

INTERNATIONAL

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 (CNDDDB) 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 brittle scale (*Atriplex parishii*; California Rare Plant Rank [CRPR] 1B.1), western ridged mussel (*Gonidea angulata*; occurrences are tracked by the CNDDDB), 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,



Ryan Winkleman
Senior Biologist