July 22, 2024

Dave Rand
Rand Paster Nelson
Phone: 213-557-7224
Email: dave@rpnllp.com

RE: Biologist's Statement of Habitat for 910 Mariposa Street in Burbank, California

Dear Mr. Rand:

This letter is a statement of protected biological resources with a focus on plant and animal habitat for Assessor's Parcel Number (APN) 2443-004-017. The subject parcel corresponds to 910 S Mariposa Street in the City of Burbank, California, and is 1.01-acres in size. There is a proposal to develop the parcel under Senate Bill 35 (SB35). Since 2021, SB35 has required that a development proposed under the law satisfy the requirement of Government Code Section (GCS) 65913.4(a)(6)(J), that the site not be located on any parcel that is:

- *Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).*

The preceding text refers to "Habitat" as used herein. This report is intended to determine whether the proposed development being proposed under this law is located on a parcel containing any Habitat. The parcel is within the City of Burbank, and the project proponent requested an experienced biologist conduct a site visit and assess conditions per the SB35 habitat definition. Photos of the parcel are in Attachment A and the biologist's resume is in Attachment B.

Literature Review

Methods

A query of relevant databases was performed to identify special-status species that have previously been recorded within a 500-foot radius of the parcel. The following resources were consulted in June 2024:

- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database online
- Inventory of Rare and Endangered Plants of California online (CNPS)

A literature search was conducted on water resources, including but not limited to, streams, wetlands, or other permanent/seasonal water bodies that have been recorded for the parcel. The following resources were consulted for this assessment:

- The National Wetlands Inventory[1] (NWI) and
- National Hydrography Dataset[2] (NHD)

Results

The literature search revealed that there are three special-status species with a geographic range that is within 500-ft of the project site: Parish's brittlescale (*Atriplex parishii*), western ridged mussel (*Gonidea angulata*), and least Bell's vireo (*Vireo bellii pusillus*). Parish's brittle scale is a plant that occurs within vernal pools, chenopod scrub, and playas. These habitats are absent from the parcel; therefore, Parish's brittle scale is absent from the parcel. Western ridge mussels occur primarily within creeks, rivers, and lakes, which do not occur on the parcel. Western ridge mussel is absent from the parcel. Least Bell's vireo is a summer resident of southern California in low riparian areas that are in vicinity of water or in dry river bottoms at elevations below 2000 ft. Its nests are placed along margins of bushes or on twigs projecting into pathways, usually willow, *Baccharis*, or mesquite. These habitats and plants are absent from the parcel; therefore, least Bell's vireo is absent from the parcel.

The literature review for the parcel revealed that the Los Angeles River is an NWI and NHD feature that is approximately 85 feet south of the parcel. Its path is culverted with concrete and does not

[1] Unites States Fish and Wildlife Service (USFWS). 2024. National Wetlands Inventory Online Wetlands Mapper. Accessed online: https://www.fws.gov/wetlands/data/mapper.html
[2] United States Geological Service (USGS). 2024. National Hydrography Dataset (NHD) The National Map Viewer. Accessed online: https://viewer.nationalmap.gov/services/

intersect the parcel in any capacity. The Los Angeles River adjacent to the project site is entirely developed concrete and there are no plants or habitats within the river at this location. Additionally, there are no tributaries for the Los Angeles River on the parcel. There are no other water resources within 500-feet of the project site.

Site Survey

South Environmental biologist James McNutt conducted a field survey of the site on June 4, 2024. All plants were identified. A survey for water resources, including but not limited to, streams, wetlands, or other permanent/seasonal water bodies was conducted. Wildlife observed were noted in a field notebook. Plant communities and habitats were mapped and assessed for potential to support special-status wildlife. Evidence of nesting or wildlife movement (if any) was recorded and special habitats such as rock outcrops, thickets, caves, etc. were mapped (if any).

Plants and Plant Communities

The parcel is surrounded by single-family residences with landscaped areas to the west, industrial businesses to the north, the Los Angeles Equestrian Center to the east, and a small industrial zoned commercial development to the south and the Los Angeles River and state highway 134 to the south of that. The parcel is partially developed with ornamental landscaping and has been graded recently with some areas of bare ground. It is also partially vegetated with areas that include native, non-native, and non-native invasive plants that are sparse in most areas. The ornamental landscaped area, as well as the other areas with native, non-native, and non-native invasive plants, do not qualify as native plant communities as defined by the CNPS. These land covers are also not considered a habitat per the SB35 definition because they lack native plants, are highly disturbed, and have low to no value for wildlife.

Five tree species were identified: Mexican fan palm (*Washingtonia robusta*), European nettle tree (*Celtis australis*), southern California black walnut (*Juglans californica var. californica*), Peruvian pepper (*Schinus molle*), and Chinese banyan (*Ficus microcarpa*). European nettle tree and Mexican fan palm occur near the eastern boundary for the parcel. Southern California black walnut, Peruvian pepper, and Chinese banyan occur within ornamentally landscaped areas on the western side of the parcel. The property to the north of the parcel had two Mexican elderberry (*Sambucus nigra*) and one western sycamore (*Platanus racemosa*) trees with canopies that extend into the northeast part of the parcel but the trunks and the majority of the trees occur on the adjacent parcel. The canopies for these trees overhang the northeast part of the parcel by a range of approximately 5-15 feet per tree. One mature southern California black walnut tree is present near the southwest corner of the property. This tree appears to be regularly trimmed from both sides of the property line. Southern California black walnut has a California Rare Plant Rank of

4.2 indicating that it is watchlist species, but is not yet considered rare, threatened or endangered. Therefore, southern California walnut does not meet the definition of special-status plant as it pertains to SB35.

Other vegetation observed within ornamental landscaping on the western side of the parcel include pride of Madeira (*Echium candicans*), zonal geranium (*Pelargonium hortorum*), foxtail agave (*Agave attenuata*), blue chalksticks (*Curio repens*), tall kangaroo paw (*Anigozanthos flavidus*), and Mexican heather (*Cuphea hyssopifolia*). Other vegetation observed on the rest of the parcel include Italian thistle (*Carduus pycnocephalus*), Bermuda grass (*Cynodon dactylon*), small nettle (*Urtica urens*), black nightshade (*Solanum nigrum*), flaxleaf fleabane (*Erigeron bonariensis),* horseweed (*Erigeron canadensis*), panic veld grass (*Ehrharta erecta*), pencil tree (*Euphorbia tirucalli*), great brome (*Bromus diandrus*), London rocket (*Sisymbrium irio*), common fig (*Ficus carica*), castor bean (*Ricinus communis*), radish (*Raphanus sativus*), English ivy (*Hedra helix),* tumbleweed (*Amaranthus albus*), lamb' quarters (*Chenopodium album*), Coulter's horseweed (*Laennecia coulteri*), nodding thistle (*Carduus nutans*), black mustard (*Brassica nigra*), tree tobacco (*Nicotiana glauca*), nettle-leaved goosefoot (*Chenopodiastrum murale*), shortpod mustard (*Hirschfeldia incana*), bull thistle (*Cirsium vulgare*), and telegraphweed (*Heterotheca grandiflora*).

Protected Trees or Shrubs

The City of Burbank does not have a protected tree ordinance and therefore, no protected trees occur on the parcel.

Natural Water Resources (Streams, Wetlands, Etc.)

No water resources were found for the project site from the literature review or field visit. The Los Angeles River is approximately 50-feet to the south, but it is entirely within a developed concrete channel and there are no plants or habitats found within this portion of the river.

Wildlife

The entire subject parcel is disturbed due to ornamental landscaping, invasive herbaceous plants, fuel management, and fragmentation from higher quality habitat. Animal species observed are listed below in Table 1. No special-status wildlife has been reported in vicinity of the site and none would occur on the site due to its disturbed nature.

Table 1. Fauna observed on the site.

Common name	Scientific name	Taxonomic group
coyote	*Canis latrans*	Mammal

Habitat Assessment

In summary, the parcel is heavily disturbed and partially developed and does not contain habitat as defined by SB35 due to the overwhelming dominance of non-native, invasive, and ornamental plants. The soils have been recently graded and the vegetation is often sparse non-native, and invasive plants and some small areas of ornamental landscaping. The literature search revealed three special-status species within 500-ft of the subject parcel, but no special-status species would occur on the subject parcel due to lack of habitat, disturbance, and habitat fragmentation.

As mentioned in the Plants and Plant Communities section, one mature southern California black walnut tree is present near the southwest corner of the property. This tree appears to be regularly trimmed from both sides of the property line. This is a single tree, and not enough trees to be considered a woodland habitat. Nor does the southern California black walnut meet the definition of a special-status species as it is a watchlist species and not considered rare, threatened, or endangered. The canopy for two Mexican elderberry and one western sycamore are present overhanging the northeast boundary of the parcel from tree that occur on the property to the north. The canopies for these trees overhang the parcel by approximately 5-15 feet; therefore, it is unlikely that they will be impacted by the proposed development. South Environmental performed a Habitat Integrity Analysis on these trees and determined they are unable to regenerate onsite due to the level of disturbances and no other saplings or other new growth was observed during the survey. This area was found to lack integrity as habitat and is not considered a habitat because it is highly disturbed, there is no ability to regenerate onsite, and there is no value as habitat for special-status species because it is only two trees in a developed area dominated otherwise by non-native species. The lack of native species and the high level of development and disturbance such as pruning reduces the biological value of this area to the point where special-status species would not be able to survive, and therefore it is not habitat. Finally, the City of Burbank does not have a protected tree ordinance and therefore no protected trees occur on the project site, and none would be impacted by the project.

If you have any questions regarding the information in this report, please contact Matthew South by email: msouth@southenvironmental.com or by mobile phone: 303-818-3632.

Sincerely,

Matthew R. South
Principal Biologist

List of Attachments

1. **Attachment A**. Photograph Exhibit
2. **Attachment B**. Biologist's Resume

Attachment A:

Photograph Exhibit

Photo 1. View of 910 S. Mariposa from the western boundary and just inside a fence line, facing east.

Photo 2. View of Peruvian pepper and ornamentally landscaped area on western parcel, facing northeast/east.

Photo 3. View of Chinese banyan along western fence line for the parcel, facing northwest.

Photo 4. View of parcel backyard from near the southeast corner, facing west.

Photo 5. View of parcel backyard from near the southeast corner, facing northeast.

Photo 6. View of parcel backyard from near the southeast corner, facing northwest.

Photo 7. View of parcel backyard from near the near the northeast corner, facing southwest.

Photo 8. View of parcel backyard from near the near the northeast corner, facing south.

Photo 9. View from just beyond the southeast parcel boundary, facing northwest.

Photo 10. View of parcel from just beyond its eastern fence line, facing northeast.

Photo 11. View of Mexican elderberry and western sycamore growing on property to the north, facing north.

Photo 12. View of Mexican elderberry and western sycamore tree growing on property to the north, facing northeast.

Photo 13. View from Mariposa Street of one southern California black walnut on the southwest border/corner of the property. The tree appears to be consistently trimmed from both sides of the property line and is I poor health. Facing northeast.

Attachment B:

Biologist's Resumes

Email: msouth@southenvironmental.com
Mobile: 303-818-3632

EDUCATION

B.S., Wildlife Ecology, University of Wisconsin-Madison, 2004

CERTIFICATIONS

Certified Wildlife Biologist, The Wildlife Society 2014

Certified Technical Service Provider (TSP) for Fish and Wildlife Management Plans, USDA NRCS 2017

Authorized Desert Tortoise Biologist – Numerous BOs

Unmanned Aircraft System Pilot Certification, FAA #4177603

TRAINING

Wetland Delineation Training Course – The Wetland Institute (2014)

Southwest Willow Flycatcher Workshop, 2017

USGS Desert Tortoise Health Assessment and Tissue Collection Techniques Training, 2009

Matthew South

PRINCIPAL BIOLOGIST

Matthew South founded South Environmental in 2018. He is a certified wildlife biologist with over 18 years of professional experience providing natural resources consulting services for a wide variety of clients that include residential, commercial, government, utility, infrastructure, research, and non-profit projects. For the last 15 years, Mr. South has been an environmental consultant in southern California acting as a Wildlife Biologist and Geographic Information System (GIS) Analyst. In early 2018 he started South Environmental and has since been supporting clients in Los Angeles, Ventura, Santa Barbara, San Bernardino, and Riverside Counties.

Mr. South's background in ecology has led to a passion for conservation planning and resources assessments for the purpose of preservation and management. The integration of the latest technologies such as advanced GIS systems, mobile computing, and drone sensing allows him to innovate new data collection, analysis, and collaboration tools for the environmental sciences that produce more accurate data and better-informed resource managers.

EXPERTISE

- **Conservation and Management Planning.** Mr. South's has extensive experience preparing mitigation and monitoring plans, habitat conservation plans, and technical biological resources management plans that are compliant with federal, state, and local regulations. Mr. South is the only active NRCS TSP for Fish and Wildlife Plans Certified in California.
- **Biological Resources Assessment.** Mr. South has completed dozens of biological resources assessments throughout southern California.
- **Rare Plants and Arborist Services.** Mr. South has surveyed and assessed thousands of native and landscaped trees in southern California. He is a certified arborist with 5-years of tree survey experience working closely with some of the most experienced arborists in California. In addition, he has performed hundreds of hours of rare plant surveys and habitat assessments.
- **Wetland & Jurisdictional Delineations.** Mr. South has conducted dozens of jurisdictional and wetland delineations per the guidelines and methods from the US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and the state Regional Water Quality Control Boards (RWQCB).
- **GIS.** Mr. South is an expert at spatial data collection and analysis using ESRI mobile and desktop software products and Trimble hardware.

SELECT PROJECT EXPERIENCE

St. Andrews Recreation Center Project, City of Los Angeles Department of Recreation and Parks, California (2023). South Environmental was retained to conduct a Biological Resources Assessment (BRA) and Tree Survey Report for the St. Andrew's Recreation Center at 8701 S St. Andrew's Place in the City of Los Angeles, California for development on one parcel (Assessor's Identification Number [AIN] 6036-009-900) owned by the City of Los Angeles and administered by the Department of Recreation and Parks (RAP). The parcel (study area) is in the Empowerment Congress Southwest Area Neighborhood Council in the south-central part of the City and within the South Los Angeles Community Plan Area. This report identified sensitive or protected biological resources on the parcel and indicated the regulations governing these resources. The biological resources of the parcel was assessed based on a literature review and a field site survey. The Tree Report included a description of the survey area; methods used to survey the trees involving assessment of tree structure, health, and mapping; and the results of the survey including photographs of each tree.

Bronson Canyon Playground Project, City of Los Angeles Department of Recreation and Parks, California (2023). South Environmental was retained to prepare a BRA, jurisdictional delineation, and rare plant survey for the City of Los Angeles RAP Bronson Canyon Playground Project located at 3200 Canyon Drive in the City of Los Angeles, California, for the proposed construction of a playground and access improvements including a new pedestrian walkway on a parcel owned by the City of Los Angeles in Griffith Park with the Assessor's Identification Number [AIN] 5583-025-900. The BRA identified and assessed the potential impacts to sensitive or protected biological resources on the project site (development areas and associated work areas), indicated the regulations governing these resources, and discussed recommendations for avoiding or mitigating these impacts. The biological resources of the project site were assessed based on a literature review and a field site survey.

Bell Creek Brush Clearance Project, City of Los Angeles Department of Recreation and Parks, California (2023). South Environmental was retained to prepare an Invasive Plant Treatment and Monitoring Plan (plan) detailing the proposed actions to compensate for the temporary impacts to plant communities from the Bell Creek Brush Clearance Project under a Lake and Streambed Alteration Agreement. The implementation of the plan was consistent with measures included in that agreement, including measure 2.22 regarding invasive species management being conducted to ensure protection of the existing wildlife habitat. Implementation of clearance activities under the plan were designed to reduce the presence of and prevent the spread of non-native and invasive plant species within the Bell Creek area. The plan outlined monitoring and treatment methods to control the spread of non-native and invasive plant species in the project treatment areas and identified priority species and priority treatment areas to focus efforts and resources toward achieving the final success criteria. The biological resources of the parcel were assessed based on a literature review and a field site survey.

Various Locations, WEAP Trainings and Nesting Bird Surveys, City of Los Angeles Department of Recreation and Parks, California (2023). South Environmental was retained to provide Worker Environmental Awareness and Protection (WEAP) Trainings, field survey, monitoring, and reporting, for several City of Los Angeles RAP locations. South Environmental prepared a contractor education brochure in English and Spanish that provided information on protecting nesting birds and included pictures of sensitive plants and wildlife (particularly bats) occurring within the project areas. South Environmental also conducted environmental awareness training to Department inspectors, contractors, and subcontractors at the project site prior to the start of brush clearance activities. South Environmental also conducted as-needed nesting bird surveys, established buffer zones, and performed biological monitoring in response to the presence of active

nests. A brief letter report to RAP was prepared to document field observations, protective measures implemented, and the overall success of the measures.

Sepulveda Basin Prescribed Burn Project, City of Los Angeles Department of Recreation, Los Angeles, California (2022). South Environmental was retained to prepare a burrowing owl survey report for use by the City of Los Angeles RAP for the proposed prescribed burning of approximately 86.49 acres of undeveloped areas on the Sepulveda Basin Apollo XI/Valley Fliers Airfield and adjacent lands. Several active burrowing owl (*Athene cunicularia*) burrows were identified in October 2021 (survey area) during general surveys conducted to support the project in the early planning phase. This report was prepared according to Appendix C and Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation. The report included a description of the project, biological setting, vegetation communities, survey methodology, and survey results that include burrowing owl behavior observations, and recommendations for project implementation that would avoid impacts to burrowing owls and active burrows.

Various Biology Reports within City of Los Angeles (2019-present). Mr. South has prepared and overseen the preparation of dozens of biological resources assessment reports within the City of Los Angeles. These reports are prepared within the range of the population of mountain lions that is the target of the listing status, in the Santa Monica Mountains, San Gabriel Mountains, Simi Hills, and Verdugo Hills. Numerous other projects have been completed that are not listed. Select Projects include:

- Baseline Road in LaVerne
- Altadena Hills Project
- 16 Beverly Park
- 64 Beverly Park
- 74 Beverly Park
- 79 Beverly Park
- Toyopa Drive
- Mapleton Drive
- Tigertail
- 680 Sarbonne
- 777 Sarbonne
- Stradella Road
- Tower Grove
- Bella Drive
- Chautauqua Boulevard
- Benedict Canyon
- Haslam Terrace
- Summitridge Drive
- Rial Lane
- Outpost Ave
- Pasquera
- Beverly Grove
- Multiple Granito Drive Projects
- Floral and Electra Drive Project
- Hillside
- Magnolia
- Swallow
- Sierra Mar
- Beverly Grove
- Stradella
- Chalon Road
- Moraga
- Brentridge
- Viewcrest
- Old Chimney Road
- Multiple Developments on Mulholland Highway
- Berkley Hall School Project
- Charmel Lane
- Paseo Miramar Roadway Project
- Posetano-Revello Project
- Palmera
- Shadow Mountain Drive
- Astral Project
- Nofral Road Projects
- San Onofre Drive
- Crescent Drive

Email: jmcnutt@southenvironmental.com
Mobile: 805-539-7992

EDUCATION

M.S., Earth, Environmental, and Physical Science, Wichita State University, 2012

B.S., Bachelor of Science, Biology, Wichita State University, 2004

DISCIPLINE AREAS

Biological Resource Assessments

Jurisdictional Delineations

Environmental Regulations and Permitting

Environmental Biology

Geology

James McNutt, MS

SENIOR BIOLOGIST

James McNutt is a Senior Biologist with 20 years of professional experience in environmental project management, jurisdictional and wetland delineations, environmental permitting, technical documents, biological resource and community identification, and geology. Mr. McNutt brings over 16 years of experience completing jurisdictional and wetland delineations as a lead delineator in accordance with the U.S. Army Corps of Engineers (USACE) 1987 Delineation Manual Protocols. Mr. McNutt brings 6 years of experience identifying non-wetland features using the Arid West OHWM Identification Manual.

Since starting at South Environmental in early 2021, Mr. McNutt has participated in numerous biological resources projects throughout Southern California as a senior biologist. This experience includes Southern California Gas (SoCal Gas) jurisdictional delineations, private enterprise developments, and local government projects. He has been responsible for determining the boundaries of biological resources and jurisdictional features near SoCal Gas project sites. He is also a skilled GIS analyst and creates figures for technical report presentations.

Mr. McNutt's background in multiple scientific disciplines has led to a strong understanding of environmental resources assessments and mitigation methods related to development and maintenance projects. His knowledge of federal, state, and local regulations has helped to protect biological and water resources throughout southern California.

EXPERTISE

- **Conservation and Management Reporting.** Mr. McNutt has extensive experience preparing reports that include mitigation and monitoring plans, habitat conservation plans, and technical biological resources management plans that are compliant with federal, state, and local regulations.
- **Biological Resources Assessment.** Mr. McNutt has completed dozens of biological resources assessment reports throughout Southern California.
- **Wetland & Jurisdictional Delineations.** Mr. McNutt has conducted dozens of jurisdictional and wetland delineations with technical reports per the guidelines and methods from the US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and the state Regional Water Quality Control Boards (RWQCB).
- **GIS.** Mr. McNutt is an expert at spatial data collection and analysis using ESRI mobile and desktop software products and Trimble hardware.

SELECT PROJECT EXPERIENCE

SoCalGas On-Call Waters Delineation Services (2023-present). Mr. McNutt is a Senior Biologist for South Environmental's subconsultant contract with Rincon Consultants, Inc. and has carried out the fieldwork and report writing for standard jurisdictional and wetland delineation work, as well emergency repair jurisdictional and wetland delineation work, for biological resource assistance regarding construction and maintenance projects throughout Southern California. Activities have included data collection near protected resources for conducting wetland and jurisdictional delineations, jurisdictional delineation and habitat assessment reporting, and permit generation for RWQCB, USACE, and CDFW compliance. Notable SoCalGas delineation projects include:

- **SoCalGas Aliso Canyon Emergency Monitoring Project, Los Angeles County (2023-present).** Mr. McNutt completed the fieldwork, technical reports, and permitting packages for several sediment trap basins at this facility. The project included removal of sediment from catch basins where sensitive wetlands and wildlife such as the coast range newt occurs. Mr. McNutt conducted the jurisdictional delineation field work while coordinating with our clients and SoCalGas staff for a successful report presentation and permitting package.
- **SoCalGas L-85 Emergency Repairs Project, Los Angeles County (2022).** Mr. McNutt completed the fieldwork, technical reports, and permitting packages for several spans at this facility. The project involved conducting emergency reconnaissance of the Line 85 natural gas pipeline span inspection and recoat sites to repair any damages detected from the Route Fire that burned through the area in late 2022. Mr. McNutt conducted the jurisdictional delineation field work while coordinating with our clients and SoCalGas staff for a successful report presentation and permitting package.
- **SoCalGas PSEP L-404 P2-01 Project, Ventura County (2022).** Mr. McNutt completed the fieldwork, technical reports, and permitting packages for several span locations over a large spatial area. The PSEP project proposed to hydrotest approximately 6 miles of existing 18-inch diameter transmission pipeline (L404). Mr. McNutt conducted the jurisdictional delineation field work while coordinating with our clients and SoCalGas staff for a successful report presentation and permitting package.
- **SoCalGas L-127/1004 Project, Montecito, Santa Barbarba County (2023-ongoing).** Mr. McNutt conducted the jurisdictional delineation, completed the jurisdictional delineation reports, and conducted a survey for monarch butterflies for a SoCalGas Operations & Maintenance project. Mr. McNutt made recommendations to team members regarding protection and permitting for potential impacts to sensitive biological resources.

SoCalGas Ventura Compressor Modernization Project, City of Ventura (2023). South Environmental was retained by Dudek to complete a biological resources assessment at the site of the proposed Ventura Compressor Modernization Project. The report was prepared in support of the Proponent's Environmental Assessment (PEA). The report identified and assessed the potential impacts to sensitive or protected biological resources on the 8.42-acre Project site as well as the 2.53-acre off-site staging area. Taking into account a 1,000-foot buffer from the Development Area, the total Study Area for biological resources included 148 acres. Mr. McNutt served as the Senior Biologist and conducted the survey and prepared the report.

Michael Baker INTERNATIONAL

We Make a Difference

To:	Joseph Onyebuchi, Associate Planner, City of Burbank, California
From:	Ryan Winkleman
Date:	November 7, 2024
Subject:	Peer review of Biologist's Statement of Habitat for 910 South Mariposa Street
Project:	910 South Mariposa Street Project

This memo summarizes Michael Baker's peer review of the Biologist's Statement of Habitat (SOH) prepared by South Environmental in July 2024, for the property at 910 South Mariposa Street in the City of Burbank, Los Angeles County, California, with Assessor's Parcel Number 2443-004-017. The SOH provides the methods and results of a database review conducted in June 2024, describes the results of a field survey conducted on the project site in June 2024, and evaluates the presence of "habitat" on the project site that, as identified by California State Bill 35 (SB 35), may support "protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code)." This memo is organized according to each header within the SOH.

Literature Review: Methods

Literature reviews detailed on page 2 of the SOH were generally conducted in accordance with industry standards for assessments of biological resources and are presented in accordance with SB 35 requirements. The California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) and California Native Plant Society's (CNPS) online Inventory of Rare and Endangered Plants were consulted for the SOH's analysis. The U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) database was presumably not consulted because the SOH does not provide specific location results for its queries and the SOH standard required by SB 35 is that biologists disclose the results of literature reviews within 500 feet of the project site. However, because SB 35 requires such a narrow search radius, it is recommended that the author consider also consulting the Calflora database, which often has a wider pool of data, and confirming if the special-status plant species identified during the existing literature reviews have been documented within the search radius.

Results of database reviews are generally considered sufficient for about six months, after which time they should be rerun to ensure no new special-status species are identified during the database reviews, or that the legal/protective status of such species had not changed in the interim. No other flaws or issues with the literature review methodology as detailed in the SOH were identified.

Literature Review: Results

The results of the database reviews on page 2 of the SOH are presented in accordance with SB 35 requirements. As described in the SOH, there are three special-status species records from the literature

search that intersect with a 500-foot radius of the project site: Parish's brittlescale (*Atriplex parishii*; California Rare Plant Rank [CRPR] 1B.1), western ridged mussel (*Gonidea angulata*; occurrences are tracked by the CNDDB), and least Bell's vireo (*Vireo bellii pusillus*; state and federal endangered). Due to a lack of suitable habitat on-site, none of these species is expected to occur on-site. It is recommended that the sentence, "*The literature search revealed that there are three special-status species with a geographic range that is within 500-ft of the project site*…" be revised to note that "…there are three special-status species that have been recorded within 500 feet of the project site…" to avoid confusion regarding the term "geographic range." No special-status plant species were detected during surveys.

Site Survey: Plants and Plant Communities

The on-site plants and plant communities documented during the site survey and described on pages 3 and 4 of the SOH are presented in accordance with SB 35 requirements. The SOH thoroughly describes all trees and shrubs that are located on-site and identifies all native and non-native plants occurring on-site in general. The SOH notes the presence of native trees including a southern California black walnut (*Juglans californica* var. *californica*; CRPR 4.2), two Mexican elderberries (*Sambucus nigra*), and a western sycamore (*Platanus racemosa*); however, these trees are all located offsite and are extending/growing into the project site; however, none of these species meet the definition of special-status as defined by SB 35.

Site Survey: Protected Trees or Shrubs

The SOH correctly notes on page 4 that no protected trees or shrubs are located on the project site according to City of Burbank legislation. However, we recommend revising the wording that "*the City of Burbank does not have a protected tree ordinance*…" to something along the lines of, "The City of Burbank does not explicitly protect trees located on private property…" to avoid confusion, as the City of Burbank does have a tree ordinance describing tree protections, but these generally only apply to public property.

Site Survey: Natural Water Resources (Streams, Wetlands, Etc.)

The on-site natural water resources on page 4 of the SOH are described in accordance with SB 35 requirements. The SOH establishes that no water resources including streams, wetlands, or other features are present within the project site. However, it should be noted that earlier in the report the SOH describes the Los Angeles River as a recognized hydrologic feature by the National Wetlands Inventory (NWI) that is located approximately 85 feet south of the property line. In this section the SOH states that the river is located 50 feet south of the property. Based on a measurement of the parcel boundary against the mapped NWI boundary, 85 feet is a more accurate distance and should be updated in this section.

Site Survey: Wildlife

The wildlife survey results on page 4 of the SOH are described in accordance with SB 35 requirements. The SOH notes that no special-status wildlife species were observed during the site survey and that none are expected to occur due to the disturbed nature of the site. A table of observed wildlife species is also included. The SOH states that, "*No special-status wildlife has been reported in vicinity [sic] of the site*." However, on page 2 of the SOH under Literature Review Results, the SOH states that western ridged mussel and least Bell's vireo both have occurrence polygons that coincide with a 500-foot buffer of the project

site. This should be corrected to avoid confusion. It should also be noted that there is no discussion of the presence or absence of wildlife corridors, particularly important because of the immediate proximity of the Los Angeles River. A brief discussion of the potential for wildlife to cross through the site should be included, per the mention on page 4 of the Los Angeles City Planning Department's form CP-3610.

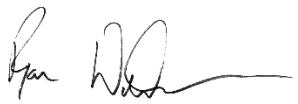
Habitat Assessment

The final section of the SOH, "Habitat Assessment," generally summarizes the on-site survey results and puts them into context of the SB 35 requirements. Of note, this section describes a Habitat Integrity Analysis that was performed for two elderberries and a sycamore tree that are all rooted offsite but are overhanging the project site in its northeastern corner; the Habitat Integrity Analysis is required under SB 35 for any woodlands or groves, defined under SB 35 as "two or more trees (greater than a 5-inch diameter at standard height) of the same species, whose sphere of influence (10 times the tree area, or approximately 3.2 times the canopy radius) have any overlap." SB 35 requires that the Habitat Integrity Analysis for woodlands and groves determine whether the woodland or grove is self-sustaining and would naturally regenerate on the project site. The SOH determines that the elderberries and sycamore would not regenerate on-site due to the existing disturbance, and no saplings or new growth of these species were observed on the project site during the survey. Michael Baker recommends one correction for this section: the SOH states that, "*…there is no value as habitat for special-status species because it is only two trees in a developed area dominated otherwise by non-native species*." Michael Baker recommends updating this text to, "…there is no value as habitat for special-status species because it is only three native trees in a developed area dominated otherwise by non-native species."

In summary, no significant issues with the SOH were identified. The SOH accurately depicts the on-site conditions and characterizes them under the requirements of SB 35. No special-status species were identified on-site and none are expected to occur on-site. There are no water resources on-site and no woodlands or groves located within the project site boundaries. The SOH does not discuss wildlife movement potential on the project site and should be included for completeness; however, there is presumably little or no potential for substantive wildlife movement on the project site due to the highly disturbed nature of the project site and immediate vicinity.

Please contact me at ryan.winkleman@mbakerintl.com or 949-533-0918 with questions regarding the results of this peer review.

Thank you,



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