III. Revisions, Clarifications, and Corrections to the Draft EIR

III. Revisions, Clarifications, and Corrections to the Draft EIR

This section of the Final EIR provides changes to the Draft EIR that have been made to revise, clarify, or correct the environmental impact analysis for Transportation Communication Network (the Project). Such changes are a result of public and agency comments received in response to the Draft EIR and/or additional information that has become available since publication of the Draft EIR. The changes described in this section do not result in the Project creating any new or increased significant environmental impacts.

This section is divided into three parts: Section III.A, General Corrections and Revisions to the Draft EIR; Section III.B, Corrections and Additions to Draft EIR Sections and Appendices; and Section III.C, Effect of Corrections and Revisions.

A. General Corrections and Revisions to the Draft EIR

Provided below is an example revision of proposed changes that apply to the entirety of the Draft EIR. Deletions are shown in ~~strikethrough text~~ and additions are shown in <u>underlined text</u>.

1. Community Plans

The list of community plans was modified for clarification. The following text is included in Chapter II, Project Description, subsection 2.a Project Location and Existing Conditions, page II-2, revise as follows:

> The site locations are located within the Central City, Central City North, Silver Lake–Echo Park–Elysian Valley, Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass, North East Los Angeles, Boyle Heights, North Hollywood–Village Valley, Sun Valley–La Tuna Canyon, Arleta–Pacoima, Granada Hills–Knollwood, Sylmar, Encino–Tarzana<u>,</u> West Los Angeles ~~Community Plan~~, South Los Angeles, Southeast Los Angeles, Palms–Mar Vista–Del Rey, Westchester-Playa-Del-Rey, Van Nuys–North Sherman Oaks, West Adams–Baldwin Hills–Leimert, and Wilshire <u>Community Plan</u> areas and

are generally designated and zoned as commercial, public facilities, and manufacturing uses.

2. Related Project: IKE Smart City Program

The City of Los Angeles is exploring the potential to add Interactive Kiosk Experience (IKE) Smart City interactive digital wayfinding and visitor service kiosks to be installed within the public-right-of-way throughout the City of Los Angeles. The IKE Smart City Program would provide an interactive experience to help people obtain directions and public transit information, explore restaurants and attractions, and provide visitor information within the City. The IKE Smart City Program is still in the planning process and has been added to the related projects list in Chapter III. Environmental Setting of the Draft EIR. Further, the conclusions for the Project's cumulative analyses in Sections IV.A, Aesthetics, through IV.M, Utilities—Electric Power, do not change with the incorporation of the IKE Smart City Program.

3. Terminology of Ballona Wildlife Reserve

For clarification purposes the term Ballona Wetlands, has been modified to Ballona Wildlife Reserve to correctly account for the Ballona Wildlife Reserve boundary as a whole. The following text included in Section IV.A, Aesthetics, subsection b.(2) Visual Character, page IV.A-11, revise as follows:

> Valued aesthetic features present within the vicinity of several Site Locations include historical resources, the Ballona ~~Wetlands~~ Wildlife Reserve, and the Los Angeles River.

4. Refinement to TCN Structures FF-13, FF-14, NFF-20, FF-25, FF-29 and FF-30

Site Locations FF-13 and FF-14 have been refined to account for future conditions at the proposed Bowtie State Park. The park is proposed to have habitat restoration areas, which may contain sensitive habitat in the future. It should be noted, conditions at Site Locations FF-13 and FF-14 currently appear to consist of vacant land with very limited vegetation. However, Site Locations FF-13 and FF-14 have been refined to include AES-PDF-1 that provides for state of the art louvers or other equivalent features that reduce the illuminance to mapped biological resource areas to 0.02 foot-candle.

Site Location NFF-20 is located on Metro property at the southwest corner of the intersection of Santa Monica Boulevard and Vermont Avenue. The Draft EIR analyzed the Site Location at NFF-20 as oriented east-west, showing toward vehicular traffic traveling on

Santa Monica Blvd as shown in Appendix B of the Lighting Study Appendix B (refer to the Sector 25 diagram on page 29). The NFF-20 Sign location has been more precisely located to align the side of the TCN Structure with the Metro property's eastern boundary and rotated 90 degrees to show toward traffic along Vermont Avenue. Figure 3 in the Lighting Study Update included as Appendix B.2 reflects this refinement.

Site Location FF-25 has been refined to include AES-PDF-1 that provides for state of the art louvers or other equivalent features that reduce the illuminance to mapped biological resource areas within the Sepulveda Natural Wildlife Reserve to 0.02 foot-candle.

In accordance with AES-PDF-1, state of the art louvers have also been added to both faces of Signs FF-29 and FF-30 and to confine the light emission to a narrow cone, preventing light spill to the Ballona Wildlife Reserve. In addition, the display faces of FF-29 have been oriented 12.5 degrees north toward the SR-90 freeway and Site Location FF-30 has been moved north by approximately 25 feet. Figure 2 in the Lighting Study Update included as Draft EIR Appendix B.2 of this Final EIR reflects this refinement. With this refinement, illuminance would at the Ballona Wildlife Reserve would also be reduced to 0.2 foot-candle.

B. Corrections and Additions to Draft EIR Sections and Appendices

Additional changes have been made to the Draft EIR as a result of public and agency comments received in response to the Draft EIR and/or new information that has become available since publication of the Draft EIR. Deletions are shown in ~~strikethrough text~~ and additions are shown in <u>underlined text</u>. Such changes are presented by EIR section.

I. Executive Summary

Chapter I, Executive Summary, Section 10, Project Design Features, page I-9, add the following at the beginning of the section and renumber subsequent headings:

<u>a. Aesthetics</u>

<u>Project Design Feature AES-PDF-1:</u> <u>State of the art louvers or other equivalent design features shall be incorporated into the design of TCN Structures FF-13, FF-14, FF-25, FF-29, and FF-30 such that the light trespass illuminance at sensitive habitat at the proposed Bowtie State Park, at the mapped biological resources in the vicinity of TCN Structure FF-25, and at the Ballona</u>

Wildlife Reserve to the south of the Marina Freeway, west of Culver Boulevard, do not exceed 0.02 foot-candle.

Chapter I, Executive Summary, page I-13, revise Mitigation Measure BIO-MM-3 as follows:

Mitigation Measure BIO-MM-3: Avoid impacts on ~~Coastal California Gnatcatcher, and~~ Least Bell's Vireo, if present (Applicable to Site Locations ~~FF-24,~~ FF-29 and FF-30). Suitable habitat for ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo shall be removed outside of the nesting season (~~February~~ March 15 through September 30), between ~~September 1 and February 14 for Coastal California Gnatcatcher and~~ October 1 and March 14 ~~for Least Bell's Vireo~~. Should habitat for ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo require removal between ~~February 15 and August 30 for Coastal California Gnatcatcher or between~~ March 15 and September 30 ~~for Least Bell's Vireo~~, or construction activities are initiated during this time, preconstruction surveys consisting of three separate surveys no more than seven days prior to vegetation removal shall be conducted by a qualified biologist. Should ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo be detected within 500 feet of the Site Location, construction activities shall be halted unless authorization has been obtained from USFWS.

II. Project Description

Two figures, as well as corresponding figure references, were added in response to comments for clarification of the conceptual design of TCN Structures.

Chapter II, subsection C, Design and Location of the TCN Structures, page II-7 revise the last paragraph as follows and add Figures II-6 and II-7.

Refer to Table II-1 and Table II-2 on pages II-8 and II-10 and Figure II-1 through Figure II-3 on pages II-12 through II-14, respectively, for a listing of the proposed locations, digital display square footage, number of digital displays per TCN Structure, and dimensions of the digital displays. Conceptual renderings are included as Figure II-6 and Figure II-7 on pages III-5 and III-6 of the Final EIR, are for informational purposes only and provide a realistic estimation of what the TCN Structures may look like within the City.

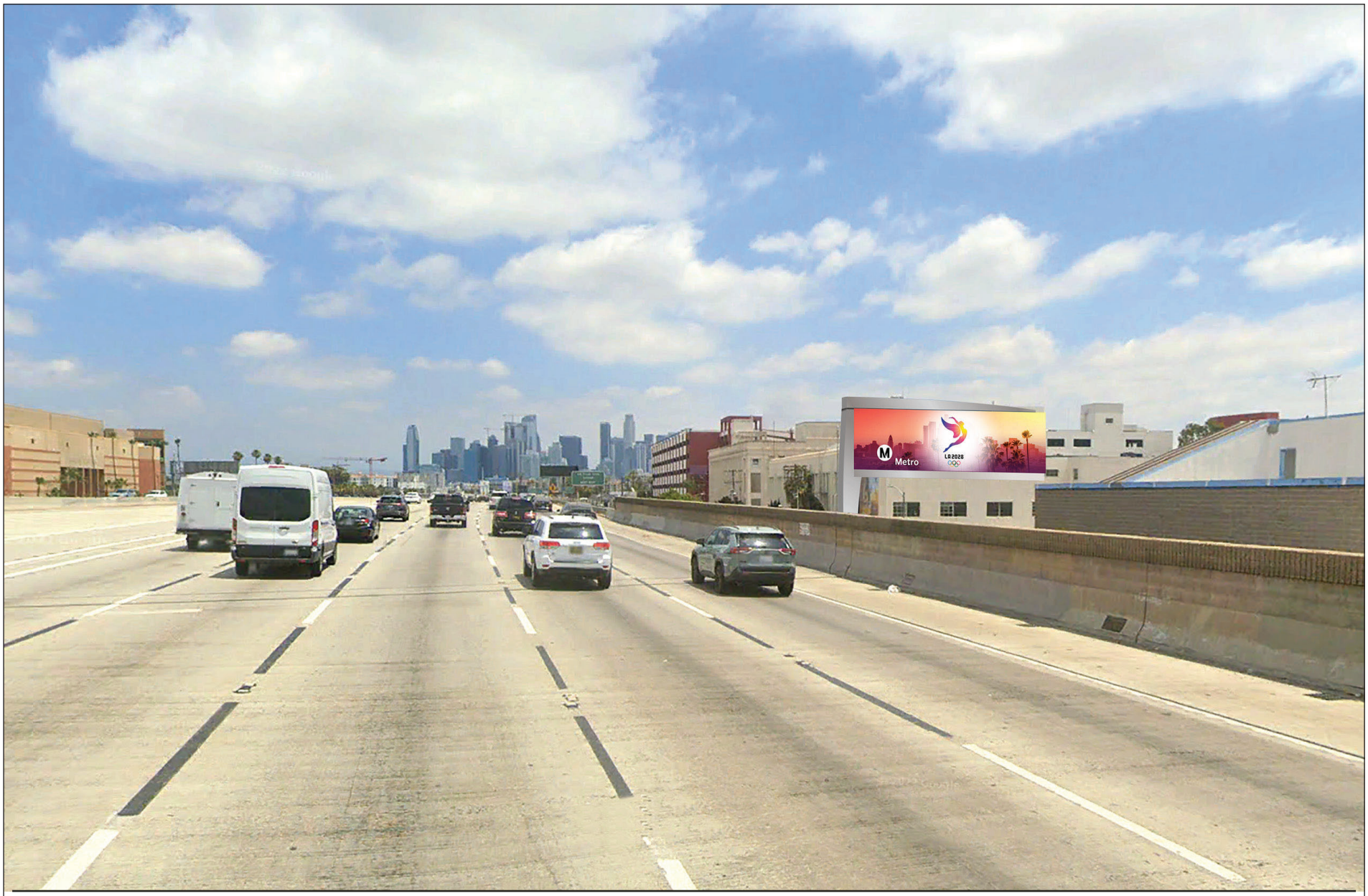

Figure II-6
Conceptual Rendering of Freeway Facing TCN Structure

Source: AllVision, 2022.

Figure II-7
Conceptual Rendering of Non-Freeway Facing TCN Structure

Source: AllVision, 2022.

III. Environmental Setting

Chapter III, Environmental Setting, page III-12, after subsection 5, Sidewalk and Transit Amenity Program, add the following subsection:

6. IKE Smart City Program

The City of Los Angeles is exploring the potential to add Interactive Kiosk Experience (IKE) Smart City interactive digital wayfinding and visitor service kiosks to be installed within the public-right-of-way throughout the City of Los Angeles. The IKE Smart City Program would provide an interactive experience to help people obtain directions and public transit information, explore restaurants and attractions, and provide visitor information within the City. The IKE Smart City Program is still in the planning process.

IV.A. Aesthetics

Section IV.A, Aesthetics, page IV.A-6, add the following paragraph after the first full paragraph:

CALGreen defers to the light levels and standards defined in the California Administrative Code. The California Administrative Code, Chapter 10, Section 114 Table 114-A, page 222, defines properties within Los Angeles as LZ3: "Urban Areas as defined by the US Census." Table 114-A includes a definition in column 5, "Moving Down to Lower Zones" under row "LZ3" that states, "Special districts and government designated parks within a default LZ3 zone may be designated as LZ1 or LZ2 by the local jurisdiction, without any size limits." LZ2 sets forth a recommended light trespass of 0.3 fc, and LZ1 sets for a more conservative recommended light trespass of 1 lux (0.09 fc).

Section IV.A, Aesthetics, page IV.A-32, add the following after the last full paragraph:

The following Project Design Feature would be implemented as part of the Project:

Project Design Feature AES-PDF-1: State of the art louvers or other equivalent design features shall be incorporated into the design of TCN Structures FF-13, FF-14, FF-25, FF-29, and FF-30 such that the light trespass illuminance at sensitive habitat at the proposed Bowtie State Park, at

the mapped biological resources in the vicinity of TCN Structure FF-25, and at the Ballona Wildlife Reserve to the south of the Marina Freeway, west of Culver Boulevard, do not exceed 0.02 footcandles.

As discussed above under the refinements to Project Description above and described in the Lighting Study Update included as Draft EIR Appendix B.2 in this Final EIR, the TCN Structures at Site Locations FF-13, FF-14, NFF-20, FF-25, FF-29 and FF-30 have been refined. NFF-20 has been modified to orient the display towards Vermont Avenue. FF-13, FF-14, FF-25, FF-29, and FF-30 have been modified to include state of the art louvers or other equivalent features to reduce illuminance to 0.02 at mapped biological resources areas (including the Ballona Wetlands for FF-29 and FF-30). TCN Structure FF-30 has also been moved by approximately 25 feet.

Section IV.A, Aesthetics, page IV.A-44, revise the first full paragraph as follows:

Revised Table IV.A-3 on page ~~IV.A-45~~ III-9 of the Final EIR provides the illuminance calculations for the digital displays where detailed modeling was conducted (Site Locations FF-13, FF-21, FF-26, FF-28, FF-29, FF-30, FF-33, FF-34, NFF-1, NFF-15 and NFF-20). As shown in Revised Table IV.A-3, based on the Lighting Study and the Lighting Study Update, the illuminance at the locations where detailed lighting analysis was performed varies from a minimum of 0.0 fc at NFF-14 to a maximum of ~~2.5~~ 0.6 fc at the vertical plane for Site Location NFF-20. The vertical light trespass illuminance at all vertical planes is below the 3.0 fc limit established by LAMC and therefore does not present a significant light trespass impact at the locations where light trespass is calculated. Furthermore, the maximum light trespass illuminance is also less than the maximum recommended by IESNA and CALGreen for Light Zone LZ3 (0.74 fc) for all Site Locations ~~with the exception of Site Location NFF-20~~. All sensitive properties further from the proposed TCN Structures would receive exponentially less light trespass. In addition, with incorporation of AES-PDF-1, illuminance at the Ballona Wildlife Reserve, at sensitive habitat at the proposed Bowtie State Park, and the mapped biological resource areas near Site Location FF-25 would be reduced to 0.02 fc, which would be well below the LAMC threshold of 3.0 fc, below the CALGreen recommendation of 0.74 fc for LZ3 and also below the more stringent CALGreen recommendation for Light Zone ZSI applicable to parks and biological resource areas of 0.09 fc. Further analysis of TCN Structures FF-6 and FF-7 was also conducted for the Elysian Park natural habitat located approximately 540 feet from these proposed structures. That analysis shows that based on distance, light trespass illuminance from these TCN Structures would be 0.075 fc or less, which is less than the significance

threshold and the more stringent standard of 0.09 for LZ1. Therefore, the proposed digital displays would not introduce a light trespass impact at any sensitive uses, including residential uses and sensitive wildlife areas.

Section IV.A, Aesthetics, page IV,A-45, replace Table IV.A-3 with Revised Table IV.A-3 below:

Revised Table IV.A-3
Calculated Illuminance (Light Trespass) at Site Locations Near Sensitive Uses

Site Location	Sector Map (See Appendix B)	Vertical Plane	Illuminance (fc) Max Vertical	LAMC Analysis (3.0 fc threshold)
FF-13	10	VP-13A	0.30	Less than Threshold
FF-26	27	VP-26A	0.20	Less than Threshold
FF-28	28	VP-28A	0.10	Less than Threshold
	28	VP-28B	0.20	Less than Threshold
FF-29 & FF-30	33	VP-29A	~~0.60~~0.02	Less than Threshold
FF-33	31	VP-33A	0.10	Less than Threshold
	31	VP-33B	0.10	Less than Threshold
FF-34	31	VP-34A	0.50	Less than Threshold
	31	VP-34B	0.20	Less than Threshold
NFF-14	27	VP-14A	0.00	Less than Threshold
NFF-15	27	VP-15A	0.10	Less than Threshold
NFF-20	25	VP-20A	~~2.50~~**0.60**	Less than Threshold

Source: Francis Krahe & Associates, Inc., 2022.

IV.B. Air Quality

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.C. Biological Resources

The *Biological Resources Technical Report* prepared for the project by HDR has been updated to reflect the correct proposed location of Site Location FF-24, as shown in Figure II-6 in Section III, Environmental Setting. At the time the *Biological Resources Technical Report* was prepared in August 2022, an outdated location for Site Location FF-24 was analyzed. The correct proposed location of Site Location FF-24 is not located within 300-feet of vegetation mapped by the USGS Gap Analysis Project (GAP) as California Buckwheat Scrub, and therefore would not potentially impact the Coastal

California Gnatcatcher. The correct proposed Site Location of FF-24 is located in an urban/developed area. Therefore, the discussion with regard to Site Location FF-24 as it relates to California Buckwheat Scrub and, correspondingly, the presence of suitable habitat for--and consequent impacts to--the Coastal California Gnatcatcher was removed.

Section IV.C, Biological Resources, subsection 2.b.1.b.iv, Balboa Road, page IV.C-15, delete the subsection.

~~*(iv) Balboa Road*~~

~~TCN Structure FF-24 is located northeast of Balboa Road, and within 300 feet of vegetation mapped by the USGS Gap Analysis Project (GAP) as California Buckwheat Scrub. This California Buckwheat Scrub could potentially provide suitable habitat for special status species, including the Coastal California Gnatcatcher.~~

Section IV.C, Biological Resources, subsection 2.b.3, Vegetation Communities and Land Cover Types, page IV.C-16, revise as follows:

- ~~California Buckwheat Scrub (*Eriogonum fasciculatum* Shrubland Alliance) California buckwheat scrub is dominated by California buckwheat (*Eriogonum fasciculatum*), which accounts for at least 50 percent relative cover in the shrub layer. This alliance usually occurs on upland slopes, intermittently flooded arroyos, channels, and washes. Shrubs are typically less than 2 meters in height, with an intermittent-to-continuous canopy and a variable, grassy herbaceous layer (Sawyer et al. 2009). Within the BSA, California buckwheat scrub (*Eriogonum fasciculatum*), potentially covers 0.137 acre, located at TCN Structure FF-24.~~

Section IV.C, Biological Resources, subsection 2.b.3, Vegetation Communities and Land Cover Types, page IV.C-17, replace Table IV.C-1 with Revised Table IV.C-1 on page III-11:

Revised Table IV.C-1
Vegetation Communities and Land Cover Types Mapped in the Biological Study Area

Vegetation Community of Land Cover Type	Acreage
~~California Buckwheat Scrub~~	~~0.137~~
Salix gooddingii Forest and Woodland Alliance	0.585
Brassica nigra- Centaurea (spp.) Herbaceous Semi-Natural Alliance	0.196
Modified Channel	5.596
Disturbed/Ruderal	3.744
Urban/Developed	~~352.716~~ 352.853
Total	**362.975**

Source: HDR, July 2022.

Section IV.C, Biological Resources, subsection 2.b.6.a, Federally and/or State-Listed Wildlife Species, page IV.C-19, revise the first paragraph as follows:

> The BSA for Site Locations FF-29 and FF-30 is within 300 feet of the Ballona Wetlands ~~and Site Location FF-24 is within 300 feet of Balboa Road~~, which supports habitat that is potentially suitable for ~~six~~ five federally and/or state-listed wildlife species as shown in Revised Table IV.C-3 on page ~~IV.C-20~~ III-12 of the Final EIR and described below.

Section IV.C, Biological Resources, subsection 2.b.6.a, Federally and/or State-Listed Wildlife Species, page IV.C-20, replace Table IV.C-3 with Revised Table IV.C-3 on page III-12:

Revised Table IV.C-3
Federally and/or State-Listed Wildlife Species

Federally and/or State-Listed Wildlife Species	Status
Monarch Butterfly (*Danaus plexippus* pop. 1)	Federal Candidate
El Segundo Blue (*Euphilotes battoides allyni*)	Federally Endangered
Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*)	State Endangered
~~Coastal California Gnatcatcher (*Polioptila californica californica*)~~	~~Federally Threatened, Species of Special Concern~~
California Least Tern (*Sternula antillarum browni*)	Federally Endangered, State Endangered, Federally Protected
Least Bell's Vireo (*Vireo bellii pusillus*)	Federally Endangered, State Endangered

Source: HDR, 2022

Section IV.C, Biological Resources, subsection 2.b.6.iii, Coastal California Gnatcatcher, page IV.C-20, delete the subsection and renumber the subsequent subsection.

~~*(iii) Coastal California Gnatcatcher*~~

~~As discussed in the analysis below, a small amount of potentially suitable habitat, California Buckwheat Scrub, occurs within the BSA of TCN Structure FF-24.~~

~~*(iv)*~~ *(iii) California Least Tern*

Section IV.C, Biological Resources, subsection c, Project Design Features, page IV.C.25, revise as follows:

~~No Project Design Features are proposed with regard to biological resources.~~

As described in Section IV.A, Aesthetics, the following Project Design Feature would be incorporated:

Project Design Feature AES-PDF-1: State of the art louvers or other equivalent design features shall be incorporated into the design of TCN Structures FF-13, FF-14, FF-25, FF-29, and FF-30 such that the light trespass illuminance at sensitive habitat at the proposed Bowtie State Park, at

the mapped biological resources in the vicinity of TCN Structure FF-25, and at the Ballona Wildlife Reserve to the south of the Marina Freeway, west of Culver Boulevard, do not exceed 0.02 footcandle.

Section IV.C, Biological Resources, subsection 3.d.1.b.i, Federally and/or State Listed Wildlife Species, pages IV.C-26 and IV.C-27, revise as follows:

As summarized above and discussed in the Biological Resources Technical Report, potentially suitable habitat for ~~six~~ five federally and/or state-listed wildlife species including the Monarch Butterfly, El Segundo Blue, Belding's Savannah Sparrow, California Least Tern, and Least Bell's Vireo occur within or adjacent to the BSA for Site Locations FF-29 and FF-30 ~~and that for the Costal California Gnatcatcher occurs within the BSA for Site Location FF-24~~. Site Locations FF-29, and FF-30 do not contain suitable habitat for the five federally and/or State-listed wildlife species, but ~~suitable habitat may however occur on Site Location FF-24. Additionally,~~ potential suitable habitat for these species occurs adjacent to these Site Locations and such species could potentially move through the BSA due to the proximity of existing habitat. **Therefore, impacts on the ~~six~~ five federally and/or state-listed wildlife species would be potentially significant. As such, the Project would implement Mitigation Measure BIO-MM-1, which includes provisions for preconstruction surveys, worker awareness training, and monitoring of construction activities by a qualified biologist, Mitigation Measure BIO-MM-2 which includes provisions for preconstruction nesting bird surveys if construction activities occur within the nesting season, and Mitigation Measure BIO-MM-3 to avoid impacts specific to the ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo.**

Section IV.C, Biological Resources, subsection 3.d.1.b.i, Federally and/or State Listed Wildlife Species, page IV.C-27. revise as follows:

Mitigation Measure BIO-MM-3, which pertains to Site Locations ~~FF-24,~~ FF-29 and FF-30 and aims to avoid impacts on ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo, requires suitable habitat for ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo to be removed outside of the specified nesting season~~s for each species~~; three separate preconstruction surveys no more than seven days prior to vegetation removal, should construction activities occur during each respective nesting season; and the halting of all construction activities should these species be detected within 500 feet of the Site Location.

Section IV.C, Biological Resources, subsection 3.d.2, Mitigation Measures, page IV.C-33, revise Mitigation Measure BIO-MM-3 as follows:

> **Mitigation Measure BIO-MM-3:** Avoid impacts on ~~Coastal California Gnatcatcher, and~~ Least Bell's Vireo, if present (Applicable to Site Locations ~~FF-24,~~ FF-29 and FF-30). Suitable habitat for ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo shall be removed outside of the nesting season (~~February~~ March 15 through September 30), between ~~September 1 and February 14 for Coastal California Gnatcatcher and~~ October 1 and March 14 ~~for Least Bell's Vireo~~. Should habitat for ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo require removal between ~~February 15 and August 30 for Coastal California Gnatcatcher or between~~ March 15 and September 30 ~~for Least Bell's Vireo~~, or construction activities are initiated during this time, preconstruction surveys consisting of three separate surveys no more than seven days prior to vegetation removal shall be conducted by a qualified biologist. Should ~~Coastal California Gnatcatcher and~~ Least Bell's Vireo be detected within 500 feet of the Site Location, construction activities shall be halted unless authorization has been obtained from USFWS.

IV.D. Cultural Resources

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.E. Energy

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.F. Geology and Soils

The discussion with regard to mitigation as it relates to Project-level impacts related to an unstable geologic unit or unstable soil was modified for clarification.

Section IV.F, Geology and Soils, subsection 3.d.2, Mitigation Measures, page IV.F-54, revise as follows:

Project-level impacts related to ~~soil erosion or the loss of topsoil~~ an unstable geologic unit or unstable soil would be less than significant. Therefore, no mitigation measures are required.

IV.G. Greenhouse Gas Emissions

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.H. Hazards and Hazardous Materials

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.I. Land Use

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.J Noise

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

IV.K. Transportation

Section IV.K Transportation, subsection (3), Local, page IV.K-8, add the following text after subsection (c) Vision Zero and renumber the subsequent subsection:

(d) Los Angeles Department of Transportation

LADOT has developed guidance for evaluating permit applications for digital billboards, which provides a framework for considering potential traffic hazards. In a memorandum titled *Suspension of Section 338 of the Manual of Policies and Procedures* (Revised) (Jaime de la Vega, General Manager, October 11, 2012), LADOT provides an evaluation checklist, titled Hazard Review for Sign Permits Evaluation Checklist, for potential hazards caused by signs and support structures. The checklist consists of the following three questions:

1. *Would the proposed sign or sign support structure obstruct a motorist's view of any traffic control device?*

2. *Are approaching motorists faced with important decision-making tasks within 500-feet of the proposed sign location? (To make this determination, it is necessary to check if the approaching motorist is confronted with a horizontal curve, lane drop, merge or weave area, or changeable message sign.)*

3. *Is the digital billboard proposed along a street block that has a midblock pedestrian crosswalk?*

As outlined in the checklist, LADOT's guidance considers several factors related to location when evaluating the permit applications for digital billboards and adjacency to a HIN alone does not preclude the installation of a sign.

~~(d)~~ (e) Plan for a Healthy Los Angeles

The discussion with regard to the Vision Zero Program was modified to add further clarifying language that the Project would be consistent with the Vision Zero Program.

Section IV.K, Transportation, subsection (iii), Vision Zero, page IV.K-16, revise as follows:

(iii) Vision Zero

As discussed above, the Vision Zero Program implemented by LADOT, represents a citywide effort to eliminate traffic deaths in the City by 2025. The TCN Structures would be located outside of the public right-of-way on Metro-owned property. In regard to the HIN 16 of the 22 proposed signs would be located adjacent to a street on the High Injury Network (HIN). However, the TCN Structures would be located outside the public right-of-way. Therefore, the TCN Structures would not preclude LADOT from installing Vision Zero improvements, such as installing curb extensions, speed feedback signage, high visibility pedestrian crossings, lane reductions/narrowing, within the public right-of-way to improve pedestrian visibility and safety for all road users. Thus, the TCN Structures would not preclude the City from installing Vision Zero improvements to enhance the safety of the High Injury Network and, therefore, would not conflict with the Vision Zero Program. Therefore, as stated in the Draft EIR, the Project would not conflict with the City's Vision Zero Program and impacts with regard to

consistency with adopted plans, programs, ordinances, and policies would be less than significant.

Page IV-K-22 of Section IV.K Transportation, add the following text prior to subsection (f), Conclusion, and revise subsection (f), Conclusion, as follows:

(f) LADOT

For Non-Freeway Facing TCN Structures, LADOT has developed guidance for evaluating permit applications for digital billboards, which provides a framework for considering potential traffic hazards. In a memorandum titled *Suspension of Section 338 of the Manual of Policies and Procedures* (Revised) (Jaime de la Vega, General Manager, October 11, 2012), LADOT provides an evaluation checklist, titled Hazard Review for Sign Permits Evaluation Checklist, for potential hazards caused by signs and support structures.

As outlined in the checklist, LADOT's guidance considers several factors related to location when evaluating the permit applications for digital billboards and adjacency to a HIN alone does not preclude the installation of a sign. None of the signs or structures proposed as part of the Project would conflict with the checklist items and Metro would continue to coordinate with LADOT to ensure no potential safety hazards would arise during the installation or operation of the signs.

~~(f)~~ (g) Conclusion

Per the literature review, while the frequency of fixations and fixation duration was shown to increase with a CEVMS when compared to a static billboard, the mean fixation was well below the NHTSA threshold for a dangerous driving distraction of 2.0 seconds. Therefore, since the TCN Program would operate similarly to the CEVMS in the studies reviewed, it is anticipated that driver fixation on the TCN Structures that are part of the TCN Program would similarly be below the NHTSA threshold for dangerous driver distraction of 2.0 seconds.

Furthermore, as part of the TCN Program operation, motion and flashing images would be prohibited and transitions between messages would be instant without using a black screen between messages. Light emitted by the TCN Structures would also be adjustable throughout the day and night, ensuring that the signs would not cause excessive glare on nearby roadways. The signs would also be positioned to focus on the intended

roadways and minimize visibility from adjacent streets. As described in Section IV.A, Aesthetics, of this Draft EIR the Project would be consistent with regulations regarding allowable sign luminance, shadows, and glare, and specifically with CVC 21466.5.

Additionally, the Freeway Facing TCN Structures were reviewed for consistency with Caltrans guidelines and all of the signs were found to be compliant with the guidelines for digital signage adjacent to a freeway. Also, the non-freeway facing signs would operate based on established industry standards for refresh rate and would not include any motion or flashing, which may increase distractions for nearby drivers. The signs would also be positioned to focus on the intended roadways and minimize visibility from adjacent streets and comply with LADOT's guidance for digital billboards. Thus, the TCN Structures would operate similarly to static signs.

Based on the above and the detailed analysis provided in Appendix K of this Draft EIR, impacts with regard to hazards due to a geometric design feature or incompatible use would be less than significant.

IV.L. Tribal Cultural Resources

The discussion with regard to tribal consultation was modified to reflect the addition of another tribe and the closure of tribal consultation.

Section IV.L, Tribal Cultural Resources, subsection 3.d.1, Impact Analysis, page IV.L-37, revise as follows:

As of the date of this ~~Draft~~ Final EIR, ~~an initial correspondence~~ consultation has occurred with the Santa Ynez Band of Chumash Indians, ~~an initial and follow-up correspondence has occurred with~~ the Gabrielino Tongva Indians of California Tribal Council, ~~a meeting has occurred with~~ the Gabrieleño Band of Mission Indians–Kizh Nation, and ~~responses to notification letters are still pending for the remaining 17 tribal contacts who were notified pursuant to PRC 21082.3.1~~ the Gabrielino-Tongva Tribe. Tribal consultation ~~is ongoing and could result in the identification of additional tribal cultural resource and requests for specific mitigation measures or treatment to address the potential for significant impacts to tribal cultural resources. Accordingly, the measures provided below may be subject to revisions based on the results of tribal consultation~~ closed on November 11, 2022.

IV.M Utilities and Service Systems—Energy Infrastructure

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

V. Alternatives

No additional corrections or additions beyond the general corrections described above have been made to this section of the Draft EIR.

VI. Other CEQA Considerations

Chapter VI, Other CEQA Considerations, subsection o, Transportation (Vehicle Miles Traveled; Inadequate Emergency Access), page VI-25, revise the first full paragraph as follows:

> California State Senate Bill 743 (Steinberg, 2013) (SB 743), made effective in January 2014, required the Governor's Office of Planning and Research (OPR) to change the CEQA guidelines regarding the analysis of transportation impacts to shift from driver/vehicular delay (level of service [LOS]) to vehicle miles traveled (VMT) in order to reduce greenhouse gas emissions (GHG), create multimodal networks, and promote mixed-use developments. Therefore, changes to driver delay are no longer applicable to identify transportation-related significant impacts under CEQA and were not required to be studied. With regard to Vehicle Miles Traveled (VMT), operation of the Project would not result in new uses that would generate vehicle miles traveled on a daily basis. Any vehicle trips and associated VMT resulting from maintenance activities would be infrequent. Additionally, in accordance with LADOT's Transportation Assessment Guidelines (TAG), construction worker trips are not evaluated under CEQA. Therefore, as concluded in the Initial Study, the Project would have no impact with regard to VMT.

Appendix —Lighting Study

Rename Draft EIR Appendix B, Lighting Study, to be Appendix B.1, Lighting Study, and add Appendix B.2, Lighting Study Supplemental Analysis.

Appendix D—Biological Resources

Rename Draft EIR Appendix D Biological Resources to be Appendix D.1, Biological Resources, and add Appendix D.2, Biological Resources Supplemental Analysis.

Appendix K—Transportation and Traffic Safety Review

Rename Draft EIR Appendix K, Transportation and Traffic Safety Review, to be Appendix K.1, Transportation and Traffic Safety Review, and add Appendix K.2, Transportation and Traffic Safety Review Supplemental Analysis.

C. Effect of Corrections and Revisions

CEQA Guidelines Section 15088.5 requires that an EIR which has been made available for public review, but not yet certified, be recirculated whenever significant new information has been added to the EIR. The entire document need not be circulated if revisions are limited to specific portions of the document.

The relevant portions of CEQA Guidelines Section 15088.5 read as follows:

> *(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:*
>
> *(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
>
> *(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The information contained in this section clarifies, amplifies, or refines information in the Draft EIR but does not make any changes that would meet the definition of "significant new information" as defined above. The information added to the Draft EIR does not change the Draft EIR in a way that deprives the public of a meaningful opportunity to comment upon a new or substantially increased significant environmental effect of the Project or disclose a feasible alternative or mitigation measure the Applicant has declined to adopt. As provided by the discussion below, the revisions, clarifications, and corrections to the Draft EIR and the Modified Project proposed by the Applicant would not result in new significant impacts or increase any impact already identified in the Draft EIR. In some cases, the Modified Project would reduce the environmental impacts of the original Project as set forth in the Draft EIR.

(1) Project Description

With respect to the addition of Figures II-6 and II-7, these conceptual renderings are for informational purposes only and provide a realistic estimation of what the TCN Structures may look like within the City. A site specific evaluation for each individual TCN Structure was performed and took into account each individual Site Location's environmental setting as well as attributes such as dimensions, digital display angles, height, and nearby sensitive uses including residential uses. Further, the addition of these renderings would not result in new significant impacts or increase the impacts of the Project.

(2) Aesthetics, Views, Light/Glare, and Shading

All TCN Structures, including those near the Ballona Wildlife Reserve, would have a light trespass illuminance less than the Los Angeles Municipal Code (LAMC) maximum of 3.0 footcandles (fc) at sensitive use properties, as well as the even more restrictive CALGreen standard of 0.74 fc maximum for Light Zone LZ3.

Further design refinements have been made to TCN Structures FF-13, FF-14, NFF-20, FF-25, FF-29 and FF-30. Site Location NFF-20 has been revised to reorient the sign towards Vermont Avenue, and Site Location FF-30 has been moved 25 feet. The addition of AES-PDF-1 and the Project's compliance with CALGreen lighting standards are merely project refinements that would further reduce the Project's less than significant impacts to lighting. Overall, these additions and corrections would not result in new significant impacts or increase the impacts of the Project.

(3) Biological Resources

The supplemental analysis provides additional justification that sensitive species located in the area of Site Locations FF-13, FF-14, FF-25, FF-29 and FF-30 would not have adverse impacts in regard to wildlife activities such as foraging, nesting, and migration. Further AES-PDF-1, would provide for a maximum light trespass of 0.02 fc, which is well below the most stringent recommendation of 0.09 fc for the LZI Zone for "Special Districts and Government Designated Parks" within the California Administrative Code.

The proposed location of Site Location FF-24 was corrected and is no longer located within 300-feet of vegetation mapped by the USGS Gap Analysis Project (GAP) as California Buckwheat Scrub, and therefore would not potentially impact the Coastal California Gnatcatcher. The correct proposed Site Location of FF-24 is located in an urban/developed area. Therefore, the discussion with regard to Site Location FF-24 as it relates to California Buckwheat Scrub and, correspondingly, the presence of suitable habitat for--and consequent impacts to--the Coastal California Gnatcatcher was removed.

Overall, these additions and corrections would not result in new significant impacts or increase the impacts of the Project.

(4) Transportation

The supplemental analysis provides additional justification that the project would not cause transportation safety hazards including further discussion on LADOT's guidance for evaluating permit applications for digital billboards and vision zero consistency. Overall, these additions would not result in new significant impacts or increase the impacts of the Project.

(5) Conclusions

Based on the supplemental analysis presented above, the revisions, clarifications, and corrections to the Draft EIR and the modifications to the original Project do not result in any new significant impacts or a substantial increase in an impact already identified in the Draft EIR or disclose a feasible alternative or mitigation measure the Applicant has

declined to adopt. The revisions to the Draft EIR clarify, amplify, or refine the information in the Draft EIR. Thus, none of the conditions in Section 15088.5 of the CEQA Guidelines are met and recirculation of the Draft EIR is not required.