

BURBANK TO LOS ANGELES PROJECT SECTION FINAL EIR/EIS

Serge Stanich

Director of Environmental Services

LaDonna DiCamillo

Southern California Regional Director

Mark Chang

Southern California Regional Director of Projects

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BURBANK TO LOS ANGELES

January Board Meeting

Staff Responses to Issues Raised Yesterday:

- Burbank Water and Power
- Hollywood Burbank Airport
- Level of Design and Enforceable Commitments



Burbank Water & Power



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Burbank Water & Power

- **Summary:** Burbank Water & Power (BW&P) expressed concerns about (a) disruption of service and water supply, (b) the Authority's commitment to enter agreements prior to relocation of infrastructure; and (c) costs for treatment system modifications and supplemental water, if needed, due to construction. Further, the Burbank Water and Power did not request that the Board defer project approval today.

Authority Response to BW&P Concerns:

- The Authority routinely enters into agreements with third parties regarding coordination, plan review and approval, and implementation.
- FEIR/EIS includes commitments to minimize disruptions and ensure drinking water supply:
 - » HMW Impact #3 (coordination to replace Superfund extraction wells before removal);
 - » HMW-IAMF#11 (Superfund Stakeholder coordination, enforceable agreements),
 - » PUE-IAMF#4 (minimize or avoid utility disruptions)



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Burbank Water & Power

As design of the Burbank to Los Angeles Project Section progresses, more project-specific information will be developed regarding the requisite permitting and project design for the potential replacement of, or modification to, extraction wells and/or other ancillary infrastructure used for municipal water supply and remediation of groundwater within the Burbank and Glendale Operable Units of the Superfund sites in the San Fernando Valley.

As the design progresses, the Authority will coordinate with relevant stakeholders on an ongoing basis to review the permitting requirements as well as the project design and construction methods for proposed modifications to the extraction wells and ancillary infrastructure to ensure that municipal water supplies and the effectiveness of the Superfund Site clean-up remedies are not impaired by construction and operation of the HSR Build Alternative. Relevant stakeholders include the United States Environmental Protection Agency (EPA), the California Department of Toxic Substances Control, the California Regional Water Quality Control Board - Los Angeles Region, the California Department of Water Resources, the State Water Resources Control Board Division of Drinking Water, the City of Burbank, the City of Glendale, and Potentially Responsible Parties named in the Second Consent Decree for San Fernando Valley Superfund Site, Burbank Operable Unit, Civil Action No. 4527-MRP(tx) (C.D. Cal. June 23, 1998) and the Consent Decree for the San Fernando Valley Superfund Site and the Consent Decree for the Glendale Operable Unit, Civil Action No. 99-00552 MRP (ANx). The purpose of this ongoing stakeholder coordination is to ensure that municipal water supplies and the effectiveness of the Superfund Site clean-up remedies are not impaired by construction and operation of the HSR Build Alternative. The Authority would coordinate with relevant stakeholders on issues such as ensuring system shutdowns occur within normal timeframes, maintaining operating of existing systems while testing new replacement systems, and providing additional groundwater or surface water supplies if needed.

Depending upon the scope of the potential modifications to the extraction wells and ancillary infrastructure, the Authority shall enter into enforceable agreements with the United States Environmental Protection Agency as the agency responsible for the Superfund Program.



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Post CEQA/NEPA Approval Process

- A process for project development, project delivery, and risk management.
- Stages represent major project milestones at which a formal decision is made on a project's readiness to advance to the next stage, bringing greater rigor and oversight



Hollywood Burbank Airport

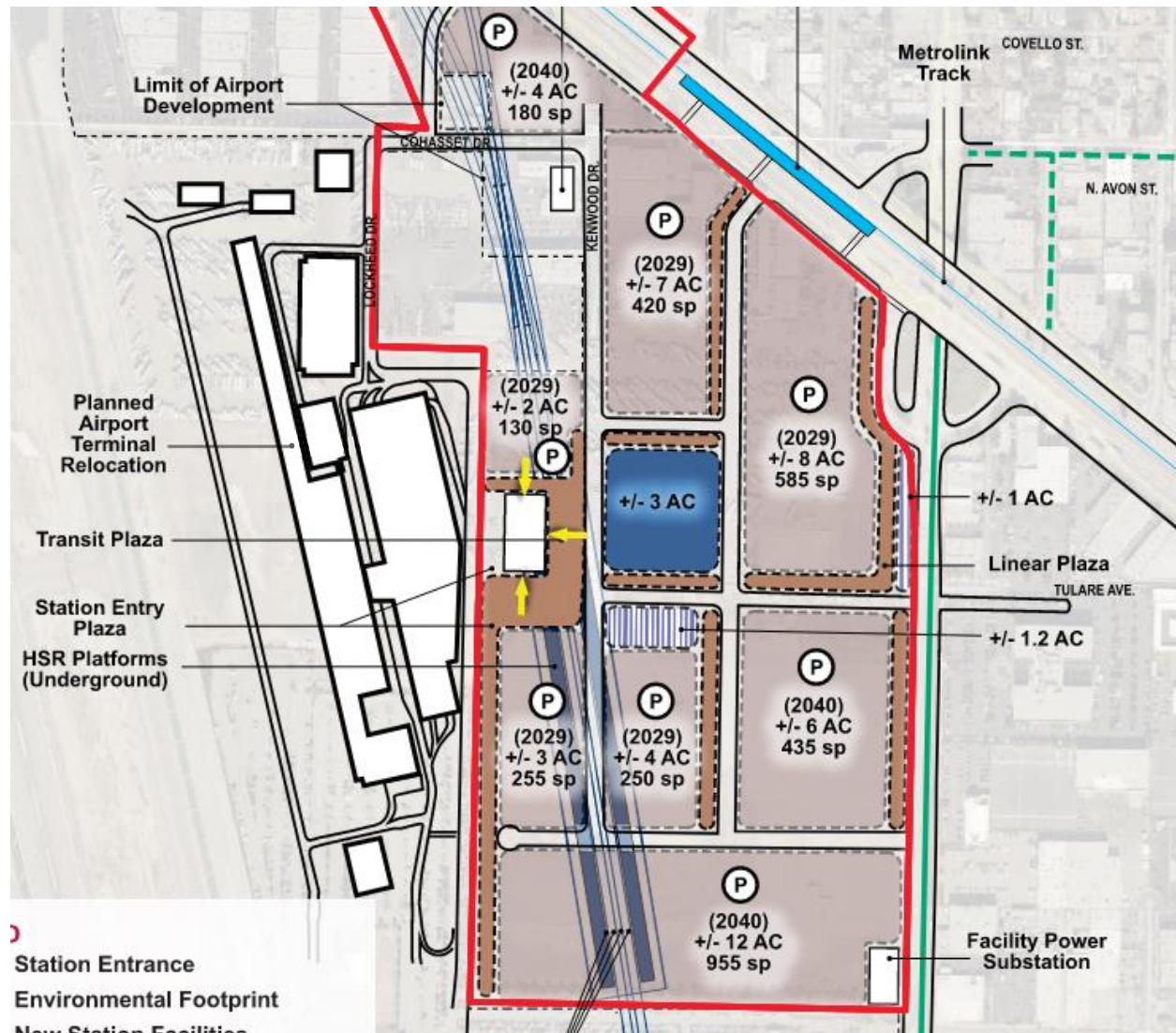


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Station/Terminal Connections

Airport and Station Connectivity

- HSR station entrance adjoins Airport property.
- CHSRA will coordinate with the City of Burbank and BGPAA to maximize connectivity



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Hollywood Burbank Airport

Level of Detail in Authority Commitments

- BGPAA asserts that Construction Transportation Plan (CTP) defers mitigation and is vague.
- TR-IAMF #2 includes significant detail on what must be included in CTP, including:
 - » Detour provisions
 - » Construction traffic routes
 - » Provisions to minimize access disruptions
 - » Provisions for 24-hour access by emergency vehicles
 - » Safe vehicular and pedestrian access
 - » Temporary signage
- Performance Standards: CTP would provide controls pursuant to Caltrans Manual on Uniform Traffic Control Devices sections on Temporary Traffic Controls
- CTP to be prepared by construction contractor in close consultation with the local jurisdiction having authority over the site, and approved by CHSRA



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Hollywood Burbank Airport

Airport Layout Plan (ALP)

- ALP defines permanent, above-ground elements of airport property and runway approach/departure surfaces
- An update of the ALP may be needed to implement HSR in area, but with a very limited scope
 - » Ventilation/exit structure under 10' tall in area 1000' south of runway in a location consistent with existing structures
- Amending the ALP cannot be advanced until the Authority approves the HSR project and advances design.
- Other above-ground elements of the HSR project on Airport property would be temporary and to support the construction process (handled through Form 7460-1)

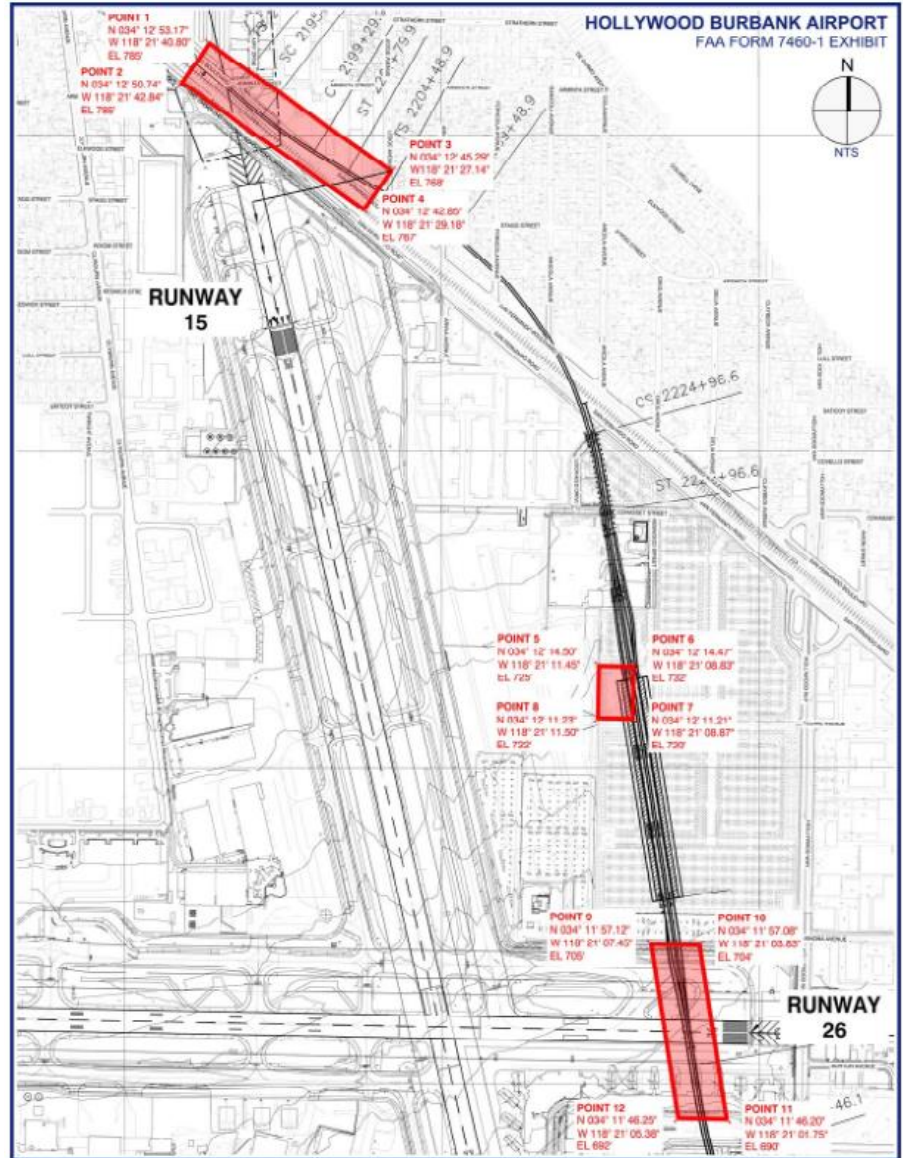


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7460 Process

FAA 7460-1 Process

- This process used for temporary construction clearances
- Form 7460-1 submitted to FAA for review in October 2019
- FAA notified Authority in March 2020 that they did not foresee impacts to airport operations from HSR construction, and asked that the Authority continue to coordinate as it got closer to construction
- Approvals expire after six months, will be resubmitted closer to construction



Constructability

- Six case studies evaluated in the FEIR/EIS demonstrate that tunneling underneath airport facilities has been carried out successfully and safely without causing disruptions to airfield operations.
- The Authority's environmental document considers the potential impacts and provides measures to address potential impacts. Approval of the project enables the Authority staff to advance design in accordance with CEQA/NEPA.
- Both the BGPAA and the FAA are agencies with state and federal obligations under both CEQA and NEPA, respectively. The Authority is committing to work directly with the BGPAA and the FAA to secure all necessary approvals.



Telecommunications

- HSR communications frequencies are not in same part of spectrum as 5G/Altimeters
- Existing and operational HSR communications: 757-758 MHz paired with 787-788 MHz
 - » Frequencies currently on loan to, and in use by, California Governor's Office of Emergency Services (Cal OES)
- 5G (C-Band): 3.7 GHz-4.2 GHz
 - » Unrelated to HSR, the FAA currently in process of certifying radio altimeter installations that are immunized against 5G interference
- Authority would continue to coordinate with FCC and FAA on telecommunications interface as the project design progresses, as the Authority radio system is brought online, and during operations



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Level of Design

Environmental Documents Analyzing 15-30% Design Are Adequate

- Federal courts have established that environmental analyses that rely upon preliminary designs advanced to 15 or 30% meet NEPA.

Approval of Preferred Alternative = binding legal commitment to implement the IAMFs and mitigation measures

- CEQA approval resolution and findings
- NEPA approval resolution and Record of Decision

Advancement of the Project Design and Permitting is dependent on Project Approval

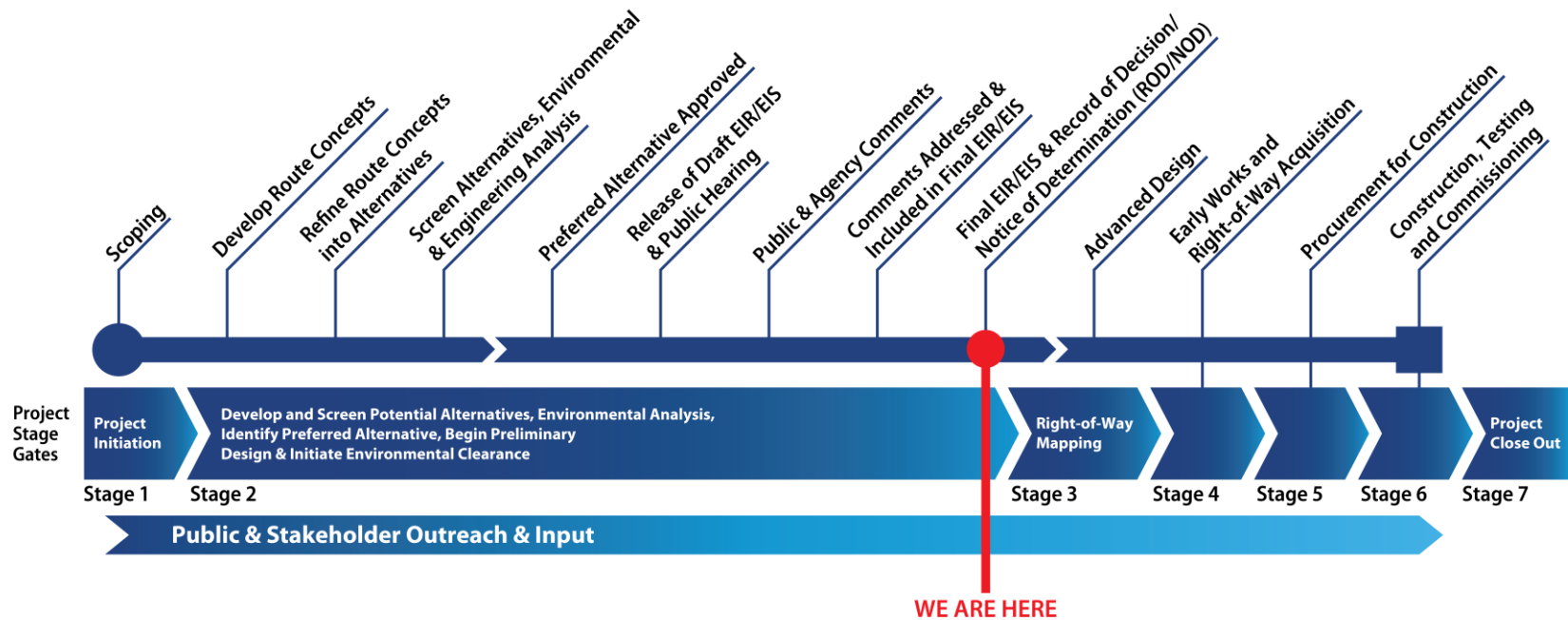
- A public agency may not commit “to a definite course of action in regard to a project [section]” until after it completes environmental review of the project. CEQA Guidelines 15352; *Save Tara v. City of West Hollywood* (2008) [California Supreme Court]
- USDOT NEPA Guidance requires NEPA before advancing to final design (FHWA Order 6640.1A; 40 CFR 1502.2(f); 40 CFR 1506.1(a))



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Current Status and Post-Approval process

PROJECT PROCESS



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Conclusion

- Authority staff, along with its safety and operational technical experts, has carefully reviewed all of the documents received to date on this project. The EIR/EIS adequately responds to and addresses each of the issues raised by commenters. Nothing has been raised or identified that undermines the analysis or would prevent the Board from approving the project today.
- The Authority is firmly committed to working with stakeholders to advance the design and implement the project in a manner that is integrated with and complementary to the existing and planned infrastructure that serves to enhance the safety and quality of life for local communities while connecting the statewide HSR system.

