

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of a reporting or monitoring program for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code Section 21081.6). This mitigation monitoring and reporting program is intended to track and ensure compliance with adopted mitigation measures during the Burbank Housing and Safety Element Update implementation phase. For each mitigation measure recommended in the Final EIR for the Project, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

As a programmatic EIR, the mitigation measures included herein apply to individual projects, and as such, the cost for any studies and/or monitoring to implement the project-level mitigation measure shall be borne by the developer.

5	Approval	Mitigation Measure/Condition of	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
							Initial	Date	Comments
Air Quality									
AQ-1 Construction Emissions Reduction									
		<p>For projects that would include any of the following: demolition of more 13,500 square feet of building area, greater than 5,000 cubic yards of soil cut/fill, greater than 5-acres of graded area, or use of more than ten pieces of heavy-duty construction equipment and 150 truck trips on any given day during demolition, site clearing, or grading, prior to issuance of a permit to construct and at the expense of the project applicant, the City shall retain a qualified air quality analyst to prepare an Air Quality Impact Analysis to analyze construction emissions. The air quality analysis shall demonstrate that project emissions are less than applicable SCAQMD regional and LST thresholds, and as applicable may include, but is not limited to, the following mitigations:</p> <ul style="list-style-type: none"> Off-road diesel-powered construction equipment greater than 50 horsepower shall meet the USEPA Tier 4 emission standards, where available. In the event that Tier 4 engines are not available for any off-road equipment larger than 100 horsepower, that equipment shall be equipped with a Tier 3 engine or an engine that is equipped with retrofit controls to reduce exhaust emissions of NO_x and DPM to no more than Tier 3 levels unless certified by engine manufacturers or the onsite air quality construction mitigation manager that the use of such devices is not practical for specific engine types. All construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions 	<p>Verify retention of a qualified air quality analyst to evaluate project-specific construction emissions in an Air Quality Impact Analysis for projects with construction activities that exceed the screening criteria.</p> <p>Review and approval of the Air Quality Impact Analysis.</p>	<p>Prior to issuance of a construction permit</p>	<p>Once</p>	<p>City of Burbank Community Development Department</p>			

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control device used by the contractor shall achieve emissions reductions that are no less

AQ-1 Construction Emissions Reduction (cont'd)

than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- Consistent with SCAQMD Rule 403, construction contractors shall identify and implement best available dust control measures during active construction operations capable of generating dust.

AQ-2 Operations Emissions Reduction

For any project that would include more than 553 single-family residential units, 710 multi-family residential units, or any equivalent combination thereof, prior to issuance of a permit to construct, and at the expense of the project applicant, the City shall retain a qualified air quality analyst to prepare an Air Quality Impact Analysis to analyze operational emissions. The air quality analysis shall demonstrate that project emissions are less than applicable SCAQMD regional and LST thresholds, and as applicable may include, but is not limited to, the following mitigation:

- Implementation of a Transportation Demand Management Plan.
- Installation of additional electric vehicle charging stations
- Public infrastructure improvements (e.g., bus stop shelter improvements)
- Carpool or ridesharing programs
- Subsidized transit costs

Verify retention of a qualified air quality analyst to evaluate project-specific operation emissions in an Air Quality Impact Analysis for projects with a residential unit count that exceeds the screening criteria. Review and approval of the Air Quality Impact Analysis.

Prior to issuance of a construction permit

Once

City of Burbank Community Development Department

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	<ul style="list-style-type: none"> ▫ Unbundled parking costs ▫ Bicycle amenities (storage, showers, lockers, etc.) 							

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AQ-2 Operations Emissions Reduction (cont')								
	<ul style="list-style-type: none"> Use of all-electric appliances (i.e., elimination of natural gas service) Use solar or low emission water heaters that exceed Title 24 requirements Increased walls and attic insulation beyond Title 24 requirements Required use of electric lawnmowers, leaf-blowers, and chainsaws 							
Biological Resources								
BIO-1 Biological Resources Avoidance								
	<p>For individual housing developments that will include disturbance of vegetation, trees, structures, or other areas where biological resources could be present, a qualified biologist shall be retained by the applicant to conduct an initial site assessment that will include review of the California Natural Diversity Database (CNDDDB) and iNaturalist maps to determine where sightings have occurred or habitats for the least Bell's vireo, bat species, or monarch butterflies have previously been identified.</p> <p>If construction activities or other disturbances occur in areas within 500 feet of a previously identified habitat or observation according to CNDDDB or iNaturalist, the following measures shall be implemented:</p> <ul style="list-style-type: none"> Prior to the issuance of a grading permit, a qualified biologist shall be retained by the project applicant to conduct a biological resources reconnaissance of the site. The qualified biologist shall thoroughly report on the biological resources present on a project site and submitted to the City. 	<p>Verification that the project applicant has retained a qualified biologist to prepare an initial site assessment.</p> <p>If project construction/ disturbances occur within 500 feet of an identified resource, verification that the project applicant has retained a qualified biologist to report on the site.</p> <p>If qualified biologist identifies the potential for special-status species or habitat for special-status wildlife, verification that focused surveys are completed in accordance with applicable protocols.</p>	Prior to the issuance of a grading permit	Once	City of Burbank Community Development Department			

5 Approval	Mitigation Measure/Condition of	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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		Review and approval of the biological resources report.						
BIO-1 Biological Resources Avoidance (cont'd)								
	<ul style="list-style-type: none"> If the biologist determines that special-status species may occur, focused surveys for special-status plants shall be completed in accordance with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (California Department of Fish and Wildlife [CDFW], March 20, 2018) and Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS, September 23, 1996). If it is determined that the project site has suitable habitat for special-status wildlife, focused surveys shall be conducted to determine presence/absence including species-specific surveys in accordance with CDFW or United States Fish and Wildlife Service (USFWS) protocols for State or federally listed species, respectively, that may occur. If it is determined that a special-status species may be impacted by a specific project, consultation with USFWS and/or CDFW shall occur prior to issuance of a development permit from the City to determine measures to address impacts, such as avoidance, minimization, or take authorization and mitigation. The report shall include a list of special-status plants and wildlife that may occur on the project site and/or adjacent area. 	If project will impact special-status species, verification that the USFWS and CDFW is consulted immediately to address impacts.						
		Verification that the project applicant has retained a qualified biologist to prepare a pre-construction bird survey if project construction/disturbances occur within bird nesting season (February 1 – August 31).	At latest, seven days prior to initiation of grading or construction activities	Once	Same as above			
		Review and approval of pre-construction bird survey.	Prior to initiation of grading or construction activities	Once	Same as above			
		If nests are found, field verification that avoidance buffers are demarcated and enforced.	Upon discovery of active nests	Continuous; throughout construction activities near active nests	Same as above			
		Review and approval of survey report prepared by qualified biologist.	Upon compliance with requirements and applicable State	Once	Same as above			

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	If construction activities or other disturbances occur during the bird nesting season (February 1 through August 31), prior to issuance of grading permits for individual housing developments that will include disturbance of vegetation, structures, or other areas where bird nests could be present, the following requirements shall be implemented		and Federal regulations					

BIO-1 Biological Resources Avoidance (cont'd)

- Applicant shall submit a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of grading or construction activities. The nesting bird pre-construction survey shall be conducted on foot on the construction site, including a 100-foot buffer, and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California and a copy of the study shall be submitted to the Community Development Department and Building and Safety Division. The cost to hire a qualified biologist shall be borne entirely by the developer/project applicant.
- If nests are found, an avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities

5	Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

- A survey report shall be prepared by the qualified biologist documenting and verifying compliance with the above requirements and applicable State and Federal regulations protecting birds that shall be submitted to the City of Burbank. The qualified biologist shall

BIO-1 Biological Resources Avoidance (cont'd)

serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur.

Cultural Resources

CUL-1 Historic Resource Protection

The project proponent shall either:	Verification that the project applicant has adequately demonstrated the project does not contain historic resources.	Prior to project design approval	Once	City of Burbank Community Development Department			
a) Demonstrate to the satisfaction of the City of Burbank Community Development Department that the project does not contain any historic resources either due to the site being vacant, age of the structures on the site, or due to the result of the Program LU-4 Historic Preservation Plan determination; or	If project contains eligible or currently listed historic structure, verification that the project applicant has retained a qualified architectural historian or historic architect (meeting the Secretary of the						
b) For any structure determined to be eligible for listing on a federal, State, or local registry, or currently listed, as a historic resource (typically determined as a result of the Program LU-4 Historic Preservation Plan							

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	<p>process), project activities shall comply with the <i>Secretary of the Interior's Standards for the Treatment of Historic Properties</i> (Standards). During the project planning phase (prior to any construction activities), input shall be sought from a qualified architectural historian or historic architect meeting the <i>Secretary of the Interior's Professional Qualifications Standards</i> to ensure project compliance with the Standards for Rehabilitation. The cost of this assessment shall be borne entirely by the project applicant. This input will ensure the avoidance of any direct/indirect physical changes to historical resources. The findings</p>	<p>Interior's Professional Qualifications Standards) to assess the project. Review and approval of Standards Project Review Memorandum and recommendations.</p>						
CUL-1 Historic Resource Protection (cont'd)								
	<p>and recommendations of the architectural historian or historic architect shall be documented in a Standards Project Review Memorandum at the schematic design phase. This memorandum shall analyze all project components for compliance with the Standards for Rehabilitation. Project components to be analyzed shall include direct and indirect changes to historical resources and their setting. should design modifications be necessary to bring projects into compliance with the Standards for Rehabilitation, the memorandum will document those recommendations, which will then become conditions of project approval. The report will be submitted to the City for review and approval.</p>							
CUL-2(a) Unanticipated Discovery of Archaeological Resources								
	<p>Prior to the commencement of any ground-disturbing activities, a qualified archaeologist shall be retained to conduct a Worker's</p>	<p>Verification that the project applicant has retained a qualified</p>	<p>Prior to the start of construction activities and during</p>	<p>Continuous; throughout ground-</p>	<p>City of Burbank Community</p>			

5	Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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	Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology.	archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards) to conduct WEAP training.	ground-disturbing activities, as needed	disturbing activities	Development Department			
	Archaeological sensitivity training will include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find. In the event of the unanticipated discovery of archaeological materials, the project applicant shall immediately cease all work activities in the area (within approximately 100 feet) of the	If archaeological materials are found, field verification that all work activities within 100 feet have ceased.	Upon discovery of archaeological materials	Continuous; throughout ground-disturbing activities	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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CUL-2(a) Unanticipated Discovery of Archaeological Resources (cont'd)							
discovery until it can be evaluated by a qualified archaeologist. Construction shall not resume until the qualified archaeologist has conferred with the City on the significance of the resource. If it is determined that the discovered archaeological resource constitutes a historical resource or unique archaeological resource pursuant to CEQA, avoidance and preservation in place shall be the preferred manner of mitigation. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to,	If archaeological materials are found, consultation with retained qualified archaeologist to determine treatment of resource. If archaeological materials of Native American origin are found, consultation with Native American representatives to determine treatment of resource.	Upon discovery of archaeological materials	Continuous; until consultation is complete	Same as above			
	If data recovery through excavation is the only	Upon completion of consultation	Once	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is determined to be infeasible and data recovery through excavation is the only feasible mitigation available, an Archaeological Resources Treatment Plan shall be prepared and implemented by the qualified archaeologist in consultation with the City that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource. The City shall consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resource, beyond that which is scientifically important, are considered.	feasible mitigation available, review and approval of Archaeological Resources Treatment Plan.						

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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CUL-2(b) Archaeological and Native Monitors							
During initial ground disturbing activities related to the proposed project, both a qualified archaeologist and a locally affiliated Native American monitor shall monitor construction activities within the project site in accordance with City of Burbank Historic Resource Management Ordinance, Program LU-4: Historic Preservation Plan. Initial ground disturbance is defined as disturbance within previously undisturbed native soils. If, during initial ground disturbance, the qualified archaeologist determines that the construction activities have little or no potential to impact cultural resources	Verification that a qualified archaeologist and a locally affiliated Native American monitor have been retained to monitor construction activities.	Prior to the start of construction activities	Once	City of Burbank Community Development Department			
	If qualified archaeologist confirms little or no potential to impact resources, review and approval of	During initial ground disturbance	Once	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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(e.g., excavations are within previously disturbed, non-native soils, or within soil formation not expected to yield cultural resources deposits), the qualified archaeologist may recommend that monitoring be reduced or eliminated, in consultation with the Native American monitor.	recommendation that monitoring be reduced or eliminated.						

Geology/Soils

GEO-1(a) Paleontological Resources Management

Housing development projects that require ground disturbance (grading, trenching, foundation work, and other excavations) beyond five feet below ground surface (bgs) on a site located in an area mapped as Quaternary young (Holocene) alluvial fan deposits (Qyf, Qf) where it was not previously excavated beyond five feet bgs, shall comply with the following requirements prior to the commencement of any construction activities:	Verification that project applicant has retained a qualified paleontologist to review plans and determine underlying sensitivity for projects requiring ground disturbance beyond five feet below surface in Qyf and Qf areas.	Prior to the start of construction activities	Once	City of Burbank Community Development Department			
<ol style="list-style-type: none"> The Developer shall retain a qualified professional paleontologist to review project plans to determine if underlying paleontologically sensitive units (i.e., early Holocene to Pleistocene age deposits [Qoa]) 	If potential impacts are identified, review and approval of a PRMP that includes WEAP training.						

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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GEO-1(a) Paleontological Resources Management (cont'd)

could be impacted. If potentially significant impacts are identified, the qualified professional paleontologist shall prepare	Review and retention of WEAP training	Prior to the start of construction activities and during	Continuous; throughout ground-	Same as above			
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Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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<p>and implement a Paleontological Resources Mitigation Plan (PRMP). The PRMP shall describe mitigation recommendations, including paleontological monitoring procedures; communication protocols to be followed in the event that an unanticipated fossil discovery is made during project development; and preparation, curation, and reporting requirements.</p> <p>2. As part of a PRMP, require the Qualified Paleontologist or his or her designee to conduct Worker Environmental Awareness Program (WEAP) training for the general contractor, subcontractor(s), and all construction workers participating in earth disturbing activities, regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by on-site personnel. The WEAP shall be fulfilled at the time of a preconstruction meeting. A training acknowledgment form must be signed by all workers who receive the training and retained by the City. In the event a fossil is discovered by construction personnel, all work in the immediate vicinity of the find shall cease and the qualified paleontologist shall be contacted to evaluate the find before re-starting work in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the mitigation outlined below (GEO-1[b]) to mitigate impacts to significant fossil resources.</p>	<p>acknowledgement form signed by all trainees.</p>	<p>ground-disturbing activities, as needed</p>	<p>disturbing activities</p>				
	<p>Verification that the project applicant has retained a qualified paleontologist to conduct monitoring during ground-disturbing activities</p>	<p>Prior to the start of construction activities</p>	<p>Once</p>	<p>Same as above</p>			
	<p>If a fossil is discovered, field verification that all work in the immediate vicinity of the find is ceased and qualified paleontologist evaluates the find.</p>	<p>Upon discovery of fossil(s)</p>	<p>Continuous; throughout ground-disturbing activities</p>	<p>Same as above</p>			
	<p>If qualified paleontologist confirms full-time monitoring is not warranted, review and approval of recommendation that monitoring be limited.</p>	<p>During initial ground disturbance</p>	<p>Once</p>	<p>Same as above</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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GEO-1(a) Paleontological Resources Management (cont'd)							
3. Conduct monitoring during ground construction activities (i.e., grading, trenching, foundation work, and other excavations). Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who meets the minimum qualifications per standards set forth by the SVP (2010), which includes a B.S. or B.A. degree in geology or paleontology with one year of monitoring experience and knowledge of collection and salvage of paleontological resources. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist and the location and extent of proposed ground disturbance. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the Qualified Paleontologist may recommend that monitoring be limited to periodic spot-checking or cease entirely.							
GEO-1(b) Fossil Discovery, Preparation and Curation							
If a paleontological resource is discovered at any time during earthmoving activities, the construction contractor shall ensure that all construction activities in the immediate area of the find are halted and diverted, and the City is contacted. A qualified paleontologist shall be retained (if not done so already) to evaluate the	If a paleontological resource is discovered, field verification that all work in the immediate vicinity of the find is ceased and/or diverted and qualified	Upon discovery of paleontological resource	Continuous; throughout ground-disturbing activities	City of Burbank Community Development Department			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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discovery. The paleontologist shall have the authority to temporarily direct, divert or halt construction activity around the find until it is assessed for scientific significance and collected to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to	paleontologist evaluates the find. Coordination with qualified paleontologist to assess, collect, and remove resource.	Upon discovery of paleontological resource	Continuous; until coordination is complete	Same as above			
GEO-1(b) Fossil Discovery, Preparation and Curation (cont'd)							
a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County [NHMLAC]) along with all pertinent field notes, photos, data, and maps.							
Hazards and Hazardous Materials							
HAZ-2 Property Assessment – Phase I and II ESAs							
Prior to the start of construction (demolition or grading), the project applicant will retain a qualified environmental professional (EP), as defined by ASTM E-1527, to complete one of the following: If the project is not listed in Appendix F, DTSC (GeoTracker) or SWRCB (EnviroStor) resources, then the proponent will retain a qualified environmental consultant, California Professional Geologist (PG) or California Professional Engineer (PE), to prepare a Phase I ESA. If the Phase I ESA identifies recognized environmental conditions or potential concern areas, a Phase II ESA will be prepared. If the project is listed in Appendix F, DTSC (GeoTracker) or SWRCB (EnviroStor) resources,	Verification that the project applicant has retained a qualified EP for submittal of either a Phase I ESA or Phase II ESA. Review and approval of the Phase I ESA or Phase II ESA. Review and approval of the SMP, if recommended in the Phase II ESA. If soils contain chemical concentrations exceeding hazardous waste screening thresholds,	Prior to the start of construction activities	Once	City of Burbank Community Development Department			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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then the project proponent will retain a qualified environmental consultant, California Professional Geologist (PG) or California Professional Engineer (PE), to prepare a Phase II ESA to determine whether the soil, groundwater, and/or soil vapor has been impacted at concentrations exceeding regulatory screening levels for commercial/ industrial land uses. Any and all recommended actions included in the Phase II ESA will be followed. This may include the preparation of a Soil Management Plan (SMP) for Impacted Soils (see	review and approve recommendations for waste disposal, impacted wastes, and remedial engineering controls.						

HAZ-2 Property Assessment – Phase I and II ESAs (cont'd)

below) prior to project construction and/or completion of remediation at the proposed project prior to onsite construction. The completed ESAs will be submitted to the lead agency for review and approval prior to issuance of building or grading permits.

Soil Management Plan Requirements: The SMP, or equivalent document, will be prepared to address on-site handling and management of impacted soils or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan will be submitted to the lead agency, and must establish remedial measures and/or soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the site. These measures and practices may include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of BMPs

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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<ul style="list-style-type: none"> ▪ Proper disposal procedures of contaminated materials ▪ Monitoring and reporting ▪ A health and safety plan for contractors working at the site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection ▪ The health and safety plan will also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. <p>The lead agency will review and approve the development site Soil Management Plan for</p>							

HAZ-2 Property Assessment – Phase I and II ESAs (cont'd)

Impacted Soils prior to demolition and grading (construction).

Soil Remediation Requirements: If soil present within the construction envelope at the development site contains chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project proponent will retain a qualified environmental consultant (PG or PE), to conduct additional analytical testing and recommend soil disposal recommendations, or consider other remedial engineering controls, as necessary.

The qualified environmental consultant will utilize the development site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils or other impacted wastes. The qualified environmental consultant will provide

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<p>disposal recommendations and arrange for proper disposal of the waste soils or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate.</p> <p>The project applicant will review and approve the disposal recommendations prior to transportation of waste soils offsite, and review and approve remedial engineering controls, prior to construction.</p> <p>Remediation of impacted soils and/or implementation of remedial engineering controls, may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; and offsite disposal or recycling.</p>							

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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HAZ-2 Property Assessment – Phase I and II ESAs (cont'd)							
The lead agency will review and approve the development site disposal recommendations prior to transportation of waste soils offsite and review and approve remedial engineering controls, prior to construction.							
Noise							
NOI-1(a) Shielding and Silencing							
Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and silencing devices consistent with manufacturer's standards or the Best Available Control Technology. Equipment shall be properly maintained, and the project applicant or owner shall require any construction contractor to keep documentation on-site during any earthwork or construction activities demonstrating that the equipment has been maintained in accordance with manufacturer's specifications.	Review and verification that construction plans note all equipment to be used.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Review and verification of documentation demonstrating power construction equipment is equipped with noise shielding and silencing devices and is maintained in accordance with manufacturer specifications.	Prior to start of construction activities and during construction	Continuous; throughout construction	Same as above			
NOI-1(b) Enclosures and Screening							
All outdoor fixed mechanical equipment shall be enclosed or screened from off-site noise-sensitive uses. The equipment enclosure or screen shall be impermeable (i.e., solid material with minimum weight of 2 pounds per square	Review and verification that construction plans note enclosure/screening requirements for all mixed mechanical equipment.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			

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feet) and break the line-of-sight from the equipment and off-site noise-sensitive uses	Field verification that fixed equipment is enclosed.	During construction activities	Continuous; throughout construction	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
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NOI-1(c) Construction Staging Areas							
Construction staging areas shall be located as far from noise-sensitive uses as reasonably possible and feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints.	Review and verification that construction plans note locations of staging areas.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that staging areas are located consistent with plans.	During construction activities	Continuous; throughout construction	Same as above			
NOI-1(d) Smart Back-Up Alarms							
Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.	Review and verification that construction plans note the use of back-up alarms on mobile construction equipment.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that smart back-up alarms are utilized.	During construction activities	Continuous; throughout construction	Same as above			
NOI-1(e) Equipment Idling							
Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.	Review and verification that construction plans note idling requirements.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that construction vehicles are not left idling.	During construction activities	Continuous; throughout construction	Same as above			

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NOI-1(f) Workers' Radios							
All noise from workers' radios, including any on-site music, shall be controlled to a point that they are not audible at off-site noise-sensitive uses.	Review and verification that construction plans note worker radio requirements.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that radios are not audible off-site.	During construction activities	Continuous; throughout construction	Same as above			
NOI-1(g) Use of Driven Pile Systems							
Driven (impact), sonic, or vibratory pile drivers shall not be used, except in locations where the underlying geology renders alternative methods infeasible, as determined by a soils or geotechnical engineer and documented in a soils report.	Review and verification that construction plans note requirement and necessary assurances have been obtained.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that driven, sonic, or vibratory pile drivers are avoided, unless geotechnically required.	During construction activities	Continuous; throughout construction	Same as above			
NOI-1(h) Temporary Sound Barriers							
Temporary sound barriers, such as walls or sound blankets, shall be positioned between construction activities and noise-sensitive uses when construction equipment are located within a line-of-sight to and within 500 feet of off-site noise-sensitive uses. Sound barriers shall break the line-of-sight between the construction noise source and the receiver where modeled levels exceed applicable standards. Placement, orientation, size, and	Review and verification that construction plans note locations of temporary sound barriers as specified by a qualified acoustical consultant.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that sound barriers are implemented and positioned accordingly.	During construction activities	Continuous; throughout construction	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
density of acoustical barriers shall be specified by a qualified acoustical consultant.							
NOI-1(i) Noise Complaint Response							
Project applicants shall designate an on-site construction project manager who shall be responsible for responding to any complaints about construction noise. This person shall be responsible for responding to concerns of neighboring properties about construction noise disturbance and shall be available for responding to any construction noise complaints during the hours that construction is to take place. They shall also be responsible for determining the cause of the noise complaint (e.g., bad silencer) and shall require that reasonable measures be implemented to correct the problem. A toll-free telephone number and email address shall be posted in a highly visible manner on the construction site at all times and provided in all notices (mailed, online website, and construction site postings) for receiving questions or complaints during construction and shall also include procedures requiring that the on-site construction manager to respond to callers and email messages. The on-site construction project manager shall be required to track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction and shall notify the City's Community Development Director of each complaint occurrence.	Review and verification that an on-site construction project manager has been identified to implement the mitigation requirement.	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			
	Field verification that signage is posted on the construction site with a toll-free telephone number and email address that can be called to receive questions or complaints. Coordination with the construction manager to verify that complaints are submitted to the City's Community Development Director and confirm that an appropriate response is carried out to address the complaints.	During construction activities	Continuous; throughout construction	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
NOI-1(j) Project-Specific Construction Noise Study							
<p>A Construction Noise Study, prepared by a qualified noise expert to meet the requirements herein, shall be required for housing development projects located within 500 feet of noise-sensitive land uses identified in the Burbank2035 General Plan Noise Element (i.e., residences, parks, motels, hotels, movies studios, school, and hospitals), and that have one or more of the following characteristics:</p> <ul style="list-style-type: none"> ▪ Two subterranean levels or more (generally more than 20,000 cubic yards of excavated soil material); ▪ Construction durations of 18 months or more (excluding interior finishing); ▪ Use of large, heavy-duty equipment rated 300 horsepower or greater; ▪ The potential for pile driving; or ▪ Located within 1,000 feet of other construction projects with overlapping construction schedules. <p>The Construction Noise Study shall characterize sources of construction noise, quantify noise levels at noise-sensitive uses (e.g., residences, parks, motels, hotels, movies studios, school, and hospitals) and identify measures to reduce noise exposure. The Construction Noise Study shall identify reasonably available noise reduction devices or techniques to reduce noise levels to acceptable levels and/or durations including through reliance on any relevant federal, state or local standards or guidelines or accepted industry practices. Noise reduction devices or techniques may include but not be limited to silencers, enclosures, sound barriers,</p>	<p>Verification that the applicant has retained a qualified noise analyst to evaluate project-specific construction noise in a Construction Noise Study for projects located within 500 feet of a noise-sensitive use and that exceed the one or more of the screening criteria. Review and approval of the Air Quality Impact Analysis.</p> <p>Review and verification that contractor agreements note requirements under Mitigation Measures NOI-1a through NOI-1f in addition to additional requirements identified and recommended by the Construction Noise Study.</p>	<p>Prior to issuance of a construction permit</p>	<p>Once</p>	<p>City of Burbank Community Development Department</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
and/or placement of restrictions on equipment or construction							
NOI-1(j) Project-Specific Construction Noise Study (cont'd)							
techniques (e.g., alternative installation methods to pile driving such as cast-in-place systems or pile cushioning). Each measure in the Construction Noise Study shall identify anticipated noise reductions at noise-sensitive land uses. Project applicants shall be required to comply with all requirements of Mitigation Measures NOI-1a through NOI-1f in addition to any additional requirements identified and recommended by the Construction Noise Study and shall maintain proof that notice of, as well as compliance with, the identified measures have been included in contractor agreements.							
NOI-3 Vibration Control Plan							
For construction activities involving vibratory rollers within 50 feet of a structure or pile drivers (impact or sonic) within 140 feet of a structure, the applicant shall prepare a Vibration Control Plan prior to the commencement of construction activities. The Vibration Control Plan shall be prepared by a licensed structural engineer and shall include methods required to minimize vibration, including, but not limited to: <ul style="list-style-type: none"> Alternative installation methods for pile driving (e.g., pile cushioning, drilled piles, cast-in-place systems) within 140 feet of a building to reduce impacts associated with seating the pile 	Review and verification that the applicant has retained a licensed structural engineer to prepare a Vibration Control Plan for projects involving a vibratory roller within 50 feet of a structure or a pile driver within 140 feet of a structure. Review and approval of Vibration Control Plan. Verification of submittal of Statement of Compliance from the	Prior to issuance of a construction permit	Once	City of Burbank Community Development Department			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> ▪ Vibration monitoring prior to and during pile driving operations occurring within 140 feet of a building ▪ Use of rubber-tired equipment rather than metal-tracked equipment ▪ Avoiding the use of vibrating equipment when allowed by best engineering practices 	<p>project and applicant and owner to the Building and Safety Division.</p> <p>Coordination and approval from the Building and Safety Division.</p>						

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
NOI-3 Vibration Control Plan (cont'd)							
<p>The Vibration Control Plan shall include a pre-construction survey letter establishing baseline conditions at potentially affected extremely fragile buildings/historical resources and/or residential structures. The survey letter shall determine conditions that exist prior to the commencement of construction activities for use in evaluating potential damages caused by construction. Fixtures and finishes susceptible to damage shall be documented photographically and in writing prior to construction. The survey letter shall provide a shoring design to protect such buildings and structures from potential damage. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-up letter describing damage, if any, to impacted buildings and structures. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs shall be undertaken and completed by the contractor and monitored by a qualified structural engineer in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24).</p> <p>A Statement of Compliance signed by the applicant and owner shall be submitted to the City' Building and Safety Division at plan check and prior to the issuance of any permit. The Vibration Control Plan, prepared as outlined above shall be documented by a qualified structural engineer, and shall be provided to the City upon request.</p>	Review and approval of follow-up letter describing damage and, if applicable, recommendations for repair from licensed structural engineer.	Upon completion of vibration-causing construction activities	Once	Same as above			
	Field verification of structural repairs to damaged buildings.	Upon completion of vibration-causing construction activities	Continuous; throughout repair work	Same as above			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
NOI-C1 Construction Building Permits							
<p>The City's Community Development Department shall review the locations and anticipated construction timing for housing development projects with respect to the locations of other pending development projects. The City shall stagger the issuance of building permits for development projects with overlapping construction schedules that meet both of the following criteria:</p> <ul style="list-style-type: none"> ▪ The development project is located within 1,000 feet of another separate development project; and ▪ The development project is located 500 feet or less from a sensitive receiver. <p>In these instances, the Community Development Department shall review the findings of any site-specific noise and vibration studies pertaining to future development projects to compare their locations to sensitive receivers identified therein.</p>	<p>Review of location and construction timing of housing projects.</p> <p>Staggering of building permits for development projects with overlapping schedules that meet the criteria.</p> <p>Review and approval of site-specific noise and vibration studies.</p>	<p>Prior to issuance of a construction permit</p>	<p>Continuous; throughout citywide development</p>	<p>City of Burbank Community Development Department</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Utilities/Service Systems							
UTIL-1 Sewer Service Constraints Analysis							
<p>The City will conduct an analysis to identify any sewer service constraints to determine if there are any sewer capacity issues and any constraints in the City’s wastewater system including assessment of system capacity relative to the locations of opportunity sites identified in the Housing Element Update. The analysis will identify upgrades necessary to mitigate the constraints in the system to ensure that individual housing development projects implemented under the Housing Element can be completed and that sufficient capacity and conveyance in the wastewater system exists. However, if a proposed development has a construction schedule that the City cannot accommodate, the developer may be responsible for performing the necessary sewer infrastructure upgrades per Burbank Municipal Code (BMC) 8-1-304.</p> <p>Based on the constraints identified in the analysis, the City’s Public Works Department will prepare a nexus fee study to develop a fair share requirement in the form of a wastewater connection or similar project impact fee, which helps to pay for implementation of upgrades necessary to accommodate future development, including development of the opportunity sites where deficiencies in the system are identified to exist. Through the fee study, subsequent cost recovery fees applied to individual housing development projects will be based on a rough proportionality related to demands on the system reasonably attributed to the development project.</p>	<p>Conduct a sewer service constraints analysis relative to opportunity sites.</p> <p>Preparation of a nexus fee study to develop a fair share requirement in the form of a wastewater connection or similar project impact fee.</p>	<p>Prior to issuance of a construction permit</p>	<p>Once</p>	<p>City of Burbank Community Development Department</p>			
		<p>Application of subsequent cost recovery fees to projects.</p> <p>If service upgrades cannot be completed by City for a project, require that the project developer perform the necessary sewer infrastructure upgrades (per BMC 8-1-304) or enter into a reimbursement agreement.</p> <p>If the City and project developer mutually agree to enter into reimbursement agreement, coordination with Public Works Department Director to administer agreement.</p>	<p>Prior to issuance of a construction permit</p>	<p>Continuous; throughout citywide development</p>	<p>City of Burbank Community Development Department; City of Burbank Public Works Department</p>		

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
UTIL-1 Sewer Service Constraints Analysis (cont'd)							
<p>In the event it is determined that necessary upgrades to serve a project cannot be completed by the City prior to project completion, the City may require the developer to perform the necessary sewer infrastructure upgrades (Per BMC 8-1-304) at cost to the developer, or may choose to enter into a reimbursement agreement so that a developer may fund and construct the improvements within the necessary timeframe with subsequent partial reimbursement. If the City and Developer mutually agree to enter into reimbursement agreement (approved as to form by the City Attorney and approved by the City Council), it would be administered by the City's Public Works Director on behalf of the City.</p>							
UTIL-3a Sewer System Upgrades by Developers							
<p>A Sewer Capacity Analysis (SCA) shall be required for individual housing projects of five (5) or more multi-family units, so the City may identify sewer infrastructure upgrades that can be implemented by developers when a nexus and rough proportionality is established between proposed project(s) impact to City sewer infrastructure. The SCA must be completed as part of the City's development review process or prior to the submittal of plan check documents, whichever occurs first.</p>	<p>Review and approve the SCA for projects that meet the criteria. If upgrades are necessary, verify that the appropriate fee is received based on a nexus fee study.</p>	<p>SCA to be completed as part of the City's development review process or prior to the submittal of plan check documents, whichever occurs first. Fees must be received prior to issuance of a construction permit.</p>	<p>Once</p>	<p>City of Burbank Community Development Department; City of Burbank Public Works Department</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
UTIL-3b Sewage Diversion							
Per the City's Public Works Department there are several locations throughout the City of Burbank where sewage can potentially be diverted away from the BWRP and conveyed to the City of Los Angeles' Hyperion wastewater treatment system. As a short-term measure, diversion of sewage may potentially be used to alleviate capacity concerns for certain sewage conveyance pipelines (but not all pipelines) as well as temporarily lowering the influent flows to the BWRP. Diverting flows to the Los Angeles system would result in an increase in one-time Sewer Facility Charges (SFCs) and other recurring annual charges (capital improvement and operation & maintenance fees) that shall be paid to the City of Los Angeles by the developer.	If the sewage analysis determines that diversion is feasible, the applicant will be required to contribute a fair share fee, which shall be estimated based on the preliminary billing estimates received from the City of Los Angeles, to offset to the cost of diversion to the City of Los Angeles.	To be completed as part of the City's development review process or prior to the submittal of plan check documents, whichever occurs first. Fees must be received prior to issuance of a construction permit.	Ongoing throughout the period of sewage diversion	City of Burbank Community Development Department; City of Burbank Public Works Department			
UTIL-3c Sewer Master Plan							
The City shall prepare a new Sewer System Master Plan in 2023 to evaluate the City's sewer conveyance and treatment system over the next twenty years, which is inclusive of the proposed Housing Element update planning and implementation period, as well as developing the appropriate sewer facility impact fees to ensure that developers pay their fair share of the cost to expand and upgrade the capacity of the BWRP treatment facilities.	Prepare a Sewer System Master Plan that includes requirements for appropriate sewer facility impact fees.	To be approved in 2023	Once	City of Burbank Community Development Department; City of Burbank Public Works Department			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
UTIL-3d Expansion and Upgrades to BWRP Treatment Facilities							
The City shall expand and upgrade the BWRP treatment facilities as needed consistent with the City's Sewer System Master Plan including but not limited to, the acquisition of land adjacent to the BWRP facilities, the addition of new primary clarifiers, increased capacity in the equalization basins, and upgrades to other parts of the sewage treatment process.	Conduct a sewer service constraints analysis relative to opportunity sites. Preparation of a nexus fee study to develop a fair share requirement in the form of a wastewater connection or similar project impact fee.	After approval of Sewer System Master Plan	Continuous; throughout citywide development	City of Burbank Community Development Department; City of Burbank Public Works Department			

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