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# Petition for Post Certification Project Change: Magnolia Power Project (01-AFC-06C)

# BWP Campus Stormwater Improvement Project

Submitted to:
California Energy Commission
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|---|---|
| AFC | Application for Certification |
| BWC | Burbank Western Channel |
| BWP | Burbank Water and Power Department |
| BWRP | Burbank Water Reclamation Plant |
| CCR | California Code of Regulations |
| CDDP | Construction and Demolition Debris Plan |
| CDFW | California Department of Fish & Wildlife |
| CEC or Commission | California Energy Commission |
| CEQA | California Environmental Quality Act |
| City or COB | City of Burbank |
| Clean Water Act | Federal Water Pollution Control Act |
| COC | Condition of Certification |
| CPM | Compliance Project Manager |
| DTSC | California Department of Toxic Substance Control |
| ESA | Environmental Site Assessment |
| GHG | Greenhouse Gas |
| gpd | Gallons per Day |
| HHRA | Human Health Risk Assessment |
| IEPR | Integrated Energy Policy Report |
| LARWQCB | Los Angeles Regional Water Quality Control Board |
| LORS | Laws, Ordinances, Regulations, and Standards |
| MBTA | Migratory Bird Treaty Act |
| MLD | Most Likely Descendant |
| MND | Mitigated Negative Declaration |
| MPP | Magnolia Power Project |
| MW | Megawatt |
| NAHC | Native American Heritage Commission |
| NPDES | National Pollutant Discharge Elimination System |
| PCPC | Post-Certification Project Change |
| Qualified Archaeologist | Secretary of Interior Professionally Qualified Archaeologist who is a member of the Register of Professional Archaeologists |
| RWQCB | Regional Water Quality Control Board |
| RSL | Regional Screening Levels |
| SMP | Soil Management Plan |
| SWIP | Stormwater Improvement Project |
| SWRCB | State Water Resources Control Board |
| TSO | Time Schedule Order |
| U.S. EPA | United States Environmental Protection Agency |
| VOC | Volatile Organic Compound |

# 1.0 INTRODUCTION

The City of Burbank (COB or City) Water and Power (BWP) Department is submitting this Petition for a Post-Certification Project Change (PCPC) to its Magnolia Power Project (MPP), Docket 01-AFC-06C. BWP is proposing to implement a stormwater improvement project (SWIP) that includes installing an on-site stormwater capture, retention, reuse, and infiltration system near MPP. This PCPC is filed to make the changes necessary to the project operation as approved by the California Energy Commission (CEC or Commission) in accordance with California Code of Regulations (CCR) Title 20 Section 1769(a)(1).

## 1.1 Project Overview

The MPP is a 323-megawatt (MW) natural gas fired combined-cycle electrical power generating facility located at the site of an existing City of Burbank power plant in Burbank, California. MPP is owned by the Southern California Public Power Authority (SCPPA) and operated by the BWP Department.

MPP was certified by the CEC in March 2003 and began commercial operation on September 22, 2005. Subsequent to its certification, the following modifications have been approved:

- Change in startup and shutdown operation, Order Approving PCA August 15, 2017; and
- Upgrade of existing combustion system to allow improved combustor turndown and increased operating flexibility, Statement of Staff Approval March 24, 2021

BWP's SWIP consists of installing an on-site stormwater capture, retention, reuse, and infiltration system near MPP. The SWIP would allow the MPP facility to utilize stormwater captured on-site as an additional water source. The goal is to utilize the captured stormwater for cooling purposes at MPP and to infiltrate it into the ground when the stormwater is not needed.

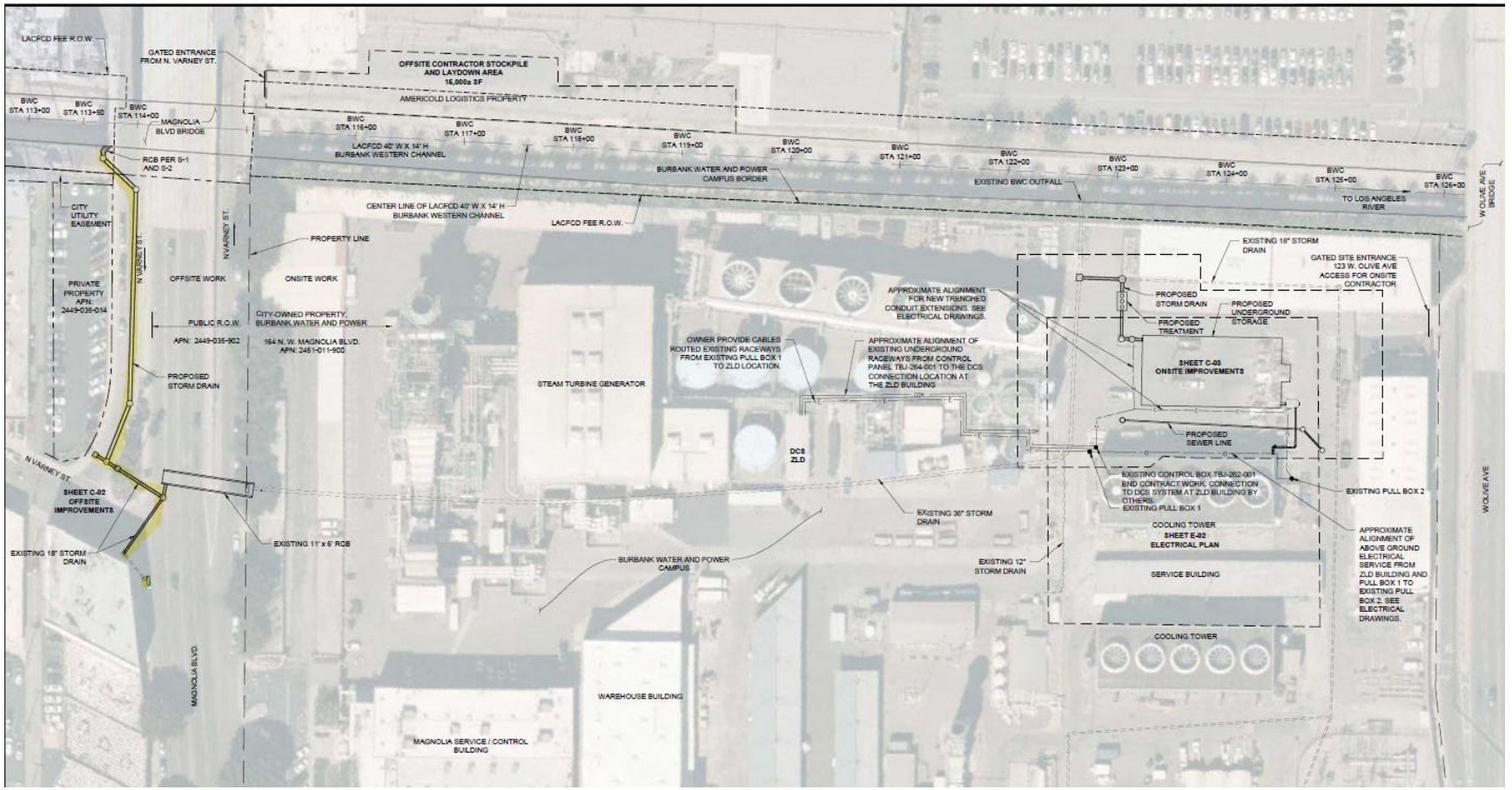
The SWIP would support water conservation policies to use alternative water sources. For instance, the CEC's 2003 Integrated Energy Policy Report (IEPR) indicated that developers of new power plants should use alternative water supply sources and alternative technologies unless they prove to be environmentally undesirable or economically unsound. MPP's proposal to use stormwater at the facility is in concert with this policy. The use of stormwater is in line with the goals and strategic objectives of the State of California.

MPP is located on the BWP Campus at 164 West Magnolia Boulevard in the central portion of the City. The SWIP is being built outside MPP's area in the BWP portion of the Campus. The BWP Campus is approximately 22.5 acres in size and is located on the south side of Magnolia Boulevard and east of North Lake Street. The SWIP extends the improvements on the BWP Campus and connects to the Burbank Western Channel, which is a tributary of the Los Angeles River, via a stormwater drain. Figure 1-1 shows the MPP site.

The portion of stormwater used by the MPP will depend on the quantity and quality of stormwater available during California's wet season and the capacity for its Zero Liquid Discharge (ZLD) system to process stormwater.

The construction work is in the area that was previously disturbed for original MPP construction. Project construction began in June 2024 and construction is expected to be completed in approximately four months by October 2024.

**Figure 1-1: MPP Site Plan**



In support of the planned modifications to MPP, BWP contracted MNS Engineers to prepare the final design plans, as well as provide engineering support and permitting support for the project. A California Environmental Quality Act (CEQA) review has been completed and the City adopted the project's Mitigated Negative Declaration on June 13, 2023. On March 7, 2024, the BWP Board approved an Agreement with Toro Enterprises Inc., Bid Schedule No. 1504, for the construction of the Project. Construction was started in June 2024 due to schedule constraints for connecting to the Burbank Western Channel (BWC) (See discussion related to schedule in Section 2.1).

## 1.2 Information Requirements for Post-Certification Project Changes

This Petition is being submitted in accordance with CCR Title 20 Public Utilities and Energy. Section 1769(a)(1) provides the requirements for Post Certification Petitions for Changes in Project Design, Operation or Performance and Amendments to the Commission Decision. Table 1-1 provides a list of the topics required to be addressed and the section within this Petition where they are addressed.

**Table 1-2: Requirements for Petitions for Post-Certification Project Changes**

| CCR Title 20 Section 1769(a)(1) Requirement | Responding Section |
|---|---|
| A. A complete description of the proposed change, including new language for any conditions of certification that will be affected. | Sections 2.1 - 2.3 |
| B. A discussion of the necessity for the proposed change and an explanation of why the change should be permitted. | Section 2.4 |
| C. A description of any new information or change in circumstances that necessitated the change. | Section 2.4 |
| D. An analysis of the effects that the proposed change to the project may have on the environment and proposed measures to mitigate any significant environmental effects. | Section 3.1 |
| E. An analysis of how the proposed change would affect the Project's compliance with applicable laws, ordinances, regulations, and standards. | Section 3.2 |
| F. A discussion of how the proposed change would affect the public. | Section 3.3 |
| G. A list of current assessor's parcel numbers and owners' names and addresses for all parcels within 500 feet of any affected project linears and 1,000 feet of the project site. | Section 3.4 and Appendix B |
| H. A discussion of the potential effect of the proposed change on nearby property owners, residents, and the public. | Section 3.5 |
| I. A discussion of any exemptions from the California Environmental Quality Act (CEQA), of the Public Resources Code, that the project owner believes may apply to approval of the proposed change. | Section 3.6 |

# 2.0 DESCRIPTION OF THE PROJECT CHANGE

***A. Complete description of the proposed change, including new language for any conditions of certification that will be affected.***

## 2.1 Project Improvements

The BWP Campus is an industrial site with stormwater discharges to the Burbank Western Channel (BWC) subject to the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS00001 (permit) issued under the Federal Water Pollution Control Act (Clean Water Act). The NPDES permit requires BWP to (a) develop its own stormwater pollution prevention plan, (b) control pollutant discharges using the best available technologies, and (c) implement such technologies through best management practices. The permit requires industrial facilities to collect, at a minimum, four stormwater samples per reporting year and compare them to effluent limitations applicable to the site. If the effluent limitations are exceeded, then BWP must implement additional technologies and practices, as necessary. BWP's stormwater sample results continue to indicate issues with the permit's metals effluent limitations, specifically iron, zinc, and copper.

To address the stormwater compliance issues, BWP is in the process of implementing the proposed BWP Campus SWIP. First, the city-owned stormwater line, which currently discharges commercial and industrial areas' stormwater into the BWP Campus stormwater system prior to being discharged to the BWC, will be rerouted. The second component of this project relates to MPP and includes:

- Installation of an on-site stormwater capture, retention, reuse, and infiltration system designed to meet the requirements of attachment I to the General Permit.
- Installation of a pretreatment system upstream of the underground storage basin to remove contaminants and debris in order to prevent buildup of solids in the underground storage basin and challenges for downstream reuse.

As an interim measure, the Los Angeles Regional Water Quality Control Board (LAWQCB) issued BWP a time schedule order (TSO). The TSO includes interim stormwater limits, which are achievable for this site. These interim limits apply until the project is completed. The TSO also includes milestone achievements and project completion must be achieved as soon as possible, but not later than March 28, 2025.

On-site drainage improvements would consist of diverting flow from an existing 36-inch diameter pipe into an on-site filter, then into an underground vault within the northeast portion of the BWP Campus. The proposed vault location is presently paved with an asphalt concrete surface that would be removed and replaced after construction of the vault. The vault would be approximately 10-feet deep with a volume of 37,000 cubic feet.

Following completion of the improvements, drainage from the BWP Campus – up to the 85$^{th}$ percentile, 24-hour storm event – would flow through the filters and into the vault and not the existing BWC outfall. The stormwater capture system would on average divert 8.2 million gallons per year of stormwater from the BWC, assuming average rainfall of 16.3 inches per year. The treated stormwater would either be used for cooling tower make-up water at MPP or infiltrated into the ground, or a combination of the two. The system would be able to renew its capacity to accept a 24-hour, 85$^{th}$ percentile storm event within 24 hours of the discharge. The existing outfall would continue to be used to discharge flows above the 85$^{th}$ percentile, 24-hour storm event.

## 2.2 Water Resources

The MPP currently uses a combination of sources for its water supply. The primary source is reclaimed water delivered to the site via an existing 24-inch pipeline from the Burbank Water Reclamation Plant (BWRP) for use in the cooling tower and for demineralized makeup water when quality is sufficient. Other water sources include potable and non-potable sources provided by the City. The priority for backup supply is from local groundwater wells. Additional water supply is available from the State Water Project (SWP) or Colorado River. Potable water from the City is used for domestic purposes and in the Fire Protection System.

To manage diurnal fluctuations in the available volume of reclaimed water, MPP uses an existing 2.2-million-gallon tank located beneath the Olive 2 cooling tower. During peak reclaimed water flows, the tank is filled to create a reserve, which allows MPP to operate at peak load for 24 hours without delivery of reclaimed water from the BWRP. This reserve also reduces reliance on supplemental non-reclaimed water sources.

If this Petition is approved, stormwater will become the first priority backup supply when available and the local groundwater wells will become second priority back up supply. First, stormwater will go through pretreatment to remove contaminants and debris. After pretreatment, stormwater will be directed to the underground storage basin. Then it will be transferred to the existing MPP 2.2-million-gallon water tank where it will be mixed with the already stored reclaimed water and will be utilized as usual without any change in operation.

Table 2-1 presents the estimated average and maximum daily water demands for the MPP as listed in the final decision. These estimates assume that 100 percent of the non-potable water demands will be met by reclaimed water. Average daily demand of 1,269,000 gallons per day (gpd) was calculated assuming an average ambient air temperature of 64°F and plant operation at full load, with steam injection and power produced by heat recovery steam generator (HRSG) duct firing for 1,000 hours/year. The maximum daily demand of 1,850,000 gpd assumed an ambient air temperature of 81°F and plant operations at full load, duct fired for 12 hours per day.

**Table 3-4: MPP Water Resources**

| Cooling and Process Water Demand | Average Day (Gallons) | Maximum Day (Gallons) |
|---|---|---|
| Cooling Water Makeup | 1,112,000 | 1,520,000 |
| Cycle Makeup Treatment System | 111,000 | 229,000 |
| Plant & Equipment Drains | 11,000 | 11,000 |
| Evaporative Cooler | 35,000 | 90,000 |
| Chemical Drains | 0 | 0 |
| TOTAL | 1,269,000 | 1,850,000 |
| Domestic Water (Potable & Sanitary Uses) | 2,000 | 2,000 |

Once the SWIP is completed, the underground storage basin will have the capacity of holding approximately 275,000 gallons of stormwater representing a 24-hour 85$^{th}$ percentile storm event. Due to the fluctuation of storm seasons, this value is not representative of annual stormwater capture, however any captured stormwater will be used for cooling purposes as long as it meets the quality and needs of the MPP facility.

## 2.3 Proposed Changes to the Conditions of Certification

BWP proposes the following change to condition of certification (COC) Soil and Water 6 and its corresponding Verification requirement (additions are **bold** and deletions are in ~~strikethrough~~):

> **SOIL AND WATER-6.** Only potable water from the COB, recycled water from the BWRP, **on-site captured stormwater,** or contaminated groundwater from beneath the MPP site for which COB has an adjudicated groundwater right shall be used by the project. The primary water supply shall be reclaimed water provided by the BWRP. The BWRP reclaimed water backup water supply shall be captured stormwater ~~COB potable water (containing at least 25 percent properly treated contaminated groundwater)~~ or properly treated contaminated water from beneath the project site. ~~The project owner shall confirm that COB potable water used for backup purposes contains at least 25 percent properly treated contaminated groundwater in the Annual Compliance Report.~~
>
> Properly treated groundwater obtained from the municipal potable water supply shall consist of groundwater treated in a manner consistent with the Second Consent Decree between the COB and the USEPA entered in Federal Court on June 22, 1998, and any subsequent Consent Decrees. The project owner shall comply with the Consent Decree, which requires the removal of all volatile organic compounds to less than Federal Drinking Water Standards. Additionally, properly treated groundwater shall be consistent with the treatment facilities' operating permit issued by California Department of Health Services, Drinking Water Division, that requires the treated groundwater to meet all State drinking water standards except for nitrate. Non-potable backup water supplied to MPP from the wells located on the project site shall be treated to remove volatile organic **compounds** ~~carbons~~ (VOCs) to concentrations less than State drinking water standards (Tit. 22, Cal. Code of Regs., § 60301 et seq.)
>
> The project shall be allowed a maximum of 200 acre-feet per year (AFY) COB potable water for all routine sanitary, domestic, and demineralizer feed water purposes. This 200 AFY shall not be considered or reported as part of the backup water supply. Any potable water used in excess of this amount shall be reported as a backup water supply use.
>
> The project owner shall install on-site metering and recording devices and record on a monthly basis all water used by the MPP (primary and backup), the amount of reclaimed and non-reclaimed water used by the project, with the source and amount of all reclaimed and non-reclaimed water identified. The annual summary shall include the monthly range, monthly average, and total amounts of reclaimed and non-reclaimed water identified by amount and source used by the project in both gallons-per-minute and acre-feet. Following the first year of operation the annual summary shall also include the yearly range and yearly average of reclaimed and non-reclaimed water identified by amount and source used by the project. This information shall be supplied to the CPM in the Annual Compliance Report for review and approval.
>
> **Verification**: ~~At least 60 days prior to the start of operation of MPP,~~ **Within 30 days of commissioning the captured stormwater system,** the project owner shall submit to the CPM evidence that metering devices have been installed and are operational on the pipelines serving and within the project. These metering devices shall be capable of recording the quantities in gallons of water delivered to MPP and differentiate between uses of these supplies by MPP in order to report water demand. The project owner shall

provide a report on the servicing, testing and calibration of the metering devices and operation in the annual compliance report.

The project owner shall submit the required water use summary to the CPM for review and approval as part of the Annual Compliance Report for the life of the project.

## 2.4 Necessity of Proposed Changes

***B. A discussion of the necessity for the proposed change and an explanation of why the change should be permitted.***

This modification is necessary for MPP to utilize reclaimed stormwater for plant cooling. This modification will enhance the ability of MPP to meet water quality goals, as well as the policies of California to use alternative water sources as given in the CEC's IEPR.

***C. A description of any new information or change in circumstances that necessitated the change.***

The change in circumstances that has occurred is a recognition that water is a scarce resource, and that utilization of stormwater will improve the City's ability to manage its water resources.

# 3.0 ENVIRONMENTAL ANALYSES

## 3.1 Environmental Impact Discussion

***D. An analysis of the effects that the proposed change to the project may have on the environment and proposed measures to mitigate any significant environmental effects.***

A summary of the expected impacts on each of the environmental resource areas is provided in Table 2-2 below. As noted in Section 1.1, a CEQA review has been completed and the City adopted the project's Mitigated Negative Declaration (MND) on June 13, 2023. The summary below is based on the SWIP MND, which is provided in Appendix A. Further discussion of the topics that required mitigation measures to be less than significant in the MND are provided below the table. The City adopted the MND and the mitigation measures are being implemented during construction, hence all impacts are reduced to less than significant.

**Table 5-6: Environmental Impact Summary**

| Resource Area | Mitigation Required? | | Analysis |
|---|---|---|---|
| | Yes | No | |
| Aesthetics | | X | The visual character of the Project site from public views would be similar to the existing condition. No impact expected. |
| Agricultural and Forest Resources | | X | The City contains no designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program (California Department of Conservation, 2021). The MPP site is developed with power generation facilities and related improvements and the proposed storm drain pipeline will be within Magnolia Boulevard right of way. |
| Air Quality | | X | The SWIP would not affect the ongoing operation of the MPP since it only provides an alternative source of water. It also does not result in any ongoing air quality impacts since it would not involve any industrial processes or vehicular traffic that would generate pollutant emissions. MPP will continue to meet all the existing emission limits established in the current South Coast Air Quality Management District (SCAQMD) facility permit.<br><br>Construction of the SWIP involves removal of existing paved surfaces, trenching, and grading for the addition of subsurface drains as well as for the construction of a new drainage outfall. An analysis of construction impacts is provided in the MND in Appendix A and determined that the air quality impacts from construction emissions would be less than significant. |
| Biological Resources | X | | The Project site is developed with the majority of the parcels consisting of paved parking lots with impervious surfaces. No special-status plant or wildlife species were observed during the biological site assessment. According to the MND provided in Appendix A, construction of the SWIP has the potential to impact special-status and non-special-status native nesting birds protected by California Fish and Game Code and guidelines for protection provided by the Migratory Bird Treaty Act. To reduce this potential impact to less than significant, a mitigation measure was adopted by the COB. |

| Resource Area | Mitigation Required? | | Analysis |
|---|---|---|---|
| | Yes | No | |
| Cultural Resources | X | | Although the Project site was fundamentally altered in the 1950s with respect to archaeological deposits through historic era development and previous ground-disturbing activities, construction of the Project construction could result in an unanticipated discovery of unknown archaeological resources. To reduce this potential impact to less than significant, a mitigation measure has been adopted by the COB. |
| Energy | | X | The amount of electricity used for construction would be temporary and minimal. Natural gas is not anticipated to be required for the construction of the proposed Project. The proposed Project would not conflict with any adopted state or local plans related to use of renewable energy or energy efficiency. |
| Geology and Soils | X | | The SWIP would be feasible from a geotechnical standpoint in regard to strong ground shaking. The proposed Project would not result in significant impacts associated with the exposure of people or structures to potential substantial adverse effects involving landslides.<br>According to the MND provided in Appendix A, construction of the Project could result in the inadvertent discovery of unknown paleontological or geological resources. To reduce this potential impact to less than significant, a mitigation measure has been adopted by the COB. |
| Greenhouse Gas Emissions | | X | No long-term operational greenhouse gas (GHG) impacts are anticipated as a result of the Project. Construction of the SWIP would involve removal of existing paved surfaces, trenching, and grading for the addition of subsurface drains as well as for the construction of a new drainage outfall. An analysis of GHG emissions is provided in the MND in Appendix A and determined that the impacts would be less than significant. |
| Hazards and Hazardous Materials | X | | There would be no transport, use, or disposal of hazardous materials during the operation of the proposed Project. The MPP site has been used as a power generating facility since the 1940s. According to the MND provided in Appendix A, construction activities including trenching, grading and related ground disturbing activities during construction could release air-borne contaminants that are harmful to on-site workers and the public. To reduce this potential impact to less than significant, a mitigation measure has been adopted by the COB. |
| Hydrology and Water Quality | | X | The Project site is located within an urban area of the city. No significant impacts are expected. |
| Land Use and Planning | | X | The primary use of the Project site is the BWP Campus, and the land use would remain as such after the installation of the water quality enhancements. No significant impacts are expected. |
| Mineral Resources | | X | The City of Burbank General Plan does not consider the City to be a potential source for mineral resources |

| Resource Area | Mitigation Required? | | Analysis |
|---|---|---|---|
| | Yes | No | |
| Noise | | X | Project construction is expected to create temporary elevated noise levels at receivers surrounding the Project site when certain activities occur. No residences, schools, hospitals or similar noise-sensitive land uses exist near the site that could be significantly impacted from these types of activities. |
| Population and Housing | | X | The Project site does not contain existing housing units and is designated for institutional and industrial uses. |
| Public Services | | X | No impact expected. |
| Recreation | | X | No impact expected. |
| Transportation and Traffic | X | | The Project would result in temporary impacts during demolition and construction. The Project would not create any habitable space that would generate vehicular trips. There would therefore be no long-term impacts to local or regional roadways, public transit systems, and bicycle or pedestrian facilities. |
| Tribal Cultural Resources | X | | Any Native American (Tribal) cultural resources found on the Project site as a result of construction would be protected by adherence to Mitigation Measures CUL-1, TRIBAL-1, and TRIBAL-2, found in the Cultural Resources and Tribal Cultural Resources sections of the MND provided in Appendix A. |
| Utilities and Service Systems | X | | The elements described as the on-site improvements in the Project Description are located on the developed BWP Campus, which is already served by water, wastewater, drainage, electric power, natural gas, and telecommunications infrastructure for daily operations. In the short-term, construction activities could generate quantities of waste material. Although waste generation is not expected to be substantial, a mitigation measure has been adopted by the COB to ensure that this potential impact is less than significant. |
| Wildfire | | X | The proposed Project improvements are within an urban setting on an existing facility and not located near lands classified as very high fire hazard severity zones. |
| Mandatory Findings of Significance | | X | The proposed Project, in conjunction with other past, present, and reasonably foreseeable future related Projects, does not have the potential to result in significant cumulative impacts when the independent impacts of the proposed Project and the impacts of related Projects combine to create impacts greater than those of the proposed Project alone. |

The following sections discuss only those topics where the CEQA MND in Appendix A concluded that a mitigation measure is needed to ensure that the construction impacts are less than significant. There were no significant impacts during operation associated with the Project use of stormwater.

### *3.1.1 Biological Resources*

The Project site is developed, with the majority of the parcels consisting of paved parking lots with impervious surfaces and various buildings associated with the BWP Campus. No special-status plant or wildlife species were observed during the biological site assessment, and the Project site was determined to have little to no potential to host the special-status species identified in the literature and database searches.

However, the Project has the potential to impact special-status and non-special-status native nesting birds protected by California Fish and Game Code and guidelines for protection provided by the Migratory Bird Treaty Act (MBTA). Project activities such as vegetation removal and ground disturbance associated with Project activities would have the potential to affect these species by causing direct mortality of eggs or young, or by causing auditory, vibratory, and/ or visual disturbance of a sufficient level to cause abandonment of an active nest. Because Project construction activities started in June, which is during the bird nesting season (which generally extends from February 15 through August 31), nests of both special-status and non-special-status native birds could be impacted by construction and other ground disturbing activities. Impacts to nesting birds would be considered significant under CEQA. Implementation of Mitigation Measure BIO-1 reduces this potential impact to less than significant.

**Mitigation Measure BIO-1**.

No Project activities, including vegetation removal and grading shall be conducted during nesting bird season (February 15 to August 31) to the extent feasible. If such activities must be conducted during the nesting season, a pre-construction nesting-bird survey shall be performed by a qualified biologist no more than 14 days prior to vegetation removal or initial ground disturbance. The survey shall include the disturbance area and the surrounding 500 feet, to identify the location and status of any nests that could potentially be affected either directly or indirectly by Project activities. The nesting bird surveys shall be conducted during appropriate time of day and weather conditions and concentrate on potential roosting or perch sites.

If an active nest (containing eggs or chicks) of protected species is found within the survey area, it shall be designated as an ecologically sensitive area and protected (while occupied) during Project Activities. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes shall be determined by a qualified biologist and vary dependent upon the species, nest location, existing visual buffers, noise levels, and other factors. An exclusion zone radius may be as small as 250 feet for common, disturbance-adapted species or as large as 500 feet or more for raptors. Exclusion zone size may be reduced from established levels if supported with nest monitoring findings by a qualified biologist indicating that work activities outside the reduced radius are not adversely affecting the nest and that a reduced exclusion zone would not adversely affect the subject nest.

These requirements shall be included in the Project plans and construction specifications.

See Appendix C for a report of the monitoring of nesting birds conducted during construction to implement this mitigation measure.

### *3.1.2 Cultural Resources*

The BWP Campus was fully developed and paved with power generating facilities, administrative offices, manufacturing uses and related facilities by 1952, based upon a review of historic aerial photographs. At greater than 50 years of age, it might be considered a historical resource. Sapphos Environmental, Inc. conducted a site visit of the BWP Campus and BWC on February 10, 2022 and confirmed that the proposed Project would not result in a significant impact on potential historical resources.

Although the Project site was fundamentally altered in the 1950s with respect to archaeological deposits through historic era development and previous ground-disturbing activities, Project construction could result in an unanticipated discovery of unknown archaeological resources. To ensure any such impacts to these resources are reduced to a less-than-significant level, the following measure has been implemented by the BWP and Project contractor (no archaeological resources have been found thus far related to SWIP construction):

**Mitigation Measure CUL-1**.

If an archaeological cultural resource is identified, work on the Project site shall cease immediately until a resource protection plan conforming to CEQA Guidelines Section 15064.5(e) is prepared by a qualified archaeologist and approved by the Community Development Director. Project work may be resumed in compliance with such a plan.

See Appendix C for a report of the monitoring for cultural resources conducted during the excavation phase of construction to implement this mitigation measure.

### *3.1.3 Geological and Paleontological*

While the Project site is disturbed due to existing development and previous ground disturbing activities, construction of the Project could result in the inadvertent discovery of unknown paleontological or geological resources. To ensure any such impacts to these resources are reduced to a less-than-significant level, the following measure has been implemented by the BWP and Project contractor (no paleontological resources have been found thus far related to SWIP construction):

**Mitigation Measure GEO-1**.

If a paleontological resource is identified, work on the Project site shall cease immediately until a resource protection plan conforming to CEQA Guidelines Section 15064.5(e) is prepared by a qualified paleontologist and approved by the Community Development Director. Project work may be resumed in compliance with such a plan.

The monitoring for cultural resources conducted during the excavation phase of construction (see Appendix C) would have also identified paleontological resources.

### *3.1.4 Hazards and Hazardous Materials*

The Project site has been used as a power generating facility since the 1940s. A limited Phase II Environmental Site Assessment (ESA) was performed on the project property in November 2020. Although soil samples collected during the Limited Phase II ESA determined soil within the area of the project was non-hazardous, laboratory results for lead and diesel-range organics exceeded U.S. EPA Regional Screening Levels (RSL) and California Department of Toxic Substance Control (DTSC) Human Health Risk Assessment (HHRA) levels. Construction, including trenching, grading and related ground disturbing activities during construction of the Project could release air-borne contaminants that are harmful to on-site workers and the public. Excavation activities during the proposed project are not expected to encounter groundwater. The following measure was implemented prior to commencement of ground disturbing activities to ensure this impact would be less-than-significant:

**Mitigation Measure HAZ-1**.

Prior to commencement of ground-disturbing activities, a Soil Management Plan (SMP) shall be developed to address 1) the possibility of encountering petroleum hydrocarbon or lead-impacted soils during excavation of the on-site southern parcel and 2) monitor excavated soils for Volatile Organic Compounds during the project construction in the northern parcel (Ninyo and Moore 2020). The SMP shall be prepared by a qualified environmental consultant and implemented during soil disturbance activities under the oversight of an environmental professional. The SMP shall address monitoring of excavated soil, community and construction worker health and safety, and soil handling, stockpiling, and characterization. Soil characterization results should be used to determine on-site reuse, export, and disposal protocols as appropriate. The Soil Management Plan shall be submitted to and approved by the Burbank Community Development Director or Burbank Public Works Department prior to initiation of ground-disturbing activities.

### *3.1.5 Transportation and Traffic*

The Project would result in temporary impacts during demolition and construction in relation to potential conflicts with an applicable plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Based on a discussion with the Transportation Division of the Burbank Community Development Department, the number of construction vehicles associated with the Project would result in a less than significant impact with the application of Mitigation Measure TRA-1 during Project demolition and construction.

Any transportation of heavy construction equipment and/or materials which requires use of over-sized-transport vehicles on State highways obtained or will obtain required Caltrans transportation permits. Large size truck trips will be limited to off-peak commute periods.

The Project would not create any new residential or office space that would generate vehicular trips. There would therefore be no long-term impacts to local or regional roadways, public transit systems, and bicycle or pedestrian facilities.

The Project would not conflict with air traffic circulation.

Other traffic and transportation Conditions of Certification were either completed as part of original construction or are not applicable to this modification.

Therefore, with the implementation of TRA-1 during demolition and construction, there will be no significant adverse impacts to traffic and transportation.

**Mitigation Measure TRA-1**.

Prior to commencement of construction of the Project (including demolition activities), the City of Burbank, Burbank Water and Power shall require the Project contractor to submit to the Burbank Public Works Department for approval, a Traffic Management Plan that includes, at minimum, the specified items:

- A haul route for demolition debris; and
- Provision to ensure that all adjacent public streets are accessible for emergency equipment and normal vehicle, bicycle, and pedestrian traffic during Project demolition and construction.

### *3.1.6 Tribal Cultural Resources*

Any Native American (Tribal) cultural resources found on the Project site as a result of construction are protected by adherence to Mitigation Measures CUL-1, TRIBAL-1, and TRIBAL-2, found in the Cultural Resources and Tribal Cultural Resources sections of this Initial Study. With adherence to the three specified mitigation measures, any impacts to Native American (Tribal) cultural resources are less than significant.

**Mitigation Measure TRIBAL-1**: *Tribal Resources – Avoidance and Monitoring*.

Prior to the initiation of ground-disturbing activities in native (i.e., non-fill) soil, the City shall require monitoring of all ground-disturbing activities by a Secretary of Interior Professionally Qualified Archaeologist who is a member of the Register of Professional Archaeologists (Qualified Archaeologist). The Qualified Archeologist shall not only be qualified to identify tribal cultural resources but also qualified to identify many other types of cultural and paleontological resources. The Qualified Archaeologist shall have a pre-construction meeting to explain the construction monitoring process and provide training on how to recognize Tribal cultural resources encountered during earthmoving activities. Such sensitivity training shall include a handout and focus on how to recognize Tribal cultural resources encountered during earthmoving activities.

The City may also elect to retain a Native American Monitor upon the request of a local tribe with cultural ties to the project site. Upon request, the City shall determine whether to retain a Native American Monitor prior to the initiation of ground-disturbing activities. If it elects to retain such a monitor, such monitor shall be affiliated with the local Tribe with cultural ties to the project site and such Tribe shall also be designated by the Native American Heritage Commission (NAHC-Designated Tribes). Such a Native American monitor, if retained, shall be present during the ground-disturbing activities in undisturbed native soils within the Project area. Regardless of whether the City elects to retain a Native American Monitor, the NAHC-Designated Tribes, or those who have identified themselves directly to the City as having an interest in the BWP Campus Stormwater Improvement

Project, shall be invited to attend the pre-construction meeting held by the Qualified Archaeologist to participate in Tribal cultural resource sensitivity training. Project efforts are not prohibited from moving forward should Tribal representatives decline to voluntarily participate in the pre-construction meeting.

If previously unknown Tribal cultural resources are encountered during construction, then the resources shall either be left in situ and avoided through redesign, or the resources shall be salvaged, recorded, and reposited at a repository consistent with the provisions of a Phase III data recovery program and the provisions of the Resource Protection Plan, specified in CUL-1. The City shall hire a Tribal monitor if the identified resources are likely Tribal cultural resources. The Resource Protection Plan shall include further consultation with the identified Tribal representatives.

**Mitigation Measure TRIBAL-2**: *Regulatory Requirements – Human Remains*.

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are encountered during excavation activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent remains within 100 feet shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

If the County Coroner determines that the remains are or are believed to be Native American, s/he shall notify the NAHC in Sacramento within 24 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC shall immediately notify the person(s) it believes to be the most likely descendant (MLD) of the deceased Native American. The descendants shall complete their inspection and make a recommendation within 48 hours of being granted access to the site. The designated Native American representative(s) would then determine, in consultation with the City, the disposition of the human remains. The MLD's recommendation shall be followed if feasible and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If the City rejects the MLD's recommendations, the agency shall rebury the remains with appropriate dignity on the property within a time frame agreed upon between the City and the MLD's in a location that will not be subject to further subsurface disturbance (14 California Code of Regulations §15064.5(e)).

### *3.1.7 Utilities and Service Systems*

The elements described as the on-site improvements in the Project Description are located on the developed BWP Campus, which is already served by water, wastewater, drainage, electric power, natural gas, and telecommunications infrastructure for daily operations. In the short-term, construction activities could generate quantities of waste material. To ensure this impact is less than significant, the following mitigation measure was implemented prior to the issuance of the Excavation Permit by the City.

**Mitigation Measure Util-1**.

Prior to issuance of an Excavation Permit by the City of Burbank, the Project contractor shall prepare a Construction and Demolition Debris Plan (CDDP). The CDDP shall meet the requirements of a project "Waste Management Plan," consistent with Section 9-1-11-1012, *Diversion of Construction and Demolition Debris and Submission of Waste Management Plan*, in the City of Burbank Municipal Code. The CDDP shall include methods for recycling construction debris and ultimate disposition of recycled material and shall be approved by the Burbank Public Works Department prior to commencement of excavation activities. The CDDP shall specify performance standards for construction waste recycling and diversion that are consistent with the City of Burbank Construction and Demolition Debris Ordinance. Consistent with the Construction and Demolition Debris Ordinance, the project shall reuse or recycle a minimum of 50% of construction and demolition debris. The CDDP shall specify the waste hauler that will separate 50% of the materials for recycling, and it shall specify the recycling center that will accept the waste. The Project contractor shall consult the City of Burbank Construction and Demolition Debris Diversion Reference Manual to develop the Project's CDDP. The CDDP shall specify how the contractor shall transport any waste generated by construction of the project to a landfill outside the City of Burbank. The project demolition contractor shall determine the ultimate disposal site for asphalt, concrete, and other material. Any materials cleaned from the vault shall be disposed of outside of the City.

As the project is relatively small, the quantity of debris generated from demolition would not be significantly large. Demolition material from industrial/commercial projects is not accepted at the City Landfill. The City of Burbank has adequate capacity to accommodate any solid waste not recycled per Mitigation Measure Util-1. The Project contractor will adhere to all local, State and Federal requirements regulating solid waste handling and disposal. This impact would be less than significant.

## 3.2 Compliance with Laws, Ordinances, Regulations, and Standards (LORS)

***E. An analysis of how the proposed change would affect the project's compliance with applicable laws, ordinances, regulations, and standards.***

The basis for the proposed Project is compliance with a mandated industrial stormwater quality regulation. The proposed design would improve drainage and separate local urban runoff from industrial runoff, facilitate collection and treatment of industrial runoff, reduce the total drainage area utilizing the storm drain by 50 percent, and improve local catch basin inlets to the maximum permissible capacities permitted to be discharged to the BWC. On-site runoff from the Project will be pretreated prior to infiltration to ensure compliance with all applicable water quality standards.

Actions and approvals that may be required from other agencies for the proposed Project include:

- US Army Corps of Engineers – Clean Water Act Section 404 (issued)
- US Army Corps of Engineers – Clean Water Act Section 408 (issued)

- California Department of Fish & Wildlife (CDFW) – Section 1602 Streambed Alteration Agreement (issued)
- City of Burbank – Excavation Permit and Building Permit (issued)
- City of Burbank Night Work Permit (issued)
- State Water Resources Control Board (SWRCB) – National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Order No. 2012-0006-DWQ
- SWRCB – NPDES General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit), Order No. 2014-0057-DWQ
- Los Angeles Regional Water Quality Control Board (LARWQCB) – Clean Water Act Section 401 Certification Permit
- Los Angeles Flood Control District – Flood Control Permit

All of the permits required to be issued prior to the start of construction have been received. As modified, MPP will continue to comply with applicable LORS.

## 3.3 Potential Effects on the Public

***F. A discussion of how the proposed change would affect the public.***

The MND in Appendix A does not identify any Project effects that would result in substantial adverse impacts to the public, either directly or indirectly. Identified impacts during construction are being mitigated to less than significant through implementation of the identified mitigation measures. The impacts that are mitigated but not related to impacts to the public are associated with construction activities that could have potential impacts to nesting birds, inadvertent cultural or paleontological finds during excavation and trenching, and ensuring compliance with the City's construction waste ordinance. The construction period is expected to last up to four months, but impacts related to disturbing contaminated soil or to construction traffic were mitigated by having a Soil Management Plan and a Traffic Management Plan in place prior to disturbing the soil. Hence, potential impacts to the public would be short-term and mitigated.

## 3.4 List of Property Owners

***G. A list of current assessor's parcel numbers and owners' names and addresses for all parcels within 500 feet of any affected project linears and 1,000 feet of the project site.***

Nearby property owners, the public, and Parties to the Application Proceeding will not be affected by the proposed modification, since the proposed improvements will be consistent with the current operation of the power plant, will have less than significant environmental effects, and will be in compliance with applicable LORS. A list of property owners within 1,000 feet of the plant site was provided to the CEC Compliance Project Manager (CPM) in November 2019 for a previous Petition to Amend and is provided in Appendix B. A Notice of Completion and the Draft CEQA MND for the SWIP was circulated for responsible agency and public review as required by CEQA (see https://ceqanet.opr.ca.gov/2019129091/3).

## 3.5 Potential Effects on Property Owners

***H. A discussion of the potential effect of the proposed change on nearby property owners, residents, and the public.***

The MND in Appendix A does not identify any Project effects that would result in substantial adverse impacts to nearby property owners, residents, or the public, either directly or indirectly. Identified impacts during construction would be temporary and would be mitigated to less than significant through implementation of the identified mitigation measures. The impacts that are mitigated but not related to impacts to property owners or the public are associated with construction activities that could have potential impacts to nesting birds, inadvertent cultural or paleontological finds during excavation and trenching, and ensuring compliance with the City's construction waste ordinance. The construction period started in June and is expected to last approximately four months, but impacts related to disturbing contaminated soil or to construction traffic are mitigated by having a Soil Management Plan and a Traffic Management Plan in place prior to disturbing the soil. Hence, impacts to nearby property owners, residents, or the public are short-term and mitigated.

## 3.6 Exemptions to CEQA

***I. A discussion of any exemptions from the California Environmental Quality Act, of the Public Resources Code, that the project owner believes may apply to approval of the proposed change.***

Exemptions to CEQA have not been identified. A CEQA MND was completed for the SWIP and is provided in Appendix A.

## 4.0 REFERENCES

City of Burbank Department of Water and Power. Burbank Water and Power Campus Stormwater Improvement Project Initial Study and Minimum Negative Declaration. May 2023. (Appendix A)

Ninyo and Moore. Limited Phase II Environmental Site Assessment. November 12, 2020. (Attachment 8 in Appendix A).

# APPENDIX A – BURBANK WATER AND POWER CAMPUS STORMWATER IMPROVEMENT PROJECT, INITIAL STUDY & MITIGATED NEGATIVE DECLARATION, MAY 2023

Due to file size, please download the MND from the City's website at:

https://www.burbankwaterandpower.com/stormwaterproject

## APPENDIX B – PROPERTY OWNERS LIST

**List of Property Owners within 1,000 Feet of the Magnolia Power Project, 164 West Magnolia Boulevard, Burbank, CA 91502**

| APN | NAME | ADDRESS |
|---|---|---|
| 2446-001-004,031 | MANDEL DEBRA CO TR/901 W MAGNOLIA LLC | 440 SHENANDOAH ST THOUSAND OAKS CA 91360 |
| 2446-001-005 | DAYCO FUNDING CORPORATION | 4751 WILSHIRE BLVD #203 LOS ANGELES CA 90010 |
| 2446-001-011 | CAROLENA SARKISIAN | 325 N VICTORY BLVD BURBANK CA 91502 |
| 2446-001-012,013 | DENNIS CARUSO | 305 N VICTORY BLVD BURBANK CA 91502 |
| 2446-001-033 | GEVORK G/ABRAHAM BERBERIAN | 329 N VICTORY BLVD BURBANK CA 91502 |
| 2446-001-034,035,036 | ARI PROPERTIES LLC | 870 N MOUNTAIN AVE UPLAND CA 91786 |
| 2449-016-010,013,033 | SYLVIA ARIAN | 503 N VICTORY BLVD BURBANK CA 91502 |
| 2449-016-011 | MARIA L MARTINEZ | 415 N VICTORY BLVD BURBANK CA 91502 |
| 2449-016-012 | FRIEDA M ROEPER | 31 SHORE RD MOUNT SINAI NY 11766 |
| 2449-016-020 24744 | GILBERT C SOMERFIELD | VANTAGE POINT TER MALIBU CA 90265 |
| 2449-016-041,042,043 | SIDNEY DJANOGLY | 2611 S COAST HIGHWAY 101 #101 CARDIFF BY THE SEA CA 92007 |
| 2449-016-044 | SANG H & YONG C YEA | 10428 SALINAS RIVER CIR FOUNTAIN VALLEY CA 92708 |
| 2449-016-045 | YRVAND TOROSIAN | 913 W MAGNOLIA BLVD BURBANK CA 91506 |
| 2449-032-001 | TERRY MULLIN | 924 WEST BLVD #1000 LOS ANGELES CA 90024 |
| 2449-032-003,048 | DEBRA L ROSEN/IRV G KAYE | 212 S RODEO DR BEVERLY HILLS CA 90212 |
| 2449-032-005 | TRR LLC | 400 S HOPE ST #1300 LOS ANGELES CA 90071 |
| 2449-032-810,811/035-803 | SOU PAC TRANS CO SBE 872 19 63V PAR 76 | 1 MARKET PLZ SAN FRANCISCO CA 94105 |
| 2449-032-900 - 2451-010-901 | LACMTA | 1 GATEWAY PLZ LOS ANGELES CA 90012 |

| APN | NAME | ADDRESS |
|---|---|---|
| 2449-033-001 | 163 W MAGNOLIA LLC | 2506 N ONTARIO ST BURBANK CA 91504 |
| 2449-033-002 | RON C LAMPLEY | PO BOX 284 VERDUGO CITY CA 91046 |
| 2449-033-003 | GRACE L KONOSKY/PAWJA TRUST | 26477 CUMMINGS VALLEY RD TEHACHAPI CA 93561 |
| 2449-033-004 | ASSOCIATION OF GERMAN SHEPHERD RESCUERS | 120 TUSTIN AVE #C1111 NEWPORT BEACH CA 92663 |
| 2449-033-005 | WILLIAM J BARNES | PO BOX 3321 INCLINE VILLAGE NV 89450 |
| 2449-033-008 | MARK & VALENTINA ALGAZY | 437 N MOSS ST BURBANK CA 91502 |
| 2449-033-009 | JERRALD & GLORIA DOWNIE | 640 E GRINNELL DR BURBANK CA 91501 |
| 2449-033-010,011 | MICHAELA A YAZAR | 23830 PUTTER WAY LOS ALTOS CA 94024 |
| 2449-033-012,014 | LEASING ATS | 28001 SMYTH DR #106 VALENCIA CA 91355 |
| 2449-033-013 | LEASING ATS | 27959 SMYTH DR VALENCIA CA 91355 |
| 2449-033-014 | HARLEY D & SIDNEY A HOAG | PO BOX 281 CLAREMONT CA 91711 |
| 2449-033-016 | RANCHITO ALLEGRA LLC | 190 N CANON DR #304 BEVERLY HILLS CA 90210 |
| 2449-033-017 | MACKEL JOHN E FAMILY PARTNERSHIP | 2720 COCHRAN ST SIMI VALLEY CA 93065 |
| 2449-033-018 | TESORO SOUTH COAST COMPANY LLC | PO BOX 592809 SAN ANTONIO TX 78259 |
| 2449-033-030,031/034-018,040 | DUNE LLC | 428 N MOSS ST BURBANK CA 91502 |
| 2449-033-036,037,039 | BIG MAGNOLIA LLC | 150 N ROBERTSON BLVD #320 BEVERLY HILLS CA 90211 |
| 2449-033-046 | TURPANJIAN PROPERTIES L P | 580 SILVER SPUR RD ROLLING HILLS EST CA 90275 |
| 2449-034-004-008,037 | 145 WEST MAGNOLIA LLC | 145 W MAGNOLIA BLVD BURBANK CA 91502 |
| 2449-034-010 | HOT BRICKS LLC | 452 N MOSS ST BURBANK CA 91502 |
| 2449-034-013 | VALERIE I VIETS | 450 N MOSS ST BURBANK CA 91502 |
| 2449-034-015 | JAMES FROELICH | 1047 E PALM AVE BURBANK CA 91501 |

| APN | NAME | ADDRESS |
|---|---|---|
| 2449-034-016,041 | TAN AND GREEN III LLC | 25648 OAK MEADOW DR VALENCIA CA 91381 |
| 2449-034-017 | MARC & TAMARA L RAMIREZ/TIMOTHY & KIRSTEN SAURWEIN | 4422 WYNCREST WAY LA CANADA CA 91011 |
| 2449-034-019,020,026 | JOSEPH/DANIEL TOOBI | 624 N ALTA DR BEVERLY HILLS CA 90210 |
| 2449-034-021 | CARLOS O CHAVARRIA | 18020 LULL ST RESEDA CA 91335 |
| 2449-034-024 | BRADLEY D HOWARD | 1819 W OLIVE AVE BURBANK CA 91506 |
| 2449-034-025 | PLANEGGER RANDY A SR CO TR/ DELIA C SCHWAIGERLEHNER | 710 S VICTORY BLVD #200 BURBANK CA 91502 |
| 2449-034-031,042 | PETROL PROPERTIES LLC | 443 N VARNEY ST BURBANK CA 91502 |
| 2449-034-032 | CHICANE LLC | 4650 GREENBUSH AVE SHERMAN OAKS CA 91423 |
| 2449-034-034/035-014 3940 | EBEAG PROPERTIES LP | LAUREL CANYON BLVD # PMB157 STUDIO CITY CA 91604 |
| 2449-034-035 | KATHLEEN TRUMBO/FRANK J DVORACEK | 430 N VARNEY ST BURBANK CA 91502 |
| 2449-034-038 | HILDA ASSARIAN | 2701 WILLOWHAVEN DR LA CRESCENTA CA 91214 |
| 2449-034-039 | GAVE PROPERTIES LLC | 11523 SANTINI LN PORTER RANCH CA 91326 |
| 2449-034-043 | GREG & LINDA OWENS | 837 UNIVERSITY AVE BURBANK CA 91504 |
| 2449-034-900 - 2451 012 900 | BURBANK CITY | 275 E OLIVE AVE BURBANK CA 91502 |
| 2449-035-005 | FRANK J DVORACEK | 440 N VARNEY ST BURBANK CA 91502 |
| 2449-035-006,007,008,017 | VARNEY GROUP LLC | 450 N VARNEY ST BURBANK CA 91502 |
| 2449-035-010,011 | WESSEL INVESTMENT CO LLC | 740 S BUNTING CT ANAHEIM CA 92808 |
| 2449-035-012 | 416 N VARNEY LLC | 11554 LANDALE ST STUDIO CITY CA 91602 |
| 2449-035-015,019,020 | 17 W MAGNOLIA BLVD ASSOC LTD | 17 W MAGNOLIA BLVD BURBANK CA 91502 |
| 2449-035-016 | LODGE VALLEY | 446 N VARNEY ST BURBANK CA 91502 |

| APN | NAME | ADDRESS |
|---|---|---|
| 2449-035-018 | STEPHEN G & VINNEJEAN HAAG/GARY SWANER | 5 W MAGNOLIA BLVD BURBANK CA 91502 |
| 2449-035-022 | G SQUARED GROUP LLC | 410 N VARNEY ST BURBANK CA 91502 |
| 2449-035-804 | SOU PAC TRANS CO SBE PAR 52-53 872-19-63 P 4PTS | 1 MARKET PLZ SAN FRANCISCO CA 94105 |
| 2449-035-907/007-900,904/009-903/011-906 | LA COUNTY FLOOD CONTROL DISTRICT | 900 S FREMONT AVE ALHAMBRA CA 91803 |
| 2449-036-904/037-902/2451-006-908 | BURBANK CITY | PO BOX 6459 BURBANK CA 91510 |
| 2449-037-013 | NORTHRIDGE PROPERTIES LLC | 15505 ROSCOE BLVD NORTH HILLS CA 91343 |
| 2451-006-023,024,025 | FSBP LP | 18403 VENTURA BLVD TARZANA CA 91356 |
| 2451-006-803 | SPRINT COMMUNICATIONS CO L P E 2014-19-1 PAR 1 | 1200 MAIN ST KANSAS CITY MO 64105 |
| 2451-006-909 | BURBANK CITY | 233 S FRONT ST BURBANK CA 91502 |
| 2451-007-005 | BOREL PRIVATE BK AND TRUST | 160 BOVET RD SAN MATEO CA 94402 |
| 2451-007-014 | DOUGLAS C MOBLEY/MOBLEY & ROWLEY TRUST | 1500 ALAMEDA AVE GLENDALE CA 91201 |
| 2451-007-019,020 | BCH ENTERPRISES | 110 W OLIVE AVE BURBANK CA 91502 |
| 2451-007-022 | BURBANK INDUSTRIAL PROPERTIES | 101 S 1ST ST #400 BURBANK CA 91502 |
| 2451-007-025 | OLIVE AVENUE PARTNERS LLC | 110 W OLIVE AVE BURBANK CA 91502 |
| 2451-011-900 | BURBANK CITY | 164 W MAGNOLIA BLVD BURBANK CA 91502 |
| 2451-012-001 | BURBANK CHAMBER OF COMMERCE | 200 W MAGNOLIA BLVD BURBANK CA 91502 |
| 2451-012-002,003,004 | EDWARD M & LIDA GIAMELA | 336 S VIA MONTANA BURBANK CA 91501 |
| 2451-012-005,006 | LOUIS C/LYNN B TALAMANTES | 15292 SADDLEBACK RD SANTA CLARITA CA 91387 |
| 2451-012-010 | CRAIG BRADY | 11450 GARRET PL TUJUNGA CA 91042 |
| 2451-012-011 | NERSES INVESTMENT GROUP LLC | 1406 ALAMEDA AVE GLENDALE CA 91201 |

| APN | NAME | ADDRESS |
|---|---|---|
| 2451-012-012 | THOMAS W MCINTYRE | 313 N LAKE ST BURBANK CA 91502 |
| 2451-012-014 | JACK D MARQUEZ/JAMES LEE | 215 N NAOMI ST BURBANK CA 91505 |
| 2451-012-017 | DIXON DIETER TRUST | 919 SHERLOCK DR BURBANK CA 91501 |
| 2451-012-018 | STUDIO 211 PROPERTIES LLC | 3170 DONA MARIA DR STUDIO CITY CA 91604 |
| 2451-012-019,020,021 | TOWARDS 2000 INC | 215 W PALM AVE #204 BURBANK CA 91502 |
| 2451-012-022 | CRAIG BRADY | 11450 GARRET PL TUJUNGA CA 91042 |
| 2451-013-003,023 | NS INVESTMENT PROPERTIES LLC | 416 IRVING AVE GLENDALE CA 91201 |
| 2451-013-006 | STEPHEN L/LAURELYN J BROWNING | 13455 NOEL RD #1900 DALLAS TX 75240 |
| 2451-013-010 | FLOREA & MARIA SIMA | 1436 N MYERS ST BURBANK CA 91506 |
| 2451-013-013 | 228 WEST PALM AVENUE LLC | 228 W PALM AVE BURBANK CA 91502 |
| 2451-013-014 | TIMOTHY J & ANDREW R LAGALY | 4416 LONGRIDGE AVE SHERMAN OAKS CA 91423 |
| 2451-013-015 | 222 WEST PALM AVENUE LLC | 228 W PALM AVE BURBANK CA 91502 |
| 2451-013-016 | YEFIM KISELYUK | 4157 SAINT CLAIR AVE STUDIO CITY CA 91604 |
| 2451-013-017,018 | MARCUS E PORHOLA | 82737 FIELD LN INDIO CA 92201 |
| 2451-013-020 | GLENDALE PROPERTY INVESTMENTS LLC | 211 W ORANGE GROVE AVE BURBANK CA 91502 |
| 2451-014-034 | STEPHEN L BROWNING | 11719 BEE CAVE PKWY #301 AUSTIN TX 78738 |
| 2451-014-035 | ACCORD OLI MEMBERS LLC | 11719 BEE CAVE PKWY #301 AUSTIN TX 78738 |
| 2451-016-001 | TRIPLE B LUCKY 3 LLC | 200 W OLIVE AVE BURBANK CA 91502 |
| 2451-016-021-026 | SOUTH LAKE MEDIA PARK LLC | 217 S LAKE ST BURBANK CA 91502 |
| 2451-016-027 | 277 SOUTH LAKE STREET LLC | 277 S LAKE ST BURBANK CA 91502 |
| 2453-004-001,003,026 | 315 NORTH FIRST STREET LLC | 480 W RIVERSIDE DR BURBANK CA 91506 |

| APN | NAME | ADDRESS |
|---|---|---|
| 2453-004-002,004,020,023/011-031,037 | DEL REY PROPERTIES LLC | 480 W RIVERSIDE DR<br>BURBANK CA 91506 |
| 2453-004-007-025 | FIRST STREET VILLAGE LLC | 480 W RIVERSIDE DR<br>BURBANK CA 91506 |
| 2453-004-013,015 | LACI PROPERTIES LLC/LILAH TOV LLC | 24647 CORDILLERA DR<br>CALABASAS CA 91302 |
| 2453-004-021 | NARAN V & NISHA N VARU/PARESH VARU | 2 SKYLINE DR<br>BURBANK CA 91501 |
| 2453-004-024 | LILAH TOV LLC | 60 ROCKINGHORSE RD<br>RANCHO PALOS VERDES CA 90275 |
| 2453-011-029 | C AND P PROPERTIES NO 1 | 101 S 1ST ST # 400<br>BURBANK CA 91502 |
| 2460-023-056,057 | CAPREF BURBANK LLC LESSEE | 8333 DOUGLAS AVE #975<br>DALLAS TX 75225 |

# APPENDIX C – BIOLOGICAL AND CULTURAL MITIGATION REPORTS

Forde
BIOLOGICAL CONSULTANTS

10664 PRESILLA RD | SANTA ROSA VALLEY, CA 93012
PHONE: (805) 302-7165 | FAX: (805) 552-9196
WWW.FORDEBIO.COM | EMAIL: INFO@FORDEBIO.COM

Toro Enterprises, Inc
Jeffrey Pollack
164 Magnolia Boulevard
Burbank, CA 91502

August 12, 2024

**RE – 164 Magnolia Boulevard, Burbank, California - Nesting Bird Monitoring**

Dear Mr. Pollack,

## PROJECT BACKGROUND

Per your request, in accordance with the Burbank Water and Power Campus Stormwater Improvement Project (Project) – Mitigation Monitoring & Reporting Program Mitigation Measure BIO- biologist Rianna Hernandez-Thorn of Forde Biological Consultants (Forde) conducted active nest monitoring of two previously observed barn swallow (*Hirundo rustica*) nests at the Project Site located at the intersection of West Magnolia Boulevard and North Varney Street, near the Burbank Water & Power Campus at 164 W Magnolia Blvd, Los Angeles County, California on July 21st and 22nd, 2024. Hector Abundez continued active nest monitoring the site on the evening of July 24th and 25th, 2024. The project site is depicted as Exhibit A. The active nest locations are depicted as Exhibit B.

The Migratory Bird Treaty Act protects most migratory birds breeding in the US. The Act states explicitly that it is illegal "… for anyone to take … any migratory bird … nests, or eggs."[1] "Take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.[2] The California Fish & Game Code protects the nest or eggs of all birds and states explicitly "that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird."[3] The Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."[4] According to the Burbank Water and Power Campus Stormwater Improvement Project – Mitigation Monitoring & Reporting Program Mitigation Measure BIO-1. States,

> "No Project activities, including vegetation removal and grading shall be conducted during nesting bird season (February 15 to August 31) to the extent feasible. If such activities must be conducted during the nesting season, a pre-construction nesting-bird survey shall be performed by a qualified biologist no more than 14 days prior to vegetation removal or initial ground disturbance. The survey shall include the disturbance area and the surrounding 500 feet to identify the location and status of any nests directly or indirectly affected by Project activities. The nesting bird surveys shall be conducted during appropriate times of day and weather conditions and concentrate on potential roosting or perch

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> sites. If an active nest (containing eggs or chicks) of protected species is found within the survey area, it shall be designated as an ecologically sensitive area and protected (while occupied) during Project Activities. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes shall be determined by a qualified biologist and vary depending on the species, nest location, existing visual buffers, noise levels, and other factors. An exclusion zone radius may be as small as 250 feet for common, disturbance-adapted species or as large as 500 feet or more for raptors. Exclusion zone size may be reduced from established levels if supported with nest monitoring findings by a qualified biologist indicating that work activities outside the reduced radius are not adversely affecting the nest and that a reduced exclusion zone would not adversely affect the subject nest. These requirements shall be included in Project plans and construction specifications."

The reduction in exclusion zone size is permissible if supported by nest monitoring findings from a qualified biologist, indicating that project activities outside the reduced radius do not adversely affect the nest. This adaptive approach allows for project continuity while ensuring the protection and successful fledging of young birds. It reflects a commitment to ecological sensitivity and responsible project management, balancing environmental concerns with developmental needs.

## METHODOLOGY

The biologist used binoculars to monitor the nest for signs of disturbance. Based on these observations the biologist established an exclusion zone. If no disturbance was observed the biologist investigated reducing the exclusion zone and did so if there were no consequences to the nest.

## MONITORING ACTIVITIES AND RESULTS

On the evening of July 21st, the monitoring area included construction activities within 250 feet of the active nests. Activities included staging and moving heavy equipment (i.e. generator and lights), drilling and sawing of plywood and pipes, and expanding the existing drainage system. Most construction activities occurred 230 feet away from the active nests and monitoring concluded the morning of July 22nd. During the initial monitoring, Rianna Hernandez-Thorn observed barn swallows actively feeding chicks, diving and remaining under the Magnolia Boulevard Bridge (Bridge), indicating nesting behavior. Chicks were audible in each of the previously observed active nests. The barn swallows in the active nests slept from dusk to dawn, becoming active again at sunrise. No disturbance from construction activities was observed. In alignment with these observations, the qualified biologist recommended a reduced exclusion zone for the active nests from 250 feet to 25 feet. Per Mitigation Measure BIO-1, reducing the barn swallow nest exclusion zone is justified under specific conditions to balance ecological preservation with project progress.

Forde
BIOLOGICAL CONSULTANTS

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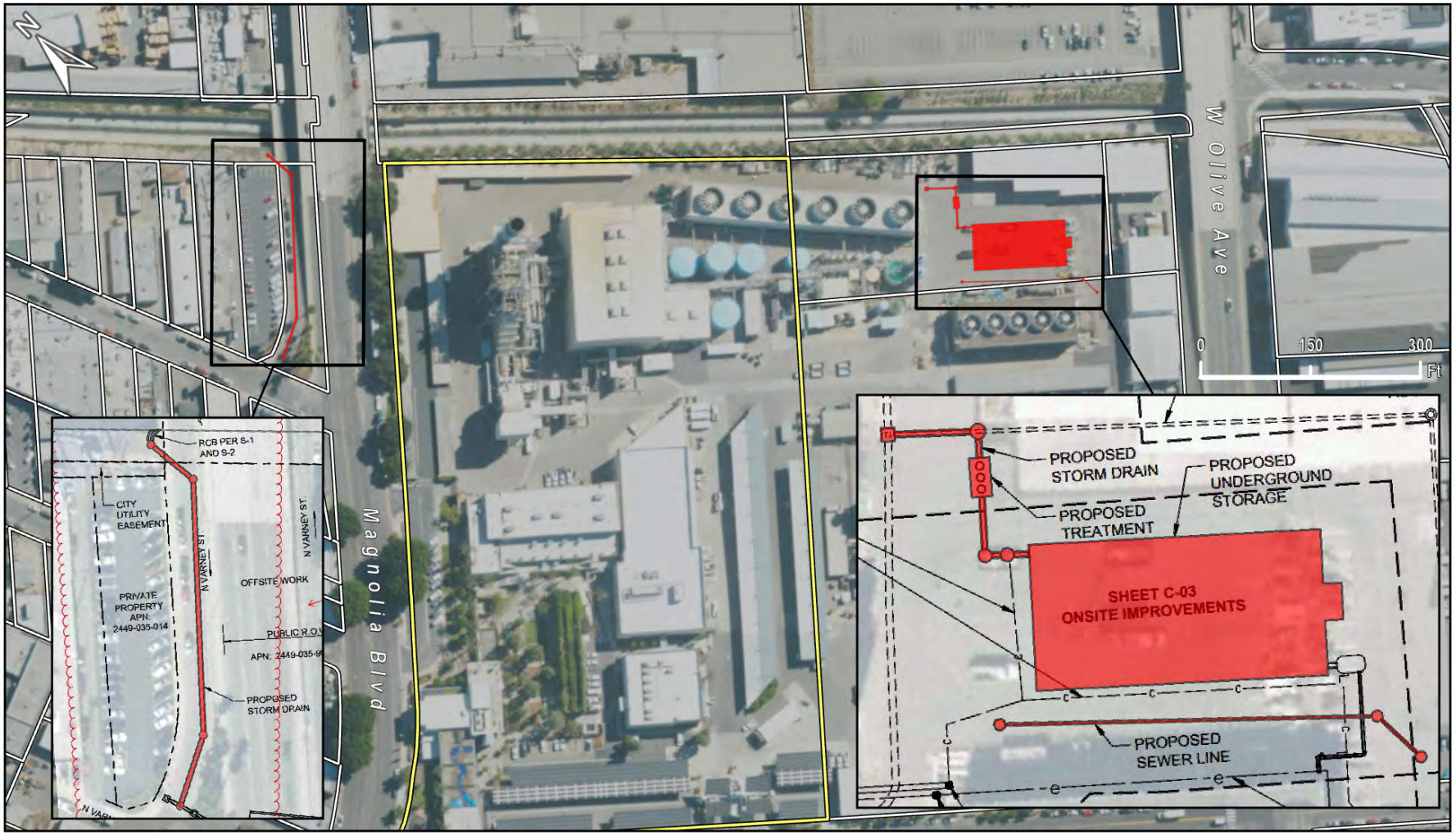
Nest monitor, Hector Abundez, returned the evening of July 24th when additional construction activities occurred within 25 feet of the active nests including staging equipment (i.e. sandbags and ladders) in the Burbank Western Channel (Channel) and drilling an opening into the Channel. Activities concluded the morning of July 25th and resumed that evening with a monitor present. During this subsequent monitoring, Hector Abundez was given access under the Bridge to the Channel and confirmed one still active barn swallow nests and audible chicks. The recently inactive nest was within 25 feet of the drilling occurring under the Bridge while the still active nest was 80 feet from the work zone. No disturbance from the additional construction activities was observed.

Hector Abundez returned for a final nest check on August 2, 2024, and confirmed the remaining nest was complete and inactive. No further nest checks are required.

Sincerely,

Monica Moreno
Assistant Project Manager
Forde Biological Consultants




Project Parcel

LA County Parcels

Proposed Work

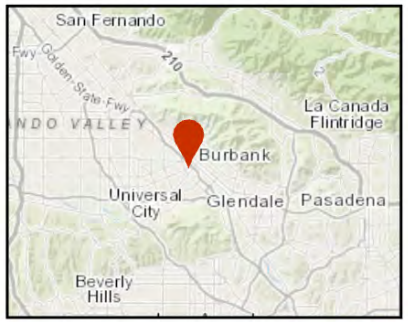



Exhibit A - Site Plan


Project Parcel

LA County Parcels

Proposed Work

Barn Swallow Nest
*(Hirundo rustica)*

Forde Biological Consultants

Exhibit B - Active Nest Locations

# SISCO VALENZUELA

## Dailies (DFL)

**Date**
07-08-2024

**Project Name**
BWP Stormwater Improvement Project

**THCP Employee Name**
SISCO VALENZUELA

**Round-trip Miles**
0

**Time Start**
8:00 pm

**Time End**
4:30 am

**Lunch Duration (Hrs)**
0.5

**Total Labor Hours**
8

**Project Foreman/Lead Supervisor**
Wesley Acosta

**Contractor Present**
Toro Enterprise Inc

## Work Activities Monitored:

**Work Activities Monitored: (Areas excavated, ground disturbing equipment present, etc.)**

I arrived to project BWP Campus Stormwater in Burbank Ca at 8pm. I attended the safety meeting and I met with Wesley. Wesley let me know where the excavation for the week will be taking place. I monitored Toro crew operate 1 335F excavator trenching and 2 load trucks hauling soil to back lot. Also had 1 336F excavator backfilling dirt on finished grade level where 36inch RCP storm drain pipe was at. 1 BA9S58 Loader was bringing in sand from backlot, RCP pipe and shoring materials. Toro crew started excavating where they left off, extending trench in the center of southbound lane of Varney street. Total excavation for today was 52ft long in a northeast to southwest direction. Trench was 7-8ft wide and 16 1/2ft deep.

**Work Activities Single File Attachment**
IMG_4847.jpeg

You will be able to Upload multiple documents AFTER you SAVE this record.

**Upload Multiple Documents**
Upload Multiple Documents

**Monitoring Files**
Monitoring Files

## Field Environment/ Work Conditions:

**Field Environment/ Work Conditions: (soil information, vegetation, weather, Iribal monitors present, safety issues, etc.)**

Soil-native with previously disturbed soil, Brown silty sand with clay pockets, beach sand pockets, some root pockets, concrete, pebbles and cobbles.
Soil Color-dark brown/light brown pockets.
Vegetation-none
Weather-10pm H72 clear skies, 3am L69 clear skies.
Archeologist-Scott with MCC
Safety Issues-none

## Cultural Materials Encountered

**Were there any cultural materials encountered?**
No

**If Yes - Describe Finds in Detail, Surface or Subsurface Location, Depths, UTM Coordinates**
There was no surface layer or sub surface layer findings.

## OPTIONAL Comments

**OPTIONAL Comments: (Any onsite issues or concerns? Was it resolved?)**
There was no on site issues or concerns.

*Attach daily photo of work area to each DFL
*Submit digital copy of DFL and Timesheet to the THCPO at the end of each work week
*Submit original copies of FL and Timesheet to field supervisor, or designee, every Monday

**Attached Handwritten Report**

Created today at 2:52 AM (PDT). Owned by Valenzuela, Sisco.

# SISCO VALENZUELA

## Dailies (DFL)

**Date**
07-07-2024

**Project Name**
BWP Stormwater Improvement Project

**THCP Employee Name**
SISCO VALENZUELA

**Round-trip Miles**
0

**Time Start**
8:00 pm

**Time End**
4:30 am

**Lunch Duration (Hrs)**
0.5

**Total Labor Hours**
8

**Project Foreman/Lead Supervisor**
Wesley Acosta

**Contractor Present**
Toro Enterprise Inc

## Work Activities Monitored:

**Work Activities Monitored: (Areas excavated, ground disturbing equipment present, etc.)**

I arrived to project BWP Campus Stormwater in Burbank Ca at 8pm. I attended the safety meeting and I met with Wesley. Wesley let me know where the excavation for the week will be taking place. I was on standby until 12:20am because toro was backfilling and laying down pipe. They were also short on shoring for sidewalls, so they back filled until one was available to put in while trenching. At 12:20 Toro crew began trenching and I monitored Toro crew operate 1 335F excavator trenching and 2 load trucks hauling soil to back lot. Also had 1 336F excavator backfilling dirt on finished grade level where 36inch RCP storm drain pipe was at. Toro crew started excavating where they left off, extending trench in the center of southbound lane of Varney street. Total excavation for today was 14ft long in a northeast to southeast direction. Trench was 7ft wide and 16 1/2ft deep.

**Work Activities Single File Attachment**
IMG_4837.jpeg

You will be able to Upload multiple documents AFTER you SAVE this record.

**Upload Multiple Documents**
Upload Multiple Documents

**Monitoring Files**
Monitoring Files

## Field Environment/ Work Conditions:

**Field Environment/ Work Conditions: (soil information, vegetation, weather, Iribal monitors present, safety issues, etc.)**

Soil-Brown silty sand with clay pockets, beach sand pockets, pebbles and cobbles.
Vegetation-none
Weather-10pm H72 clear skies, 3am L68 clear skies.
Safety Issues-none

## Cultural Materials Encountered

**Were there any cultural materials encountered?**

No

**If Yes - Describe Finds in Detail, Surface or Subsurface Location, Depths, UTM Coordinates**

There was no cultural materials encountered on neither surface layer or subsurface layer.

## OPTIONAL Comments

**OPTIONAL Comments: (Any onsite issues or concerns? Was it resolved?)**

No onsite issues or concerns.

*Attach daily photo of work area to each DFL
*Submit digital copy of DFL and Timesheet to the THCPO at the end of each work week
*Submit original copies of FL and Timesheet to field supervisor, or designee, every Monday

**Attached Handwritten Report**

Created on July 8 at 3:17 AM (PDT). Last updated by Valenzuela, Sisco on July 8 at 3:21 AM (PDT). Owned by Valenzuela, Sisco.

# SISCO VALENZUELA

## Dailies (DFL)

**Date**
07-05-2024

**Project Name**
BWP Stormwater Improvement Project

**THCP Employee Name**
SISCO VALENZUELA

**Round-trip Miles**
0

**Time Start**
8:00 pm

**Time End**
4:30 am

**Lunch Duration (Hrs)**
0.5

**Total Labor Hours**
8

**Project Foreman/Lead Supervisor**
Wesley Acosta

**Contractor Present**
Green Coast Landscape Inc. ; Toro Enterprise Inc

## Work Activities Monitored:

**Work Activities Monitored: (Areas excavated, ground disturbing equipment present, etc.)**

I arrived to project BWP Campus Stormwater in Burbank Ca at 8pm. I attended the safety meeting and I met with Wesley. Wesley let me know where the excavation for the week will be taking place. I monitored Toro crew operate 1 335F excavator trenching and 2 load trucks hauling soil to back lot. Also had 1 336F excavator backfilling dirt on finished grade level where 36inch RCP storm drain pipe was at. Toro crew started excavating where they left off, extending trench in the center of southbound lane of Varney street. Total excavation for today was 24ft long in a northeast to southeast direction. Trench was 7ft wide and 16 1/2ft deep. Around 10pm a tree trimming company was brought in to remove 4 palm trees that were in the way of the future excavation plans. Green coast landscape crew removed 4 palm trees in between the southbound lane of Varney one way street and magnolia southbound lane at the end of street.

**Work Activities Single File Attachment**
IMG_4796.jpeg

You will be able to Upload multiple documents AFTER you SAVE this record.

**Upload Multiple Documents**
Upload Multiple Documents

**Monitoring Files**
Monitoring Files

## Field Environment/ Work Conditions:

**Field Environment/ Work Conditions: (soil information, vegetation, weather, Iribal monitors present, safety issues, etc.)**

Soil-Brown silty sand with clay pockets, beach sand pockets, pebbles and cobbles.
Vegetation-none
Weather-10pm H78 clear skies, 3am L72 clear skies.
Safety Issues-none

## Cultural Materials Encountered

**Were there any cultural materials encountered?**
No

**If Yes - Describe Finds in Detail, Surface or Subsurface Location, Depths, UTM Coordinates**
No surface or subsurface artifacts found.

## OPTIONAL Comments

**OPTIONAL Comments: (Any onsite issues or concerns? Was it resolved?)**

There is no onsite issues or concerns.

*Attach daily photo of work area to each DFL
*Submit digital copy of DFL and Timesheet to the THCPO at the end of each work week
*Submit original copies of FL and Timesheet to field supervisor, or designee, every Monday

**Attached Handwritten Report**

Created on July 7 at 10:07 PM (PDT). Owned by Valenzuela, Sisco.

**SISCO VALENZUELA**

## Dailies (DFL)

**Date**
07-02-2024

**Project Name**
BWP Stormwater Improvement Project

**THCP Employee Name**
SISCO VALENZUELA

**Round-trip Miles**
0

**Time Start**
8:00 pm

**Time End**
4:30 am

**Lunch Duration (Hrs)**
0.5

**Total Labor Hours**
8

**Project Foreman/Lead Supervisor**
Wesley Acosta

**Contractor Present**
Toro Enterprise Inc

## Work Activities Monitored:

**Work Activities Monitored: (Areas excavated, ground disturbing equipment present, etc.)**

I arrived to project BWP Campus Stormwater in Burbank Ca at 8pm. I attended the safety meeting and I met with Wesley. Wesley let me know where the excavation for the week will be taking place. I monitored Toro crew operate 1 335F excavator and 2 load trucks. Toro crew started excavating where they left off extending trench in the center of southbound on way lane of Varney street. Total excavation for today was 24ft long in a northeast to southeast direction. Trench was 7ft wide and 16 1/2ft deep. Crew went back and forth from trenching to putting in 36inch RCP storm drain pipe into the completed grade trench. Then backfilling dirt with imported sand and also stockpile dirt. Crew compacted soil using a jumping jack compactor.

**Work Activities Single File Attachment**
IMG_4749.jpeg

You will be able to Upload multiple documents AFTER you SAVE this record.

**Upload Multiple Documents**
Upload Multiple Documents

**Monitoring Files**
Monitoring Files

## Field Environment/ Work Conditions:

**Field Environment/ Work Conditions: (soil information, vegetation, weather, Iribal monitors present, safety issues, etc.)**

Soil-Brown silty sand with clay pockets, pebbles and cobbles.
Vegetation-none
Weather-10pm H70 clear skies, 3am L66 clear skies.
Safety Issues-none

## Cultural Materials Encountered

**Were there any cultural materials encountered?**

No

**If Yes - Describe Finds in Detail, Surface or Subsurface Location, Depths, UTM Coordinates**

There was no cultural materials found on surface layer or subsurface layer.

## OPTIONAL Comments

**OPTIONAL Comments: (Any onsite issues or concerns? Was it resolved?)**

There was no onsite issues or concerns.

*Attach daily photo of work area to each DFL
*Submit digital copy of DFL and Timesheet to the THCPO at the end of each work week
*Submit original copies of FL and Timesheet to field supervisor, or designee, every Monday

**Attached Handwritten Report**

Created on July 3 at 3:26 AM (PDT). Last updated by Valenzuela, Sisco on July 3 at 3:27 AM (PDT). Owned by Valenzuela, Sisco.

**SISCO VALENZUELA**

## Dailies (DFL)

**Date**
07-01-2024

**Project Name**
BWP Stormwater Improvement Project

**THCP Employee Name**
SISCO VALENZUELA

**Round-trip Miles**
0

**Time Start**
8:00 pm

**Time End**
4:30 am

**Lunch Duration (Hrs)**
0.5

**Total Labor Hours**
8

**Project Foreman/Lead Supervisor**
Wesley Acosta

**Contractor Present**
Toro Enterprise Inc

## Work Activities Monitored:

**Work Activities Monitored: (Areas excavated, ground disturbing equipment present, etc.)**

I arrived to project BWP Campus Stormwater in Burbank Ca at 8pm. I attended the safety meeting and I met with Wesley. Wesley let me know where the excavation for the week will be taking place. I monitored Toro crew operate 1 335F excavator and 2 load trucks. Toro crew started excavating where they left off at the man hole and extending trench in the center of southbound lane of Varney street. Toro crew got the green light to take down man hole that was found yesterday. Total excavation for today was 24ft long in a northeast to southeast direction. Trench was 7ft wide and 16 1/2ft deep. Crew went back and forth from trenching to putting in 36inch concrete storm drain pipe into the completed grade trench.

**Work Activities Single File Attachment**
IMG_4732.jpeg

You will be able to Upload multiple documents AFTER you SAVE this record.

**Upload Multiple Documents**
Upload Multiple Documents

**Monitoring Files**
Monitoring Files

## Field Environment/ Work Conditions:

**Field Environment/ Work Conditions: (soil information, vegetation, weather, Iribal monitors present, safety issues, etc.)**

Soil-Brown silty sand with clay pockets, pebbles and cobbles.
Vegetation-none
Weather-10pm H69 clear skies, 3am L64 clear skies.
Safety Issues-none

## Cultural Materials Encountered

**Were there any cultural materials encountered?**

No

**If Yes - Describe Finds in Detail, Surface or Subsurface Location, Depths, UTM Coordinates**

There was no cultural materials encountered on surface layer or subsurface layer.

## OPTIONAL Comments

**OPTIONAL Comments: (Any onsite issues or concerns? Was it resolved?)**

There was no onsite issues.

The concerns about that man hole found yesterday was resolved today with the Burbank City inspector came out at said that it was Ok to take down the old man hole.

*Attach daily photo of work area to each DFL
*Submit digital copy of DFL and Timesheet to the THCPO at the end of each work week
*Submit original copies of FL and Timesheet to field supervisor, or designee, every Monday

**Attached Handwritten Report**

Created on July 2 at 2:55 AM (PDT). Owned by Valenzuela, Sisco.