S3S4 3.2	Valley and foothill grassland, vernal pools, coastal dunes, coastal scrub. Vernal pools, dry, saline streambeds, alkaline flats. 5-1000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Horkelia cuneata</i> var. <i>puberula</i> mesa horkelia	None/None G4T1 / S1 1B.1	Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 15-1645 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>Juglans californica</i> southern California black walnut	None/None G3 / S3 4.2	Chaparral, coastal scrub, cismontane woodland. Slopes, canyons, alluvial habitats. 50-900 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's goldfields	None/None G4T2 / S2 1B.1	Coastal salt marshes, playas, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Lepechinia fragrans</i> fragrant pitcher sage	None/None G3 / S3 4.2	Chaparral. 20-1310 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper- grass	None/None G5T3 / S3 4.3	Chaparral, coastal scrub. Dry soils, shrubland. 4-1435 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Lilium humboldtii</i> ssp. <i>ocellatum</i> ocellated humboldt lily	None/None G4T3 / S3 4.2	Chaparral, coastal scrub, cismontane woodland, lower montane coniferous forest, riparian forest. Yellow-pine forest or openings, oak canyons. 30-1800 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Linanthus concinnus</i> San Gabriel linanthus	None/None G2 / S2 1B.2	Lower montane coniferous forest, upper montane coniferous forest, chaparral. Dry rocky slopes, often in Jeffrey pine/canyon oak forest. 1310-2560 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Linanthus orcuttii</i> Orcutt's linanthus	None/None G3 / S2 1B.3	Chaparral, lower montane coniferous forest, pinyon and juniper woodland. Sometimes in disturbed areas; often in gravelly clearings. 915-2145 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Malacothamnus davidsonii</i> Davidson's bush-mallow	None/None G2 / S2 1B.2	Coastal scrub, riparian woodland, chaparral, cismontane woodland. Sandy washes. 150-1525 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Muhlenbergia californica</i> California muhly	None/None G4 / S4 4.3	Coastal scrub, chaparral, lower montane coniferous forest, meadows and seeps. Usually found near streams or seeps. 100-2000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Nasturtium gambelii</i> Gambel's water cress	Endangered/ Threatened G1 / S1 1B.1	Marshes and swamps. Freshwater and brackish marshes at the margins of lakes and along streams, in or just above the water level. 5-330 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Navarretia fossalis</i> spreading navarretia	Threatened/None G2 / S2 1B.1	Vernal pools, chenopod scrub, marshes and swamps, playas. San Diego hardpan & San Diego claypan vernal pools; in swales & vernal pools, often surrounded by other habitat types. 15-850 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Navarretia prostrata</i> prostrate vernal pool navarretia	None/None G2 / S2 1B.1	Coastal scrub, valley and foothill grassland, vernal pools, meadows and seeps. Alkaline soils in grassland, or in vernal pools. Mesic, alkaline sites. 3-1235 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Orcuttia californica</i> California Orcutt grass	Endangered/ Endangered G1 / S1 1B.1	Vernal pools. 10-660 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Phacelia hubbyi</i> Hubby's phacelia	None/None G4 / S4 4.2	Chaparral, coastal scrub, valley and foothill grassland. Gravelly, rocky areas and talus slopes. 0- 1000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Phacelia stellaris</i> Brand's star phacelia	None/None G1 / S1 1B.1	Coastal scrub, coastal dunes. Open areas. 3-370 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Pseudognaphalium leucocephalum</i> white rabbit-tobacco	None/None G4 / S2 2B.2	Riparian woodland, cismontane woodland, coastal scrub, chaparral. Sandy, gravelly sites. 35-515 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Quercus durata</i> var. <i>gabrielensis</i> San Gabriel oak	None/None G4T3 / S3 4.2	Chaparral, cismontane woodland. 450-1000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Quercus engelmannii</i> Engelmann oak	None/None G3 / S3 4.2	Cismontane woodland, chaparral, riparian woodland, valley and foothill grassland. 50-1300 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Ribes divaricatum</i> var. <i>parishii</i> Parish's gooseberry	None/None G4TX / SX 1A	Riparian woodland. Salix swales in riparian habitats. 65-300 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Romneya coulteri</i> Coulter's matilija poppy	None/None G4 / S4 4.2	Coastal scrub, chaparral. In washes and on slopes; also after burns. 20-1200 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Rupertia rigida</i> Parish's rupertia	None/None G4 / S4 4.3	Chaparral, lower montane coniferous forest, cismontane woodland, meadows and seeps, pebble plain, valley and foothill grassland. 700-2500 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Scutellaria bolanderi</i> ssp. <i>austromontana</i> southern mountains skullcap	None/None G4T3 / S3 1B.2	Chaparral, cismontane woodland, lower montane coniferous forest. In gravelly soils on streambanks or in mesic sites in oak or pine woodland. 425-2000 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Senecio astephanus</i> San Gabriel ragwort	None/None G3 / S3 4.3	Chaparral, coastal bluff scrub. Rocky slopes. 400-1500 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Sidalcea neomexicana</i> salt spring checkerbloom	None/None G4 / S2 2B.2	Playas, chaparral, coastal scrub, lower montane coniferous forest, Mojavean desert scrub. Alkali springs and marshes. 3-2380 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>spermolepis lateriflora</i> western bristly scaleseed	None/None G5 / SH 2A	Sonoran desert scrub. Rocky or sandy. 365-670 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Symphyotrichum defoliatum</i> San Bernardino aster	None/None G2 / S2 1B.2	Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland. Vernal mesic grassland or near ditches, streams and springs; disturbed areas. 2-2040 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Symphyotrichum greatae</i> Greata's aster	None/None G2 / S2 1B.3	Chaparral, cismontane woodland, broad-leaved upland forest, lower montane coniferous forest, riparian woodland. Mesic canyons. 335-2015 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Thelypteris puberula</i> var. <i>sonorensis</i> Sonoran maiden fern	None/None G5T3 / S2 2B.2	Meadows and seeps. Along streams, seepage areas. 60-930 m.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
Reptiles				
<i>Arizona elegans occidentalis</i> California glossy snake	None/None G5T2 / S2 SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	No Potential	Suitable habitat does not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.

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Mammals				
<i>Lasiurus cinereus</i> hoary bat	None/None G5 / S4	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	Low Potential	Potentially suitable trees for roosting and open areas for foraging do occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
<i>Nyctinomops macrotis</i> big free-tailed bat	None/None G5 / S3 SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	No Potential	Potentially suitable roosting habitat does not occur on the project site. This species has been documented within 2 miles of the project site but was not observed during the survey.
Birds				
<i>Aechmophorus clarkii</i> Clark's grebe	None/None G5/ --	Marshes, lakes, and bays; in migration and winter they also prefer sheltered sea coasts. They nest among tall plants growing in water on the edges of large areas of open water.	No Potential	Suitable habitats or soils do not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Agelaius tricolor</i> Tricolored blackbird	-- / SE SSC G2G3 / S1S2	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Arenaria melanocephala</i> black turnstone	None/None G5 / --	Nonbreeding: rock seacoasts and offshore islets, and less frequently in seaweed on sandy beaches and tidal mudflats. Nests on the ground in salt-grass tundra; breeds along coast or on offshore islands .	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Athene cunicularia</i> burrowing owl	-- / -- SSC G4 / S2	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	No Potential	Burrows or suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Baeolophus inornatus</i> Oak titmouse	-- / -- -- G4 / S4	Oak woodlands. Cavity nester.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Calidris canutus ssp. roselaari</i> red knot	FT / -- G4T2 / --	Migrate long distances between nesting areas in mid and high arctic latitudes and southern non-breeding habitats as far north as the coastal United States.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Calypte costae</i> Costa's hummingbird	-- / -- -- G5 / S4	Desert riparian, desert and arid scrub foothill habitats.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Carduelis lawrencei</i> Lawrence's goldfinch	-- / -- -- G3G4 / S3	Nests in open oak or other arid woodland and chaparral, near water. Nearby herbaceous habitats used for feeding. Closely associated with oaks.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Chamaea fasciata</i> wren-tit	-- / -- G5 / SNR	Chaparral and brushy areas, primarily in lowlands. Also occurs in suburban gardens and parks. Nests in trees or bushes, up to about 4.5 meter above ground.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Charadrius alexandrinus nivosus</i> Western snowy plover	FT / -- SSC G3T3 / S2	Sandy beaches, salt pond levees and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Charadrius montanus</i> Mountain plover	-- / -- SSC G3 / S2?	Short grasslands, freshly plowed fields, newly sprouting grain fields, and sometimes sod farms. Short vegetation, bare ground and flat topography. Prefers grazed areas and areas with burrowing rodents.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Cypseloides niger</i> black swift	-- / -- SSC G4 / S2	Coastal belt of Santa Cruz and Monterey Co; central and southern Sierra Nevada; San Bernardino and San Jacinto Mountains. Breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf; forages widely.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Gelochelidon nilotica</i> gull-billed tern	-- / -- G5 / S1	Occupy coastlines, salt marshes, estuaries, lagoons, plowed fields, rivers, lakes, and freshwater marshes in all seasons. While breeding, prefer to nest near sandy shores of saline lagoons and marshes, beaches, and artificially dredge spoil islands.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Geothlypis trichas sinuosa</i> common yellowthroat	-- / -- SSC G5T2 / S2	Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nests.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

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<i>Gymnogyps californianus</i> California condor	FE / SE FP G1 / S1	Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. forages up to 100 miles from roost/nest.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Haematopus bachmani</i> black oystercatcher	-- / -- -- G5 / S4	Breeds on undisturbed, rocky, open ocean shores. Nesting ledges must be available beyond the reach of ocean waves, and inaccessible to terrestrial predators.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Limnodromus griseus</i> short-billed dowitcher	-- / -- G5 / SNRN	Nonbreeding: mudflats, estuaries, shallow marshes, pools, ponds, flooded fields and sandy beaches. Prefers shallow salt water with soft muddy bottom, but visits various wetlands during migration. Nests in grassy or mossy tundra and wet meadows.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Limosa fedoa</i> marbled godwit	-- / -- G5 / SNRN	Marshes and flooded plains; in migration and when not breeding also on mudflats and beaches and open shallow water along shorelines. Nests on ground in grassy prairies, pastures, and hayfields, near lakes and ponds. Often nests in semi-permanent wetlands, may select ephemeral alkali and temporary ponds when available.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Melanerpes lewis</i> Lewis's woodpecker	-- / -- -- G4 / SNR	Breeds in open forest and woodland with an open canopy and brushy understory. Requires dead trees for nest cavities.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Melospiza melodia maxillaris</i> song sparrow	-- / -- G5T3 / S3	Herbacious wetland, brackish marshes. Nests on ground or in herbaceous vegetation or brush.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

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Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Numenius americanus</i> long-billed curlew	-- / -- WL G5 / S2	Breeds in upland shortgrass prairies and wet meadows in northeastern California. Habitats on gravelly soils and gently rolling terrain are favored over others.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Numenius phaeopus</i> whimbrel	-- / -- G5 / SNRN	nesting in sedge-dwarf shrub tundra, sedge-meadow, hummock-bog, moorlands, and heath-tundra. Nests in depressions. Beaches, tidal mudflats, marshes, estuaries, edges of tidal creeks, sandy or rocky shores, flooded fields and pastures.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Oceanodroma homochroa</i> ashy storm-petrel	-- / -- SSC G2 / S2	Colonial nester on off-shore islands. Usually nests on driest part of islands. Forages over open ocean. Nest sites on islands are in crevices beneath loosely piled rocks or driftwood, or in caves.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Picoides albolarvatus</i> white headed woodpecker	-- / -- G4 / S4	Montane coniferous forest, primarily pine and fir. Abundance of mature pines with large cones and seeds. Tree species may include: ponderosa pine, sugar pine, jeffery pine, knobcone pine, coulter pine, lodgepole pine, incense cedar and douglas fir.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Picoides nutallii</i> Nuttall's woodpecker	-- / -- -- G5 / SNR	Oak forest and woodlands. Requires standing snag or hollow tree for nest cavity.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Pipilo maculatus clementae</i> spotted towhee	-- / -- G5T1 / S1	Open shrub habitat with thick undergrowth; backyards, forest edges, and overgrown fields.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Polioptila californica</i> coastal California gnatcatcher	FT / -- SSC G3T2 / S2	Obligate, permanent resident of coastal sage scrub below 2500 ft. in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Rynchops niger</i> black skimmer	-- / -- SSC G5 / S2	Nests on gravel bars, low islets, and sandy beaches, in unvegetated sites. Nesting colonies usually less than 200 pairs.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Selasphorus rufus</i> Rufous hummingbird	-- / -- -- G5 / S1S2	Breeds in transition life zone of northwest coastal area from Oregon border to southern Sonoma County. Nests in berry tangles, shrubs, and conifers. Favors habitats rich in nectar-producing flowers.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Selasphorus sasin</i> Allen's hummingbird	-- / -- -- G5 / SNR	Breeds in coastal lowlands of the Upper Sonoran and Transition life zones. Prefers coastal sage scrub, soft chaparral, ravines and canyons, broken coastal forests, oak woodlands and riparian-lined watercourses.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>spizella atrogularis</i> black-chinned sparrow	-- / -- G5 / S4	Chaparral, sagebrush, and arid scrub; on gentle hillsides to dry steep, rocky slopes, usually south facing, or in brushy canyons; sea level to nearly 2,700 meters. In montane chaparral, associated with chamise, ceonothus, and scrub oak-dominated habitats.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Strix occidentalis</i> <i>occidentalis</i> California spotted owl	-- / -- SSC G3T3 / S3	Mixed conifer forest, often with an understory of black oaks and other deciduous hardwoods. Canopy closure >40%. Most often found in deep-shaded canyons, on north-facing slopes, and within 300 meters of water.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

Scientific Name Common Name	Status Fed/State ESA G-Rank/S-Rank CRPR	Habitat Requirements	Potential for Impact	Rationale
<i>Toxostoma lecontei</i> Le Conte's thrasher	-- / -- SSC G4 / S3	Desert resident; primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats. Commonly nests in a dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Toxostoma redivivum</i> California thrasher	-- / -- G5 / SNR	Shrubland/chaparral, lowland and coastal chaparral, and riparian thickets. Usually on or near ground. Nests in bush or small tree.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Tringa semipalmata</i> willet	-- / -- G5 / SNR	Marshes, tidal mudflats, beaches, lake margins, mangroves, tidal channels, river mouths, coastal lagoons, sand or rocky shores, and less frequently, open grassland. Nests on ground in open places, coastal marshes, beaches, or islands and inland in wet grassland by lakes, or short grass or bare ground by water.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.
<i>Vireo bellii pusillus</i> least Bell's vireo	Endangered/ Endangered G5T2 / S2	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	No Potential	Suitable habitat does not occur on the project site. This species has not been documented within 2 miles of the project site.

*Regional Vicinity refers to within a [2] mile CNDDDB search radius and CNPS 9-Quad search of the project site.

FE = Federally Endangered FT = Federally Threatened

SE = State Endangered ST = State Threatened SR = State Rare

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDDB RareFind3.

CRPR (CNPS California Rare Plant Rank):

1A=Presumed Extinct in California

1B=Rare, Threatened, or Endangered in California and elsewhere

2A=Plants presumed extirpated in California, but more common elsewhere

2B=Plants Rare, Threatened, or Endangered in California, but more common elsewhere

3=Need more information (a Review List)

4=Plants of Limited Distribution (a Watch List)

CRPR Threat Code Extension:

.1=Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)

.2=Fairly endangered in California (20-80% occurrences threatened)

.3=Not very endangered in California (<20% of occurrences threatened)

Sensitive Natural Communities in the Regional Vicinity* of the Project Site

Scientific Name	Status Fed/State ESA G-Rank/S-Rank	Habitat Requirements	Potential for Impact	Rationale
Common Name	CRPR			
<i>Southern Cottonwood</i>	None/None		Not	
<i>Willow Riparian Forest</i>			Present	
<i>Southern Cottonwood</i>	G3 / S3.2			
<i>Willow Riparian Forest</i>				
<i>Southern Sycamore</i>	None/None		Not	
<i>Alder Riparian</i>			Present	
<i>Woodland</i>	G4 / S4			
<i>Southern Sycamore</i>				
<i>Alder Riparian</i>				
<i>Woodland</i>				

*Regional Vicinity refers to within a [2] mile CNDDDB search radius and CNPS 9-Quad search of the project site.

FE = Federally Endangered FT = Federally Threatened

SE = State Endangered ST = State Threatened SR = State Rare

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDDB RareFind3.

CRPR (CNPS California Rare Plant Rank):

- 1A=Presumed Extinct in California
- 1B=Rare, Threatened, or Endangered in California and elsewhere
- 2A=Plants presumed extirpated in California, but more common elsewhere
- 2B=Plants Rare, Threatened, or Endangered in California, but more common elsewhere
- 3=Need more information (a Review List)
- 4=Plants of Limited Distribution (a Watch List)

CRPR Threat Code Extension:

- .1=Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- .2=Fairly endangered in California (20-80% occurrences threatened)
- .3=Not very endangered in California (<20% of occurrences threatened)

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Appendix C

Flora and Fauna Compendium

Plant and Animal Species Observed Within the Study Area on November 22, 2017

Scientific Name	Common Name	Status	Native or Introduced
Plants			
Shrubs			
<i>Baccharis salicifolia</i>	mulefat	None	Native
<i>Malosma laurina</i>	laurel sumac	None	Native
<i>Nicotiana glauca</i>	tree tobacco	None	Introduced
Palmaceae	palm	None	N/A
<i>Pennisetum</i> Rich. Ex Pers.	fountain grass	None	Native/Introduced
Herbs			
<i>Heterotheca grandiflora</i>	telegraph weed	None	Native
Grasses			
<i>Kali tragus</i>	Russian thistle	None	Introduced; Invasive Weed
Wildlife			
<i>Corvus brachyrhynchos</i>	American crow	None	Native
<i>Haemorphus mexicanus</i>	house finch	None	Native
<i>Spinus psaltria</i>	lesser goldfinch	None	Native
<i>Zenaida macroura</i>	mourning dove	None	Native

United States Department of Agriculture (USDA) Natural Resources Conservation Service Plants Database (2017) USDA, NRCS. 2017. The PLANTS Database (<http://plants.usda.gov>, 27 December 2017). National Plant Data Team, Greensboro, NC 27401-4901 USA.

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Appendix D

Representative Site Photographs



Photograph 1. View looking north toward the northern half of the project site



Photograph 2. View looking east toward the eastern side of the project site and Interstate-5



Photograph 3. View looking southwest toward southern half of the project site



Photograph 4. View looking north of palm trees at northern edge of project site



Photograph 5. View looking south from eastern edge of project site



Photograph 6. View looking north from eastern edge of project site with Interstate 5 to the east



Photograph 7. View looking west toward staged steel beams and potential homeless camp



Photograph 8. View looking north toward k-rails and paved portion of the project site

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710



April 19, 2018

Leonard Bechet
City of Burbank
150 North Third Street
Burbank, CA 91502

Also sent via e-mail: lbechet@burbankca.gov

RE: SCH# 2018041012; 777 North Front Street Project, City of Burbank; Los Angeles County, California

Dear Mr. Bechet:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

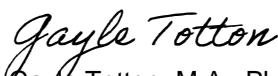
To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
 - a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst
(916) 373-3714

cc: State Clearinghouse



WARNER BROS.
ENTERTAINMENT INC.

Michael Walbrecht
Vice President
Public Affairs

April 23, 2018

Mr. Leonard Bechet
Senior Planner, Community Development Department
City of Burbank
150 N. Third St.
Burbank, CA 91502
Via email: LBechet@burbankca.gov

Re: Support for LaTerra Development Project - 777 N. Front Street

Dear Leonard:

I am writing to express support for LaTerra Development's mixed-use project located at 777 N. Front Street. The City has been slow to approve residential building projects over the last ten years, so it is positive to see that a project such as this given serious consideration for our community.

The LaTerra Development project not only adds housing in Burbank, but does it on underutilized property next to a mass transit station. The addition of well-designed and properly sited housing will relieve pressure on escalating rental prices in the city and provide more opportunities for those who work in Burbank to live in Burbank. With more than 125,000 jobs in Burbank - most of them filled by people who do not live in the city - this project provides a great opportunity for much-needed workforce housing.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be 'M Walbrecht', with a long horizontal line extending to the right.

Michael Walbrecht

A Time Warner Company

4000 Warner Boulevard, Burbank, California 91522
(818) 954-1910 • Fax (818) 954-2409 • michael.walbrecht@warnerbros.com

COUNTY OF LOS ANGELES • DEPARTMENT OF PUBLIC HEALTH
 ENVIRONMENTAL HEALTH • TOXICOLOGY & ENVIRONMENTAL ASSESSMENT

695 S. VERMONT AVE S.TOWER FLR14

LOS ANGELES, CA 90005

CEQA CONSULTATION

Date: 04/24/18

CASE No. unknown

Description: NOP mix-use Development

PROJECT No. unknown

Location: 777 N Front St, Burbank CA

Within our Program's scope of review, we find that the:

X Proposed project could have a *Potentially Significant Impact*.

comments:

The following comments for this *Notice of Preparation* for the above project are based on the limited information provided by the Lead Agency:

Noise & Vibration Element:

- Evaluate the potential noise and vibration impacts (temporary & permanent) associated with the project. We are concerned with the existing land-use surrounding the project such as Interstate freeway 5, trucking and other commercial/industrial industries (i.e. power -plant, water treatment facility, etc.), and railroad and transportation affecting occupants of proposed residential or sensitive land use. Short-term or temporary noise & vibration impacts due to construction may potentially significantly impact surrounding land uses.
- Evaluate the potential noise impacts the nearby Bob-airport flight path may have on proposed residential land use.
- Evaluate the potential noise impacts associated with raising overall noise ambient levels in the area and the impacts on nearby existing sensitive receptors.

Air Quality & Hazardous Materials:

- The proposed project is located near a significant source of traffic air pollutants, Interstate Freeway 5. Please refer to the attached document, "*County of Los Angeles Department of Public Health Air Quality Recommendations for Local Jurisdictions.*"

- Dust emissions during grading and or excavations may also expose workers and the public to soil fungal spores which can cause Valley Fever. Valley Fever is the common name (formally known as *Coccidioidomycosis*) for a fungal disease caused by inhalation of *Coccidioides immitis* spores that are carried in dust; it is found in parts of the southwestern United States, Mexico, and South America (LADPH 2016). In California, the highest incidence of Valley Fever occurs in the San Joaquin (Central) Valley, with over 75 percent of reported cases (CDPH 2014). In Los Angeles County or in Southern California, the fungus is endemic. The EIR should evaluate the impacts associate with fugitive dust emissions and include a discussion on Valley Fever.
- The Initial Study (IS) prepared by the City of Burbank, noted that short-term and operational air quality impacts generated by the project will be evaluated in the EIR. However, we are also concerned with the air quality impacts from surrounding land uses on the project itself affecting future occupants or residential receptors. The EIR should evaluate if a Health Risk Assessment is needed. For instance, the power plant nearby should be evaluated for potential air quality impacts on the project. Besides criteria air pollutants and other pollutants, are the cooling towers a potential source of bioaerosols such as legionella, and what are the potential impacts on the project? What safeguards are implemented by the plant to minimize any health risks affecting occupants and residents? Are there any potential odor problems from the water treatment plant nearby? There may be other of industrial sources of pollutants which may have an impact, evaluate further.
- The IS noted the environmental assessments conducted at the site. We concur that the EIR should further evaluate the impacts associated with the remediation of the hazardous materials found on site. In addition, the EIR should evaluate potential impacts on future residents and occupants on site. The EIR should evaluate if a health risk assessment is needed.
- Determine the presence of active and abandoned oil wells and oil facilities within 500 ft. of the project. Evaluate potential impacts.

AIR QUALITY RECOMMENDATIONS FOR LOCAL JURISDICTIONS

Development of new schools, housing, and other sensitive land-uses in proximity to freeways

Studies indicate that residing near sources of traffic pollution is associated with adverse health effects such as exacerbation of asthma, onset of childhood asthma, non-asthma respiratory symptoms, impaired lung function, reduced lung development during childhood, and cardiovascular morbidity and mortality.ⁱ These associations are diminished with distance from the pollution source.

Given the association between traffic pollution and health, the California Air Resources Board recommends that freeways be sited at least 500 feet from residences, schools, and other sensitive land uses.ⁱⁱ Other reputable research entities such as the Health Effects Institute indicate that exposure to unhealthy traffic

emissions may in fact occur up to 300 to 500 meters (approximately 984 to 1640 feet). The range reported by HEI reflects the variable influence of background pollution concentrations, meteorological conditions, and season.ⁱⁱⁱ

Based on this large body of scientific evidence, the Los Angeles County Department of Public Health strongly recommends:

- A buffer of at least 500 feet should be maintained between the development of new schools, housing or other sensitive land uses and freeways. Consideration should be given to extending this minimum buffer zone based on site-specific conditions, given the fact that unhealthy traffic emissions are often present at greater distances. Exceptions to this recommended practice should be made only upon a finding by the decision-making body that the benefits of such development outweigh the public health risks.
- New schools, housing or other sensitive land uses built within 1500 feet of a freeway should adhere to current best-practice mitigation measures to reduce exposure to air pollution which may include: the use of air filtration to enhance heating, ventilation and air conditioning (HVAC) systems, and the orientation of site buildings and placement of outdoor facilities designed for moderate physical activity as far from the emission source as possible.

Development of parks and active recreational facilities in proximity to freeways

Parks and recreational facilities provide great benefits to community residents including increased levels of physical activity, improved mental health, and opportunities to strengthen social ties with neighbors.^{iv,v,vi} However, siting parks and active recreational facilities near freeways may increase public exposure to harmful pollutants, particularly while exercising. Studies show that heavy exercise near sources of traffic pollution may have adverse health effects.^{vii, viii, ix} However, there are also substantial health benefits associated with exercise.^x Therefore, DPH recommends the following cautionary approach when siting parks and active recreational facilities near freeways:

- New parks with athletic fields, courts, and other outdoor facilities designed for moderate to vigorous physical activity, should be sited at least 500 feet from a freeway. Consideration should be given to extending this minimum buffer zone based on site-specific conditions given the fact that unhealthy traffic emissions are often present at greater distances. Exceptions to this recommended practice should be made only upon a finding by the decision-making body that the benefits of such development outweigh the public health risks.
- New parks built within 1500 feet of freeways should adhere to best-practice mitigation measures that minimize exposure to air pollution. These include the placement of athletic fields, courts, and other active outdoor facilities as far as possible from the air pollution source.

-
- ⁱ Health Effects Institute. 2010. Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. HEI Special Report. p.1-11
- ⁱⁱ California Environmental Protection Agency. California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005.
- ⁱⁱⁱ Health Effects Institute. 2010. Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. HEI Special Report. p.1-11
- ^{iv} L. Frank et al. 2005. Linking Objectively Measured Physical Activity with Objectively Measured Urban Form: Findings From SMARTRAQ. American Journal of Preventive Medicine, at 117-1255.
- ^v Tabbush R and E O'Brien. 2003. Health and Well-being: Trees, Woodlands, and Natural Spaces. Forestry Commission, Edinburgh.
- ^{vi} E. Kuo et al. 1998. Transforming Inner-City Neighborhoods: Trees, Sense of Safety, and Preference. Environmental Behavior. 30(1): 28-59.
- ^{vii} McConnell R, Berhane K, Gilliland F, London SJ, Islam T, Gauderman WJ, Avol E, Margolis HG, Peters JM. Asthma in exercising children exposed to ozone: a cohort study. Lancet. 2002 Feb 2; 359 (9304):386-91.
- ^{viii} Sharman JE, Cockcroft JR, and JS Coombes. Cardiovascular implications of exposure to traffic air pollution during exercise. Q J Med 2004; 97:637-643.
- ^{ix} Rundell KW, Caviston R, Hollenbach AM, and K Murphy. Vehicular Air Pollution, Playgrounds, and Youth Athletic Fields. 2006, Vol. 18, No. 8, Pages 541-547.
- ^x de Hartog JJ, Boogaard H, Nijland H, and G Hoek. Do the Health Benefits of Cycling Outweigh the Risks? Environmental Health Perspectives. 2010; 118(8): 1109-1116.

For Questions regarding the above, please contact the Toxicology & Environmental Assessment program at (213) 738-3320 or rvasquez@ph.lacounty.gov. Ask for Robert Vasquez or Evenor Masis.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA USPS AND E-MAIL:

April 24, 2018

lbechet@burbankca.gov

Leonard Bechet, Senior Planner
City of Burbank – Community Development Department
Planning Division
150 North Third Street
Burbank, California 91502

Notice of Preparation of a Draft Environmental Impact Report for the 777 North Front Street Project¹

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files². These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

¹ The Proposed Project would include, among others, the construction of two buildings with 572 residential units.

² Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

Mobile Source Health Risk Assessment

Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD staff's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways, SCAQMD staff recommends that, prior to approving the Proposed Project, the Lead Agency consider the impacts of air pollutants on people who will live at the Proposed Project and include strategies to reduce the health impacts, where necessary.

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. Based on a review of Figure 1, *Project Location*, in the NOP, SCAQMD staff found that the Proposed Project is located in proximity to the Interstate 5 (I-5) Freeway. Because of the close proximity to the existing freeway, residents at the Proposed Project would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. Diesel particulate matter emitted from diesel powered engines (such as trucks) has been classified by the state as a toxic air contaminant and a carcinogen.

Since future residences of the Proposed Project would be exposed to toxic emissions from the nearby sources of air pollution (e.g., diesel fueled highway vehicles), SCAQMD staff recommends that the Lead

Agency conduct a health risk assessment (HRA)³ to disclose the potential health risks to the residents from the vehicle emissions coming from vehicles operating on the I-5 Freeway in the Draft EIR⁴.

Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and the SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance⁵ on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

Mitigation Measures

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 of SCAQMD's CEQA Air Quality Handbook
- SCAQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

³ South Coast Air Quality Management District. *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

⁵ In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems, sound walls, vegetation barriers, etc. Because of the potential adverse health risks involved with siting residential uses near sources of air pollution such as the I-5 Freeway involving daily traveling of diesel-fueled heavy-duty trucks, it is essential that any proposed risk reduction strategy must be carefully evaluated before implementation.

In the event that enhanced filtration units on the residential units are proposed either as a mitigation measure or a project design feature, the Lead Agency should consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁶, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and it does not account for the times when the residents have their windows or doors open or are in common space areas of the project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures to DPM emissions.

Additionally, if enhanced filtration units are used at the proposed residential units, and to ensure that they are enforceable throughout the lifetime of the Proposed Project as well as effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details on future operational and maintenance implementation and monitoring of filters in the Draft EIR. At a minimum, the Draft EIR should provide detailed information about the responsible implementing and enforcement agency such as the Lead Agency for ensuring that enhanced filters are installed at the sensitive land uses before a permit of occupancy is issued; provide disclosure to prospective sensitive receptors about the potential health impacts from living and working in proximity to the I-5 Freeway and the reduced effectiveness of air filtration system when windows and/or doors are open; provide disclosure to prospective sensitive receptors about the increased energy costs for running the HVAC system; recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units; ongoing cost sharing strategies, if any, for replacing the enhanced filtration units; the responsible entity such as Homeowners Association or property management for ensuring filters are replaced on time, if appropriate and feasible; criteria for assessing progress in installing and replacing the enhanced filtration units; and a process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

Alternatives

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the Draft EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits

In the event that the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a responsible agency for the Proposed Project. For more information on permits, please visit

⁶ This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see also 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

SCAQMD webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD's Engineering and Permitting staff at (909) 396-3385.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD's webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and any significant impacts are mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov or call me at (909) 396-3308.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

LAC180406-02

Control Number

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



April 27, 2018

Mr. Leonard Bechet
City of Burbank
150 North Third Street
Burbank CA, 91502

Re: SCH 2018041012 – 777 North Front Street Project - NOP

Dear Mr. Bechet,

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alterations of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings. The Commission's Rail Crossings Engineering Branch (RCEB) is in receipt of the *Notice of Preparation (NOP)* for the proposed 777 North Front Street Project. The City of Burbank (City) is the lead agency.

According to the NOP, the City proposes to develop a mixed-use project which includes 572 residential units, 1067 square feet of retail gallery space, 317 hotel rooms and other retail/restaurant uses. The Downtown Burbank Metrolink Station pedestrian grade crossings (CPUC No. 101VY-10.75-D and CPUC No. 101VY-10.80-D) are located approximately 1000 feet southeast of the site. Currently, there are approximately ten UPRR freight and 73 passenger commuter trains operating over this line per day at 55 and 79 miles per hour respectively.

Any development adjacent to or near the railroad right-of-way (ROW) should be planned with the safety of the rail corridor in mind. New developments will increase pedestrian traffic volumes not only on streets and at intersections, but also at any adjacent rail crossings. Traffic impact studies undertaken should address rail crossing safety analysis and associated proposed mitigation measures. Safety improvement measures may include the planning for grade separations or improvements to existing at-grade crossings due to increase in traffic volumes (e.g., addition or upgrade of crossing warning devices, detectable warning surfaces and edge lines on sidewalks, and channelization).

In addition, modifications to existing public crossings require authorization from the Commission. RCEB representatives are available for consultation on any potential safety impacts or concerns at crossings. Please continue to keep RCEB informed of the project's development. More information can be found at: <http://www.cpuc.ca.gov/crossings>.

If you have any questions, please contact [Matt Cervantes](#) (213) 266-4716 or [Chi Cheung To](#) at (213) 576-5766.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chi Cheung To".

Chi Cheung To, P.E.
Utilities Engineer
Rail Crossings Engineering Branch
Safety and Enforcement Division

CC: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044
Ron Mathieu, SCRRA



METROLINK.

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
900 Wilshire Blvd. Suite 1500 Los Angeles, CA 90017

metrolinktrains.com

April 30, 2018

Mr. Leonard Bechet
City of Burbank
Planning Division
150 North Third Street
Burbank, CA 91502

**RE: Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR)
777 North Front Street**

Dear Mr. Bechet:

The Southern California Regional Rail Authority (SCRRA) has received the above-noted NOP for a DEIR on the proposed development at 777 North Front Street. Thank you for the opportunity to comment on key issues relative to SCRRA and operations of the railroad that operates adjacent to your project limits. As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink. The JPA consists of the Los Angeles County Metropolitan Transportation Authority (METRO), San Bernardino County Transportation Authority (SBCTA), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC).

In the NOP we see that the City proposes to develop a mixed-use project which includes 572 residential units, 1,067 square feet of retail gallery space, 317 hotel rooms and other retail/restaurant use within walking distance of our Metrolink downtown Burbank Station. SCRRA is supportive of Transit Oriented Developments (TODs), including housing and commercial employment centers, being located within close proximity to our stations as it provides mutual beneficial opportunities to increase ridership and provide alternative transportation uses for the tenants of the development.

General Comments include the following:

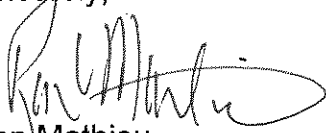
1. The project will be constructed within close proximity the Metrolink Ventura and Antelope Valley Lines that carry Amtrak, Metrolink and UPRR freight trains. Trains can run 24 hours a day and seven days a week.
2. Trains generate noise, vibrations and visual impacts.
3. Safety of the rail corridor is of utmost importance and SCRRA would request that the development consider ensuring that adequate block walls or fencing be

- installed at the edge of the railroad right of way within your project limits to preclude any trespassing from residential or commercial tenants or patrons.
4. The project sponsor should also consider more improved pedestrian and bicycle access between the Metrolink Station and the development along Front Street.

Thanks again for providing us with the opportunity to comment on this important transportation project. We look forward to our continued participation with Metro on this important transportation project that will provide many benefits to the commuting public.

Should you have any questions, please feel free to contact me at (213) 452-0456 or via e-mail at mathieur@scrra.net.

Sincerely,



Ron Mathieu
Planning Manager II,
Regional Coordination and Strategic Initiatives

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 897-8391

FAX (213) 897-1337

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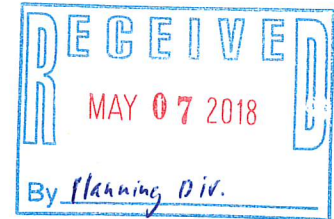
www.dot.ca.gov



*Serious Drought.
Making Conservation
a California Way of Life.*

May 1, 2018

Mr. Leonard Bechet
City of Burbank
150 North Third St.
Burbank, CA 91502



RE: 777 North Front Street Project
SCH # 2018041012
Vic. LA-5
GTS # LA-2018-01401ME-NOP

Dear Mr. Bechet:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Project proposes to develop a mixed-use development that would include 572 residential units, 1,067 sf of retail gallery space, and 317 hotel rooms with ground floor and rooftop retail/restaurant uses.

After reviewing the Draft Environmental Impact Report for this project, Caltrans has the following comments:

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, future development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We encourage the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, and achieve a high level of non-motorized travel and transit use. We also encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Mr. Bechet

May 1, 2018

Page 2 of 2

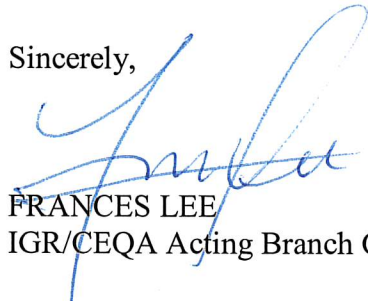
(ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements.

This project boundary is within ½ mile radius to the State facilities on Interstate-5 (I-5). Please provide trip generation, trip distribution, and trip assignment estimates for this project with regards to the local and regional road system. To ensure that queue formation does not create traffic conflicts, project-generated trips should be added to the existing and future scenario traffic volumes for the NB/SB I-5 on/off-ramps at West Burbank Blvd and North Front Street. To avoid traffic conflicts such as inadequate weaving distances, queue spilling back onto the freeway, and uneven lane utilization, please analyze the adequacy of the operations of freeway segments in the vicinity of the project.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

In the spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS # LA-2018-01401ME

Sincerely,



FRANCES LEE
IGR/CEQA Acting Branch Chief

cc: Scott Morgan, State Clearinghouse



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

May 2, 2018

Leonard Bechet
City of Burbank
Planning Division
150 North Third Street
Burbank, CA 91502

RE: 777 North Front Street – Notice of Preparation of a Draft Environmental Impact Report.

Dear Mr. Bechet:

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the project located at 777 N. Front Street in the City of Burbank (Project). This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (Metro) concerning issues that are germane to our agency's statutory responsibility in relation to our transportation facilities and services that may be affected by the proposed Project.

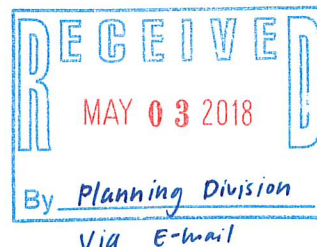
Metro is committed to working with stakeholders across the County to support the development of transit oriented communities (TOCs). TOCs are built by considering transit within a broader community and creating vibrant, compact, walkable, and bikeable places centered around transit stations and hubs with the goal of encouraging the use of transit and other alternatives to driving. Metro looks forward to collaborating with local municipalities, developers, and other stakeholders in their land use planning and development efforts, and to find partnerships that support TOCs across Los Angeles County.

Project Description

The Project includes the clearing and excavation of an eight-acre site to build a new mixed-use development, including: 572 residential units, over 1,000 square feet of retail gallery space, and a 317-room hotel with ground floor and rooftop retail/ restaurant uses. The Project would be constructed in three separate buildings: a seven-story building, an eight-story building, and a 15-story building. In total, the Project will consist of 1,462 parking spaces for residential, hotel, and commercial uses.

Metro Comments

The Metro Adjacent Development Handbook, accessible at www.metro.net/projects/devreview/, provides an overview of considerations for development adjacent to Metro right-of-way (ROW), and Metro-owned ROW. Below is a summary of adjacency concerns, specific to the proposed Project.



Metrolink Adjacency

The southern boundary of the Project site is in close proximity to Metro-owned railroad right-of-way (ROW), separated by Front Street. This ROW is operated and maintained by the Southern California Regional Rail Authority (SCRRA), which runs Metrolink commuter rail service. Amtrak intercity passenger trains and Union Pacific Railroad freight trains also operate on this line. The following concerns related to the project's proximity to the ROW should be noted:

1. **Operations:** Rail service operates in both directions and trains may operate in and out of revenue service, 24 hours a day, seven days a week in the ROW near the proposed Project. The Project sponsor will be required to notify Metro and SCRRA of any changes to the construction/building plans that may or may not impact the ROW.
2. **Noise & Vibration:** Considering the proximity of the proposed Project to the railroad ROW, trains will produce noise, vibration, and visual impacts. A recorded Noise Easement Deed in favor of Metro is required, see attached. The easement recorded in the Deed will extend to successors and tenants, as well. In addition, any noise mitigation required for the Project will be borne by the developers of the Project, and not Metro or other rail operators.
3. **Monitoring:** Metro and/or SCRRA staff shall be permitted to monitor construction activity to ascertain any impact to the ROW.
4. **Safety:** Safety in the rail corridor is of utmost importance. As this Project will include high density buildings with many residential units and tenants, Metrolink recommends the City and Project sponsor coordinate with Metrolink to ensure users of the Project don't trespass into the rail corridor. The City should consider requesting the installation of a proper block wall or adequate fencing along the Metrolink ROW, across the street from the Project, to preclude any trespassing into the rail corridor.

Transit Orientation

Considering the proximity of the Project to the Downtown Burbank Metrolink Station, Metro would like to identify the potential synergies associated with transit-oriented development:

1. **Land Use:** Metro supports development of commercial and residential properties near transit stations and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of the developments.
2. **Walkability:** Metro encourages the installation of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities along street frontages to improve pedestrian safety and comfort to access neighborhood destinations and connect to the nearby rail station. The City should consider requesting the installation of such amenities as part of the development of the site.
3. **Active Transportation:** Metro encourages the City to work with the Project sponsor to promote bicycle use through adequate short-term bicycle parking, such as ground level bicycle racks, as well as secure and enclosed long-term bicycle parking for residents, employees and guests. Bicycle parking facilities should be highly visible, easy to locate, and sited so they can be safely and conveniently accessed. A Bike Share Program is currently being considered for the area. The Project sponsor should coordinate with Metro Bike Share program regarding future Bike Share in the area, and a potential Bike Share station at this development. Additionally, the Project sponsor should help facilitate safe and convenient connections for pedestrians, people

riding bicycles, and transit users to/from the Project site and nearby destinations such as Burbank Station, Downtown Burbank, and the Bob Hope Airport. The Project sponsor is also encouraged to support these connections with wayfinding signage inclusive of all modes of transportation.

4. **Parking:** Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies, such as the reduction or removal of minimum parking requirements for specific areas and the exploration of shared parking opportunities or parking benefit districts. These strategies could be pursued to encourage more transit-oriented development and reduce automobile-orientation in design and travel demand.
5. **Multi-modal:** With an anticipated increase in traffic, Metro encourages an analysis of impacts on non-motorized transportation modes and consideration of improved non-motorized access to the station including pedestrian connections and bike lanes/paths. Appropriate analyses could include multi-modal LOS calculations, pedestrian audits, etc.
6. **Transit Pass:** Metro would like to inform the Project sponsor of Metro's employer transit pass programs including the Annual Transit Access Pass (A-TAP) and Business Transit Access Pass (B-TAP) programs which offer efficiencies and group rates that businesses can offer employees as an incentive to utilize public transit. For more information on these programs, contact Devon Deming at 213-922-7957 or DemingD@metro.net.

Congestion Management Program

Beyond impacts to Metro facilities and operations, Metro must also notify the sponsor of state requirements. A Transportation Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County," Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed Project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic).
2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed Project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
3. Mainline freeway-monitoring locations where the Project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.
4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, Projects must still consider transit impacts. For all CMP TIA requirements, please see the attached guidelines.

777 N. Front Street
NOP DEIR – Metro Comments
May 2, 2018

If you have any questions regarding this response, please contact Eddi Zepeda at 213-022-7658, or by email at DevReview@metro.net. Metro looks forward to reviewing the Draft EIR. Please send the document to the following address:

**Metro Development Review
One Gateway Plaza MS 99-18-3
Los Angeles, CA 90012-2952**

Sincerely,



Georgia Sheridan
Senior Manager, Transit Oriented Communities

Attachments & Link: CMP Appendix D: Guidelines for CMP Transportation Impact Analysis
Metro Adjacent Development Handbook: www.metro.net/projects/devreview/
Noise Easement Deed

GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of "Baseline Travel Data for CMP TIAs."

D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

- Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
- Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
- Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

- All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
- If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
- Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).

D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

D.5.1 Existing Traffic Conditions. Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

D.5.2 Selection of Horizon Year and Background Traffic Growth. Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of Trip Generation, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

D.8.1 Intersection Level of Service Analysis. The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

- The Intersection Capacity Utilization (ICU) method as specified for CMP highway monitoring (see Appendix A); or
- The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

D.8.2 Arterial Segment Analysis. For TIAs involving arterial segment analysis, volume-to-capacity ratios must be calculated for each segment and LOS values assigned using the V/C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels.

D.8.3 Freeway Segment (Mainline) Analysis. For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.

D.8.4 Transit Impact Review. CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:

- Evidence that affected transit operators received the Notice of Preparation.
- A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both “peak hour” and “daily” refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
 - Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
 - For each time period, multiply the result by one of the following factors:
 - 3.5% of Total Person Trips Generated for most cases, except:
 - 10% primarily Residential within 1/4 mile of a CMP transit center
 - 15% primarily Commercial within 1/4 mile of a CMP transit center
 - 7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
 - 9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
 - 5% primarily Residential within 1/4 mile of a CMP transit corridor
 - 7% primarily Commercial within 1/4 mile of a CMP transit corridor
 - 0% if no fixed route transit services operate within one mile of the project

To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification*. For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

- Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction’s TDM Ordinance measures, but other project specific measures.

- Analysis of expected project impacts on current and future transit services and proposed project mitigation measures, and;
- Selection of final mitigation measures remains at the discretion of the local jurisdiction/lead agency. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the existing mitigation monitoring requirements of CEQA.

D.9 IDENTIFICATION AND EVALUATION OF MITIGATION

D.9.1 Criteria for Determining a Significant Impact. For purposes of the CMP, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$), causing LOS F ($V/C > 1.00$); if the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$). The lead agency may apply a more stringent criteria if desired.

D.9.2 Identification of Mitigation. Once the project has been determined to cause a significant impact, the lead agency must investigate measures which will mitigate the impact of the project. Mitigation measures proposed must clearly indicate the following:

- Cost estimates, indicating the fair share costs to mitigate the impact of the proposed project. If the improvement from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips.
- Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

D.9.3 Project Contribution to Planned Regional Improvements. If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

- Any project contribution to the improvement, and
- The means by which trips generated at the site will access the regional facility.

D.9.4 Transportation Demand Management (TDM). If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

D.10 REFERENCES

1. *Traffic Access and Impact Studies for Site Development: A Recommended Practice*, Institute of Transportation Engineers, 1991.
2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
3. *Travel Forecast Summary: 1987 Base Model - Los Angeles Regional Transportation Study (LARTS)*, California State Department of Transportation (Caltrans), February 1990.
4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
6. *Building Better Communities*, Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
9. *Encouraging Public Transportation Through Effective Land Use Actions*, Municipality of Metropolitan Seattle, May 1987.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY
Real Estate Department
Deputy Executive Officer - Real Estate
P: 213-922-2415 F: 213-922-2400
One Gateway Plaza, Mail Stop 99-18-4
Los Angeles, CA 90012-2932

Space Above Line for Recorder's Use

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Government Code Section 6103]

Public Agency - No Tax Statement

NOISE EASEMENT DEED

For valuable consideration, receipt of which is hereby acknowledged, **(Name of Owner)**, a
_____,
for themselves, their heirs, administrators, executors,
successors, assigns, tenants, and lessees do hereby grant, bargain, sell, and convey to the
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public
agency existing under the authority of the laws of the State of California ("Grantee"), its
successors and assigns, for the use and benefit of the public and its employees, a perpetual,
assignable easement in that certain real property in the City of Los Angeles, County of Los
Angeles, State of California described in Exhibit "A" attached hereto and incorporated herein by
this reference,

Said easement shall encompass and cover the entirety of the Grantors' Property
having the same boundaries as the described Property and extending from the sub-
surface upwards to the limits of the atmosphere of the earth, the right to cause in said
easement area such noise, vibrations, fumes, dust, fuel particles, light, sonic
disturbances, and all other effects that may be caused or may have been caused by
the operation of public transit vehicles traveling along the Project right of way.

Grantor hereby waives all rights to protest, object to, make a claim or bring suit
or action of any purpose, including or not limited to, property damage or personal
injuries, against Grantee, its successors and assigns, for any necessary operating and
maintenance activities and changes related to the Project which may conflict with
Grantors' use of Grantors' property for residential and other purposes, and Grantors
hereby grants an easement to the Grantee for such activities.

The granting of said Easement shall also establish the Grantors' right to further modify or
develop the Property for any permitted use. However, Grantor's rights of development shall
not interfere with the continued operation of Grantee's Project.

It is understood and agreed that these covenants and agreements shall be permanent, perpetual, will run with the land and that notice shall be made to and shall be binding upon all heirs, administrators, executors, successors, assigns, tenants and lessees of the Grantor. The Grantee is hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the undersigned has caused its/their signature to be affixed this day of _____, 20____

By: _____
Name

By: _____
Name

(ATTACH NOTARY SEAL AND CERTIFICATE HERE.)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____ before me, _____
Date Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in the real property conveyed by the foregoing Grant Deed from _____, a **California Limited Partnership**, ("Grantor") to **LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**, a public agency existing under the authority of the laws of the State of California ("LACMTA"), is hereby accepted by the undersigned on behalf of the LACMTA pursuant to authority conferred by resolution of the Board of Directors of the LACMTA, and the Grantee hereby consents to the recordation of this Deed by its duly authorized officer.

Dated this ____ day of _____, 20__

By: _____
Velma C. Marshall
Deputy Executive Officer - Real Estate