

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 the 3rd and Fairfax Project (the Proposed 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 Proposed Project creating any new or increased significant environmental impacts.

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

A. Corrections and Additions to the Draft EIR Sections and Appendices

The supplementary information to the Draft EIR is indicated below under the respective EIR section heading, page number, and paragraph. Paragraph references are to the first full paragraph on the page. Deletions are shown with ~~strikethrough~~ and additions are shown with double underline. Existing text to remain unchanged is included as plain text, without strikethrough or double underlines, to provide context for the revisions, clarifications, and corrections.

I. Executive Summary

Page I-7. Under the subheading Necessary Approvals, the following request is added:

- Pursuant to Los Angeles Municipal Code (“LAMC”) Section 12.37.I.3, a Waiver of Dedication and Improvement (“WDI”) to: (a) waive dedication and improvement requirements along Fairfax Avenue; and (b) waive dedication and improvement requirements along the westernmost 267’-3” segment of W. 3rd Street, as measured from Fairfax Avenue.

On Page I-32, revise Mitigation Measure MM-NOI-1 as follows:

MM-NOI-1 School Property Noise Barrier. A temporary 10-foot high sound blanket shall be installed on top of the existing concrete wall located along the southern property line adjacent to the Development Site prior to commencement of construction activities, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a

density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames shall be constructed in sections which allow overlapping between barrier panels when multiples are attached. Gaps between barrier units and between the bottom edge of barrier panels where they meet the top of the existing concrete wall shall be covered or sealed with material of no less 2 pounds per cubic foot (pcf) density. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

Page I-35. The following mitigation measure, identified on page IV.F-49 of the Draft EIR, was unintentionally mislabeled as MM-NOI-4 in the Executive Summary. It is restated here as follows:

MM-NOI-3: Setback Distance. Heavy machinery (excavators, dozers, cranes and drill rig) must work at least 70 feet from the exterior wall of the nearest occupied School Bungalow Buildings (Classrooms 21 and 28) while school is in session. Compliance with this measure shall be enforced through a written Construction Management Plan and shall be verified through written field notes documenting the location and date/time of heavy machinery relative to the Hancock Park Elementary School classroom schedule.

II. Project Description

Page II-46. Under the subsection 2, Discretionary Actions, b) Entitlement Requests, the following request is added:

- Pursuant to Los Angeles Municipal Code (“LAMC”) Section 12.37.I.3, a Waiver of Dedication and Improvement (“WDI”) to: (a) waive dedication and improvement requirements along Fairfax Avenue; and (b) waive dedication and improvement requirements along the westernmost 267’-3” segment of W. 3rd Street, as measured from Fairfax Avenue.

IV.A Air Quality

Page IV.A-61, Table IV.A-7, Estimated Peak Daily Regional Construction Emissions. The CalEEMod worksheets were updated and revised to address a CalEEMod software error when estimating the architectural coatings parking area, which changed the default value of 23,904 square feet to 22,872 square feet, and utilizes 24,000 square feet as a conservative estimate; and to utilize the default value of 114 vendor trips for the Building Construction phase, instead of 112 vendor trips as utilized in the Draft EIR. On Page IV.A-61, the following table has been updated:

**Table IV.A-7
Estimated Peak Daily Regional Construction Emissions**

Construction Year	Emissions (pounds per day) ^a					
	VOC ^b	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2021	5.55	98.41	42.35	0.25	9.57	4.41
2022	2.98	28.55	27.00	0.08	3.36	1.57
	<u>2.99</u>	<u>28.73</u>	<u>27.04</u>	<u>0.07</u>	<u>3.37</u>	
2023	35.45	24.65	26.24	0.08	3.22	1.44
	<u>35.51</u>	<u>24.79</u>	<u>26.28</u>	<u>0.07</u>	<u>3.24</u>	
Maximum Unmitigated Construction Emissions ^c	35.45 <u>35.51</u>	98.41	42.35	0.25	9.57	4.41
SCAQMD Daily Significance Thresholds	75	100	550	150	150	55
Over (Under)	(39.55) <u>(39.49)</u>	(1.59)	(507.65)	(149.75)	(140.43)	(50.59)
Exceed Threshold?	No	No	No	No	No	No
<i>Notes:</i>						
^a Calculations assume compliance with SCAQMD Rule 403 – Fugitive Dust and Rule 1113 – Architectural Coatings.						
^b As noted in the CalEEMod User Guide, both VOC and ROG are precursors to ozone so they are summed in the CalEEMod report under the header ROG. For the purposes of comparing the ROG value to a VOC significance threshold, the terms can be used interchangeably.						
^c The CalEEMod worksheets are provided in Appendix C to this EIR.						
Source: Parker Environmental Consultants, 2020 <u>2021</u> .						

IV.B Energy

The CalEEMod worksheets were updated and revised to utilize the default value of 114 vendor trips for the Building Construction phase, instead of 112 vendor trips utilized in the Draft EIR. On Page IV.B-23, under subheading (iii) Transportation Fuels, revise the following discussion:

Table IV.B-4, below, shows the total estimated electricity and transportation energy consumed during the entire construction phase. As shown, construction of the Proposed Project would consume a total of approximately 20,943 kWh of

electricity, and ~~485,815~~ 186,550 gallons of transportation fuel, including ~~132,033~~ 132,768 gallons of diesel and 53,782 gallons of gasoline.

**Table VI.B-4
Summary of Energy Usage During Construction**

Fuel Type	Quantity
Electricity	
Water Use	7,953 kWh
Temporary Office Trailer	12,990 kWh
Subtotal Electricity	20,943 kWh
Gasoline	
On-Road Vehicles (Workers Trips)	53,782 gallons
Diesel	
On Road Construction Equipment (Vendors/Deliveries)	41,148 gallons <u>41,883 gallons</u>
On Road Construction Equipment (Haul Trips)	38,760 gallons
Off-Road Construction Equipment	52,125 gallons
Subtotal Diesel	132,033 gallons <u>132,768 gallons</u>
Total Transportation Energy	485,815 gallons <u>186,550 gallons</u>
<i>Notes: kWh = kilowatt hour Source: Parker Environmental Consultants, 2020 2021; Calculations provided in Appendix D, Energy Conservation Worksheets, to this Draft EIR.</i>	

On Page IV.B-31, under subheading (c) Transportation Energy, revise the following discussion:

As shown in Table IV.B-4, above, the Proposed Project would consume approximately ~~485,815~~ 186,550 gallons of transportation fuel, including ~~132,033~~ 132,768 gallons of diesel and 53,782 gallons of gasoline during construction.

IV.C Greenhouse Gas Emissions

On Page IV.C-56, following the end of Table IV-6 under subheading (1)(b) Consistency with Consistency with 2016-2040 RTP/SCS, the following supplemental analysis addressing the Project's consistency with the goals, policies, and strategies of the 2020-2045 RTP/SCS is added for informational purposes:

Because the 2020-2045 RTP/SCS was adopted by SCAG subsequent to both circulation of the Notice of Preparation (NOP) for the Proposed Project on February 20, 2019, and approval by LADOT of the Transportation Assessment for the Project on March 26, 2020, this section and the balance of this Draft EIR provided detailed

analysis of Project consistency with the 2016-2040 RTP/SCS. For informational purposes, a supplemental consistency analysis with each of the goals and policies of the 2020-2045 RTP/SCS is provided in Table IV.C-7, below. The goals and policies of the 2020–2045 RTP/SCS are similar to, and consistent with, those of the 2016–2040 RTP/SCS. For example, the Proposed Project would be consistent with both the 2016–2040 RTP/SCS and the 2020–2045 RTP/SCS because it would increase urban density within a High Quality Transit Area (HQTA) located less than 0.5 miles from a planned Metro Purple light rail station and in close proximity to more than a dozen bus routes; would include transit-oriented development; and would implement TDM, all of which would reduce the City’s per capita VMT and associated air emissions. Another example is that because the Proposed Project would be consistent with the City’s existing General Plan land use designation and zoning of the Project Site, it has been accounted for in the regional growth projections in both the 2016–2040 RTP/SCS and 2020–2045 RTP/SCS. Therefore, because the Proposed Project would be consistent with the 2016–2040 RTP/SCS, the Proposed Project would also be consistent with the 2020–2045 RTP/SCS.

**Table IV.C-7
Project Consistency Analysis with Connect SoCal
(2020-2045 Regional Transportation Plan / Sustainable Community Strategy)**

Goals and Policies	Consistency Assessment
<u>Connect SoCal Goal 2 Improve mobility, accessibility, reliability, and travel safety for people and goods.</u>	<u>No Conflict. The Project Site is located in a highly urbanized area of the City, within a HQTA as defined by SCAG and Transit Priority Area (TPA), as defined by SB 743. The Proposed Project would develop 331 multi-family dwelling units and 83,994 square feet of commercial retail uses within close proximity to transit lines including Metro Rapid bus line 780; Metro local bus lines 14, 16, 17, 217, 218, and 316; and LADOT DASH Fairfax line. The mixed-use Proposed Project would provide residents and visitors with convenient access to services, community- serving retail, and public transit. The Proposed Project would provide opportunities for walking and biking between residential uses and commercial centers, such as The Original Farmer’s Market and the Grove, located at a node of commercial activity on an existing commercial corridor that serves a variety of people and goods in the Wilshire Community Plan area. The location of the Proposed Project encourages a variety of transportation options and access, and therefore would not conflict with this Goal.</u>
<u>Connect SoCal Goal 4 Increase person and goods movement and travel choices within the transportation system.</u>	<u>No Conflict. The Proposed Project would improve the public sidewalks adjacent to Project Site with landscaping and would include active ground floor commercial uses to enhance the pedestrian experience and promote walkability. The Proposed Project would not introduce new access or circulation features that could adversely impact travel safety to and from the</u>

**Table IV.C-7
Project Consistency Analysis with Connect SoCal
(2020-2045 Regional Transportation Plan / Sustainable Community Strategy)**

Goals and Policies	Consistency Assessment
	<p><u>Project Site. The Proposed Project is within a HQTAs, a TPA, and in close proximity to transit lines including Metro Rapid bus line 780; Metro local bus lines 14, 16, 17, 217, 218, and 316; and LADOT DASH Fairfax line to increase travel choices. In addition, the Proposed Project will provide 258 bicycle spaces to promote travel by bicycle. As such, the Proposed Project would not conflict with this Goal.</u></p>
<p><u>Connect SoCal Goal 5 Reduce greenhouse gas emissions and improve air quality.</u></p>	<p><u>No Conflict. As further discussed in Sections IV.B Energy and IV.C Greenhouse Gas Emissions, the Proposed Project would comply with all regulations and policies aimed at reducing energy and greenhouse gas emissions, reducing the reliance on fossil fuels, and promoting energy-efficiency standards and transportation. Additionally, as discussed in Section IV.A, Air Quality, of this Draft EIR, the Proposed Project would result in a less than significant impact to regional air quality standards during construction and operation. The Proposed Project would strictly adhere to regulatory measures during demolition and construction activities to protect nearby residents and land uses from air quality emissions that are beyond regulatory thresholds. In addition, from an operational perspective, the Proposed Project would place dwelling units and ground-floor commercial space in a HQTAs and TPA, thereby minimizing demands for vehicles and reducing regional vehicle miles traveled. The Proposed Project would thereby encourage walking from the new residential units to on-site and nearby, commercial uses. The Project Site's location near mass transit and proximity to services, retail stores, and employment opportunities promotes a pedestrian-friendly environment. The Proposed Project would improve the public sidewalks adjacent to the Project Site with landscaping on W. 3rd Street and S. Ogden Drive and would include ground floor commercial uses to enhance the pedestrian experience and promote walkability. In addition, the Proposed Project will provide 258 bicycle spaces to promote travel by bicycle. Thus, the Proposed Project would not conflict with this Goal.</u></p>
<p><u>Connect SoCal Goal 6 Support healthy and equitable communities.</u></p>	<p><u>No Conflict. The Proposed Project would place dwelling units and ground-floor commercial space in a HQTAs and TPA. The Project Site's location near mass transit and proximity to services, retail stores, and employment opportunities promotes a pedestrian-friendly environment. The location of the Proposed Project promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation. The Proposed Project would improve the public sidewalks adjacent to Project Site</u></p>

**Table IV.C-7
Project Consistency Analysis with Connect SoCal
(2020-2045 Regional Transportation Plan / Sustainable Community Strategy)**

Goals and Policies	Consistency Assessment
	<p><u>and would include active ground floor uses to enhance the pedestrian experience and promote walkability. In addition, the Proposed Project will provide 258 bicycle spaces to promote travel by bicycle. Thus, the Proposed Project would encourage active transportation and would support the development of healthy and equitable communities. Thus, the Proposed Project would not conflict with this Goal.</u></p>
<p><u>Connect SoCal Goal 7 Adapt to a changing climate and support an integrated regional development pattern and transportation network.</u></p>	<p>No Conflict. As stated above, the Project Site is located in a highly urbanized area within a HQTAs and a TPA. As discussed in Section IV.I, Transportation, extensive public bus service is provided within the Project area. Public bus transit service is currently provided by Metro and LADOT DASH. Based on the information provided in Table 4-1 in the Non-CEQA Traffic Impact Study (See Appendix H.2 to this Draft EIR), the Metro Rapid bus line 780, Metro local bus lines 14, 16, 17, 217, 218, and 316, and LADOT DASH Fairfax line collectively result in approximately 100 a.m. and 101 p.m. peak hour buses occurring within the immediate project vicinity of the Development Site available to residents, employees, and guests of the Proposed Project. The currently under-construction Metro Purple Line extension will also provide rail service in close proximity to the Project Site, with the closest stop located at the intersection of Fairfax Avenue and Wilshire Boulevard, approximately 0.5 mile south of the Project Site. The Proposed Project would provide residents and visitors with convenient access to public transit and opportunities for walking and biking. The Proposed Project would develop 331 new dwelling units and commercial uses near mass transit and in close proximity to services, retail stores, and employment opportunities. The location of the Proposed Project supports an integrated land use pattern that facilitates a variety of transportation options and access, and therefore would not conflict with this Goal.</p>
<p><u>Connect SoCal Goal 9 Encourage development of diverse housing types in areas that are supported by multiple transportation options.</u></p>	<p>No Conflict. The Proposed Project includes a mixed-use development, which would place 331 new housing units and 319 jobs (including retail and restaurant opportunities) on the Development Site and in close proximity to an existing retail shopping center and in close proximity to transit. The unit mix would include a range of housing types and would provide 70 studio units, 162 one-bedroom units, 66 two-bedroom units, and 33 three-bedroom units. This range of multi-family units will help meet the changing demand for units within walking distance of employment and patronage opportunities and transit options. The Proposed Project's units would contribute to a range of housing</p>

**Table IV.C-7
Project Consistency Analysis with Connect SoCal
(2020-2045 Regional Transportation Plan / Sustainable Community Strategy)**

Goals and Policies	Consistency Assessment
	<p><u>and include choices available to families or individuals in the Project area. As discussed above and in Section IV.I, Transportation, public bus transit service is currently provided by Metro and LADOT DASH. The Metro Rapid bus line 780, Metro local bus lines 14, 16, 17, 217, 218, and 316, and LADOT DASH Fairfax line collectively result in approximately 100 a.m. and 101 p.m. peak hour buses occurring within the immediate project vicinity available to residents, employees, and guests of the Proposed Project. The Metro Purple Line extension will also provide service in close proximity to the Project Site when the project is completed. As such, the Project would not conflict with this Goal.</u></p>
<p><u>Connect SoCal Guiding Principal 3 Assure that land use and growth strategies recognize local input, promote sustainable transportation options, and support equitable and adaptable communities.</u></p>	<p><u>No Conflict. The Proposed Project would develop 331 dwelling units and commercial/retail area within a HQTa and a TPA. The Project Site's location near mass transit and proximity to services, retail stores, and employment opportunities promotes a pedestrian-friendly environment. The location of the Proposed Project promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation and would support sustainable transportation options. The Proposed Project would also provide 258 bicycle on-site parking spaces. Additionally, 30 percent of the total number of vehicle parking spaces provided will be designated as electric vehicle parking spaces capable of supporting future electric vehicle supply equipment and 10 percent of the total number of vehicle parking spaces provided will be electric vehicle charging stations as required by the LAMC. The Proposed Project will encourage improved access and mobility by providing both residential and commercial uses on a single site. Thus, the Proposed Project would encourage sustainable land use and growth strategies and would not conflict with this Guiding Principle.</u></p>
<p><u>Connect SoCal Sustainable Communities Strategy 1 Focus Growth Near Destinations & Mobility Options</u></p>	<p><u>No Conflict. As stated above, the Project Site is located in a highly urbanized area within a HQTa and a TPA. As discussed in Section IV.I, Transportation, public bus transit service is currently provided by Metro and LADOT DASH. Based on the information provided in Table 4-1 in the Non-CEQA Traffic Impact Study (See Appendix H.2 to this Draft EIR), Metro Rapid bus line 780, Metro local bus lines 14, 16, 17, 217, 218, and 316, and LADOT DASH Fairfax line collectively result in approximately 100 a.m. and 101 p.m. peak hour buses occurring within the immediate project vicinity available to residents, employees, and guests of the Proposed Project. The currently under-construction Metro Purple Line extension will also provide service in close proximity to the Project Site in the future. The</u></p>

**Table IV.C-7
Project Consistency Analysis with Connect SoCal
(2020-2045 Regional Transportation Plan / Sustainable Community Strategy)**

Goals and Policies	Consistency Assessment
	<p><u>Proposed Project would provide residents and visitors with convenient access to public transit and opportunities for walking and biking. The Proposed Project would develop dwelling units and commercial uses near mass transit and in close proximity to services, retail stores, and employment opportunities. The location of the Proposed Project supports a land use pattern that focuses growth near destinations and mobility options, and therefore would not conflict with this Strategy.</u></p>
<p><u>Connect SoCal Sustainable Communities Strategy 2 Promote Diverse Housing Choices</u></p>	<p><u>No Conflict.</u> As stated previously, the Proposed Project would provide 331 multi-family units within a mixed-use development. The unit mix would include a range of housing types and would provide 70 studio units, 162 one-bedroom units, 66 two-bedroom units, and 33 three-bedroom units. This range of multi-family units will help meet the demand for units within walking distance of employment and patronage opportunities and transit options. The Proposed Project's units would contribute to a range of housing and include choices available to families or individuals in the Project area. Thus, the Project would not conflict with this Strategy.</p>
<p><u>Source: Southern California Association of Governments, Connect SoCal (2020-2045 RTP/SCS), September 2020.</u></p>	

The CalEEMod worksheets were updated and revised to address a CalEEMod software error when estimating the architectural coatings parking area, which changed the default value of 23,904 square feet to 22,872 square feet. The updated CalEEMod worksheets were corrected to utilize 24,000 square feet as a conservative estimate; and to utilize the default value of 114 vendor trips for the Building Construction phase, instead of 112 vendor trips as utilized in the Draft EIR. On Page IV.C-58, under subheading (2) (a) Construction Emissions, revise the following discussion:

As shown in Table IV.C-7, below, the total amount of construction-related GHG emissions from Project construction is approximately ~~2,670~~ 2,683 MTCO_{2e}. As discussed under the Methodology subsection above, the total construction emissions are amortized over 30 years and are incorporated into the proposed Project's annualized operational emissions. Thus the ~~2,670~~ 2,683 MTCO_{2e} of construction emissions equates to ~~89~~ 90 MTCO_{2e} per year during the life of the Project.

**Table IV.C-7
Proposed Project Construction-Related GHG Emissions**

Year	CO ₂ e Emissions (Metric Tons per Year)
2021	1,288 <u>1,291</u>
2022	893 <u>900</u>
2023	489 <u>492</u>
Total Construction GHG Emissions:	2,670 <u>2,683</u>
Amortized Construction Emissions (30-years)	89 <u>90</u>
<i>Source: CalEEMod Version 2016.3.2., Parker Environmental Consultants, 2020-2021. Calculation data and results are provided in Appendix E, Greenhouse Gas Emissions Calculations Worksheets.</i>	

On Page IV.C-59, under subheading (2) (b) Operational Emissions, revise the following discussion:

As shown in Table IV.C-8, below, the Proposed Project’s annual net generation of GHG emissions is estimated to be 3,384 3,385 MTCO₂e per year.

**Table IV.C-8
Annual Operational Greenhouse Gas Emissions**

Emissions Source	Project Generated CO ₂ e Emissions (Metric Tons per Year)	Project-Generated CO ₂ e Emissions with GHG Reduction Measures (Metric Tons per Year)	Percent Reduction
Area	112	6	95
Energy	3,967	3,158	20
Mobile (Motor Vehicles)	11,056	7,146	35
Stationary	9	9	0
Waste	307	77	75
Water	371	297	20
Construction Emissions ^a	89	89 <u>90</u>	0
Subtotal:	15,911	10,782 <u>10,783</u>	32
<i>Less Existing</i>	<i>-7,398</i>	<i>-7,398</i>	
Project NET TOTAL:	8,513	3,384 <u>3,385</u>	60

Notes:

^a The total construction GHG emissions were amortized over 30 years and added to the operation of the Proposed Project.

^b The Proposed Project’s CalEEMod worksheets were based on the default 2016 Title 24 Energy Use Standards. Therefore the Proposed Project’s Energy Use emissions were reduced by 20% to account for compliance with the 2019 Title 24 Energy Conservation Standards.

Source: CalEEMod Version 2016.3.2. Calculation data and results provided in Appendix E, Greenhouse Gas Emissions Calculations Worksheets, Parker Environmental Consultants, 2020-2021.

IV.E Land Use and Planning

On Page IV.E-2, under subheading (a) Southern California Association of Governments (SCAG), the first full paragraph discussing the 2020-2045 RTP/SCS is amended as follows:

On September 1, 2020, SCAG's Regional Council adopted an updated Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) known as the 2020–2045 RTP/SCS or Connect SoCal. As with the 2016–2020 RTP/SCS, the purpose of the 2020–2045 RTP/SCS is to meet the mobility needs of the six-county SCAG region over the subject planning period through a roadmap identifying sensible ways to expand transportation options, improve air quality and bolster Southern California long-term economic viability.¹ The goals and policies of the 2020–2045 RTP/SCS are similar to, and consistent with, those of the 2016–2040 RTP/SCS. Hence, because the Proposed Project would be consistent with the 2016–2040 RTP/SCS as discussed later in this section, the Proposed Project would also be consistent with the 2020–2045 RTP/SCS.² Because the 2020–2045 RTP/SCS was adopted by SCAG subsequent to both circulation of the Notice of Preparation (NOP) for the Project on February 20, 2019 and approval by LADOT of the Transportation Assessment for the Project on March 26, 2020, this section and the balance of this Draft EIR provided detailed analysis of Project consistency with the 2016–2040 RTP/SCS. For informational purposes, a supplemental consistency analysis with each of the goals and policies of the 2020-2045 RTP/SCS is provided as Table 7 of Appendix M and discussed in more detail below.

Based on the regional growth projections in the 2016-2040 RTP/SCS, in 2012, the City had an estimated permanent population of approximately 3,845,500 persons, approximately 1,325,500 residences, and 1,696,400 jobs.³ By the year 2040, SCAG forecasts that the City will increase to 4,609,400 persons (an approximate 20 percent increase from 2012) with approximately 1,690,300 residences (an

¹ SCAG, News Release: *SCAG Regional Council Formally Adopts Connect SoCal*, September 3, 2020.

² For example, the Proposed Project would be consistent with both the 2016–2040 RTP/SCS and the 2020–2045 RTP/SCS because it would increase urban density within an High Quality Transit Area (HQTA) located less than 0.5 miles from a planned Metro Purple light rail station and in close proximity to more than a dozen bus routes, would include transit-oriented development, and would implement TDM, all of which would reduce the City's per capita VMT and associated air emissions. Another example is that because the Proposed Project would be consistent with the City's existing General Plan land use designation and zoning of the Project Site, it has been accounted for in the regional growth projections in both the 2016–2040 RTP/SCS and 2020–2045 RTP/SCS.

³ Southern California Association of Government, 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast Appendix, adopted April 2016.

approximate 28 percent increase from 2012) and approximately 2,169,100 jobs (an approximate 28 percent increase from 2012).⁴

Furthermore, based on the regional growth projections in the 2020-2045 RTP/SCS, in 2016, the City had an estimated permanent population of approximately 3,933,800 persons, approximately 1,367,000 residences, and 1,848,300 jobs.⁵ By the year 2045, SCAG forecasts that the City will increase to 4,771,300 persons (an approximate 21 percent increase from 2016) with approximately 1,793,000 residences (an approximate 31 percent increase from 2016) and approximately 2,135,900 jobs (an approximate 16 percent increase from 2016).⁶

On Page IV.E-21, after subheading (1)(a) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS), the following consistency analysis shall be added to address the applicable goals, objectives, and policies of the 2020-2045 RTP/SCS Connect SoCal Plan:

(b) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS)

For informational purposes, a supplemental analysis determining the Proposed Project's consistency with the applicable goals, objectives, and policies of the 2020-2045 RTP/SCS is also provided below. SCAG's 2020-2045 RTP/SCS, which is also known as the "Connect SoCal Plan," is based on regional growth forecasts and strategies for accommodating future growth. With respect to assessing the Project's consistency with regional growth forecasts, SCAG's 2020-2045 RTP/SCS estimates the City of Los Angeles Subregion will experience a population increase to 4.77 million persons by 2045. As further discussed in Section IV.G, Population and Housing, SCAG's population projections for the City and the SCAG region from 2016 through 2045 envisions a population growth of 837,500 additional persons (an approximate 21% growth rate) in the City of Los Angeles and 3,672,000 additional persons (an approximate 19% growth rate) in the entire SCAG Region. The number of households within the City of Los Angeles is anticipated to increase by 426,000 households, or approximately 31% between 2016 and 2045. The number of households within the SCAG Region is anticipated to increase by 1,621,000 households, or approximately 27% between 2016 and

⁴ Ibid.

⁵ Southern California Association of Government, 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy, Demographics and Growth Forecast Appendix, Table 13 – County Forecast of Population, Households, and Employment and Table 14 – Jurisdiction-Level Growth Forecast, adopted September 3, 2020.

⁶ Ibid.

2045. The number of employment opportunities is anticipated to increase by 287,600 jobs (approximately 16%) in the City of Los Angeles between 2016 and 2045, and the SCAG Region is anticipated to increase by 1,660,000 jobs (approximately 20%) between 2016 and 2045.

The Proposed Project would result in the development of 331 additional multi-family residential units accommodating approximately 801 permanent residents in the City. Additionally, the Proposed Project's commercial/retail spaces would result in 319 new employees.⁷ As further discussed in Section IV.G, Population and Housing, the additional 331 housing units with 801 residents generated by the Proposed Project would be consistent with the growth forecasts for the City and the SCAG region. ***As such, the Proposed Project would be consistent with the population and growth projections of SCAG's 2020-2045 RTP/SCS, and a less than significant impact would occur.***

With respect to land use plan consistency, SCAG's 2020-2045 RTP/SCS identifies several goals and policies for accommodating the anticipated growth in a manner that would reduce or avoid environmental impacts. The Proposed Project's general consistency with the applicable objectives and policies that support the goals set forth in the 2020-2045 RTP/SCS is discussed in detail in Table 7 of Appendix FEIR-6 to this Final EIR. Provided below is a general discussion of whether the Proposed Project would conflict with any applicable goals, objectives, and policies of the 2020-2045 RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect.

The Proposed Project would be generally consistent with applicable goals of the 2020-2045 RTP/SCS. The Proposed Project would redevelop an infill site with a new mixed-use development providing new housing, employment and dining/retail uses. The Proposed Project would provide pedestrian scale development with ground floor retail near the Wilshire Commercial Corridor, located south of the Project Site. The Proposed Project would be consistent with the 2020-2045 RTP/SCS to focus growth in centers along major transportation corridors, create new, walkable mixed-use developments, provide new housing opportunities, and provide new employment opportunities within walking distance of major transit stops and intersections along W. 3rd Street and S. Fairfax Avenue. Moreover, the Proposed Project would be generally consistent with the 2020-2045 goals to improve mobility, accessibility, reliability, and travel safety for people and goods, encourage development of diverse housing types in areas that are supported by

⁷ *The Proposed Project's estimated resident population and employment projections are based on the data provided in the City of Los Angeles VMT Calculator output sheets provided in Appendix H.1 to this Draft EIR.*

multiple transportation options, and to focus growth near destinations and mobility options. **Therefore, the Proposed Project would not conflict with the applicable goals, objectives, and policies of the 2020-2045 RTP/SCS.**

In Appendix M - Land Use Consistency Tables of the Draft EIR, Table IV.C-7, above, shall be added as Table 7 in Appendix M to reflect consistency with the 2020-2045 RTP/SCS.

IV.F Noise

On Page IV.F-43, revise Mitigation Measure MM-NOI-1 as follows:

MM-NOI-1 School Property Noise Barrier. A temporary 10-foot high sound blanket shall be installed on top of the existing concrete wall located along the southern property line adjacent to the Development Site prior to commencement of construction activities, as shown in Figure IV.F-4, Proposed Construction Noise Barrier Diagram. The sound blanket can be any solid material with a density no less than 2 lb. per square foot. Materials meeting this requirement include 3/4-inch thick wood, 3/4-inch outdoor plywood, and 16-gauge steel sheet. Support frames shall be constructed in sections which allow overlapping between barrier panels when multiples are attached. Gaps between barrier units and between the bottom edge of barrier panels where they meet the top of the existing concrete wall shall be covered or sealed with material of no less 2 pounds per cubic foot (pcf) density. These barriers shall be capable of achieving a minimal Sound Transmission Class (STC) rating of 32. Use of equivalent noise barrier systems shall be reviewed and approved by the acoustical engineer verifying the required level of noise attenuation. Barrier design and construction shall be approved by a structural engineer. The design details and materials for the movable noise barriers and supports shall be prepared for approval and stamped by a Professional Engineer licensed in the state of California and submitted to the Department of City Planning prior to issuance of the first demolition or building permit.

Page IV.F-46, Figure IV.F-4 Proposed Construction Nose Barrier Diagram. Replace Figure IV.F-4 Proposed Construction Nose Barrier Diagram, with the revised graphic as depicted in the revised Figure IV.F-4, below. This revision depicts a 10 foot CMU wall along the full extent of the southern property line of the Project Site and a 10 foot temporary barrier on top of the CMU wall solely for the areas that are directly adjacent to the Development Site.



Figure IV.F-4 Proposed Construction Nose Barrier Diagram (Revised)

IV.G Population and Housing

The following additions shall be incorporated into Section IV.G, Population and Housing, to incorporate additional analysis regarding SCAG's 2020-2045 RTP/SCS.

On Page IV.G-3, under subheading (a) Southern California Association of Governments (SCAG), the following changes shall be incorporated to the discussion pertaining to the 2020-2045 RTP/SCS:

The goals and policies of the 2020–2045 RTP/SCS are similar to, and consistent with, those of the 2016–2040 RTP/SCS. Hence, because the Proposed Project would be consistent with the 2016–2040 RTP/SCS as discussed later in this section, the Proposed Project would also be consistent with the 2020–2045 RTP/SCS. Because the 2020–2045 RTP/SCS was adopted by SCAG subsequent to both circulation of the Notice of Preparation (NOP) for the Project on February 20, 2019 and approval by LADOT of the Transportation Assessment for the Project on March 26, 2020, this section and the balance of this Draft EIR provided detailed analysis of Project consistency with the 2016–2040 RTP/SCS. For informational purposes, a consistency analysis with the 2020-2045 RTP/SCS has been provided in the Final EIR to address the Project's consistency with the 2020-2045 RTP/SCS.

On Page IV.G-6, after subheading (i) 2016-2040 RTP/SCS, the following additional information is incorporated into the Final EIR for informational purposes to address the applicable goals, objectives, and policies of the 2020-2045 RTP/SCS Connect SoCal Plan:

(ii) 2020-2045 RTP/SCS

In September 2020, SCAG's Regional Council adopted Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments. The RTP/SCS is the culmination of a multi-year effort involving stakeholders from across the SCAG Region. Connect SoCal builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. On October 30, 2020, CARB accepted SCAG's quantification of GHG emission reductions from Connect SoCal and determined that Connect SoCal would, if implemented, achieve the 2035 GHG emission reduction targets established by CARB.⁸

Connect SoCal charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning

⁸ CARB Executive Order No. G-20-239.

strategies and between the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Within the Connect SoCal Plan, the 2020 SCS would, when implemented, meet the applicable 2035 GHG emissions reduction target for automobiles and light trucks as established by CARB in 2018, specifically, a 19 percent per capita reduction by 2035 relative to 2005 levels. CARB staff's determination summarizes its assessment, findings, and recommendations relating to the determination on the 2035 target. The Connect SoCal plan lays out a strategy for the region to meet these targets.

As part of the State's mandate to reduce per-capita GHG emissions from automobiles and light trucks, Connect SoCal presents strategies and tools that are consistent with local jurisdictions' land use policies and incorporate best practices for achieving the state-mandated reductions in GHG emissions at the regional level through reduced per-capita vehicle miles traveled (VMT). These strategies identify how SCAG region can implement Connect SoCal and achieve related GHG reductions. The following strategies are intended to be supportive of implementing the regional SCS:

- 1) focus growth near destinations and mobility options;
- 2) promote diverse housing options;
- 3) leverage technology innovations;
- 4) support implementation of sustainability policies; and
- 5) promote a green region.

SCAG's 2020-2045 RTP/SCS estimates the City will increase to 4,771,300 persons and approximately 1,793,000 residences by 2045. Employment within the City is expected to grow to 2,135,900 jobs by 2045. Furthermore, the population, households, and employment growth projections for the Project baseline year (2019) and Project buildout year (2023) are analyzed in this section. The growth projections for year 2019 and year 2023 were estimated by calculating the annual linear growth rate from SCAG's 2016 and 2045 planning period and utilizing that rate to estimate the population, housing, and employment projections for the year 2019 and 2023, respectively. SCAG's population, housing, and employment projections for the City, Los Angeles County, and the SCAG region as a whole for 2019 and 2023 are further summarized in Table IV.G-2, below.

Table IV.G-2
SCAG's 2020-2045 RTP/SCS Population and Housing Projections for the
City of Los Angeles, Los Angeles County and the SCAG Region

Population			
	2019	2023	%Growth (2019-2023)
<u>Los Angeles City</u>	<u>4,020,438</u>	<u>4,135,955</u>	<u>2.87%</u>
<u>Los Angeles County</u>	<u>10,271,793</u>	<u>10,487,517</u>	<u>2.10%</u>
<u>SCAG Region</u>	<u>19,211,862</u>	<u>19,718,345</u>	<u>2.64%</u>
Households			
	2019	2023	%Growth (2019-2023)
<u>Los Angeles City</u>	<u>1,411,069</u>	<u>1,469,828</u>	<u>4.16%</u>
<u>Los Angeles County</u>	<u>3,401,759</u>	<u>3,512,103</u>	<u>3.24%</u>
<u>SCAG Region</u>	<u>6,179,690</u>	<u>6,403,276</u>	<u>3.62%</u>
Employment			
	2019	2023	%Growth (2019-2023)
<u>Los Angeles City</u>	<u>1,878,052</u>	<u>1,917,721</u>	<u>2.11%</u>
<u>Los Angeles County</u>	<u>4,809,103</u>	<u>4,897,241</u>	<u>1.83%</u>
<u>SCAG Region</u>	<u>8,560,724</u>	<u>8,789,690</u>	<u>2.67%</u>
<i>Source: Southern California Association of Government, 2020-2045 RTP/SCS, Demographics and Growth Forecast Appendix, adopted September 2020. The estimated projections for 2019 and 2023 were estimated by calculating the linear growth rate per year from 2016 to 2045 projections in the 2020-2045 RTP/SCS and utilizing that rate to estimate the population, housing, and employment projections for the designated years above.⁹</i>			

On Page IV.G-12, after subheading (a) 2016-2040 RTP/SCS Growth Estimates, the following additional information shall be incorporated to reflect the 2020-2045 RTP/SCS Plan:

(b) 2020-2045 RTP/SCS Growth Estimates

Based on the regional growth projections in the 2020-2045 RTP/SCS, in 2016, the City had an estimated permanent population of approximately 3,933,800 persons and approximately 1,367,000 residences in 2016. By the year 2045, SCAG forecasts that the City will increase to 4,771,300 persons (or a 21% increase since the year 2016) and approximately 1,793,000 residences (or a 31% increase since the year 2016). Employment within the City is expected to grow by 287,600 jobs, which is an approximate 16 percent increase in employment between 2016 and

⁹ The linear growth rate was calculated by taking the difference in population, housing, or employment from 2016 and 2045 to calculate a linear growth rate (slope) per year (i.e. persons/year). Then applying that slope to calculate the estimated population, housing, or employment for the years 2019 and 2023. For example, SCAG estimates the City of Los Angeles population to be 3,933,800 persons in 2016 and 4,771,300 persons in 2045, resulting in 837,500 additional persons in a 29-year period. The annual growth rate results in approximately 28,879 persons per year.

2045.¹⁰ Furthermore, the population, households, and employment growth projections for the Project baseline year (2019) and Project buildout year (2023) are analyzed in this section. The growth projections for year 2019 and year 2023 were estimated by calculating the annual linear growth rate from SCAG's 2016 and 2045 planning period and utilizing that rate to estimate the population, housing, and employment projections for the year 2019 and 2023, respectively. SCAG's population, housing, and employment projections for the City of Los Angeles, Los Angeles County, and the SCAG region as a whole for 2019 and 2023 are further summarized in Table IV.G-2, above.

On Page IV.G-17, under subheading (2) Operation, (a) *Population*, the following additional information shall be incorporated to provide the Proposed Project's consistency with the 2020-2045 RTP/SCS Plan:

For informational purposes, the Proposed Project's consistency with the population growth projections of the 2020-2045 RTP/SCS is also provided below. Based on the estimated growth rate projections calculated from the SCAG's 2020-2045 RTP/SCS, it is estimated that the City's population in 2019 is 4,020,438 persons. The Citywide population is estimated to increase to 4,135,955 persons by 2023, as shown in Table IV.G-2 above, with an approximate 115,517 additional persons compared to the estimated population in 2019. The Proposed Project's estimated 801 future residents represent approximately 0.69 percent of the total population growth anticipated to occur within the City between 2019 and 2023. In addition, the 801 new residents (which is less than one percent of planned growth) that would be generated by the Proposed Project is considered planned growth because it is well within SCAG's population growth projections for the City. Also, the Project Site is currently zoned to permit residential and commercial development, among a variety of other uses that are permissible uses. Therefore, the Proposed Project's residential population is well within the projected growth anticipated for the Project Site and the City's growth patterns. Thus, this growth is planned and would not represent unplanned or substantial growth beyond that otherwise forecasted for the region. Therefore, the Proposed Project's population growth is accounted for in SCAG's 2020-2045 RTP/SCS for the Citywide and regional population projections. ***The Proposed Project would result in a less-than-significant impact related to population growth in the City, when compared to SCAG's 2020-2045 RTP/SCS growth projections.***

¹⁰ Southern California Association of Government, 2020-2045 RTP/SCS, Demographics and Growth Forecast Appendix, adopted September 2020.

On Page IV.G-18, under subheading (2) Operation, (b) *Housing*, the following additional information shall be incorporated to provide the Proposed Project's consistency with the 2020-2045 RTP/SCS:

For informational purposes, the Proposed Project's consistency with the housing growth projections of the 2020-2045 RTP/SCS is also provided below. As shown in Table IV.G-2, estimates extrapolated from SCAG data project the Citywide housing supply to increase by 58,759 units between 2019 and 2023. The 331 housing units proposed would be within the growth anticipated based on SCAG projections, representing approximately 0.56 percent of the Citywide total housing growth for the period of 2019 to 2023. Therefore, the Proposed Project would be within SCAG's 2020-2045 citywide projections for housing unit growth. The Proposed Project would therefore be considered planned growth that does not exceed the housing growth estimates for 2023 for the City. Furthermore, as discussed below, the Project would be consistent with the growth pattern envisioned in local and regional plans, within an infill location that has existing zoning and land use designations that accommodate the proposed housing stock. ***As such, impacts related to housing growth would be less than significant, when compared to SCAG's 2020-2045 RTP/SCS growth projections.***

On Page IV.G-19, under subheading (2) Operation, (d) *Employment*, the following additional information shall be incorporated to provide the Proposed Project's consistency with the 2020-2045 RTP/SCS:

For informational purposes, the Proposed Project's consistency with the employment growth projections of the 2020-2045 RTP/SCS is also provided below. As shown in Table IV.G-2, it is estimated that the City's employment would increase to 1,917,721 total jobs by 2023. This would result in approximately 39,669 additional jobs compared to the estimated employment in 2019. The overall net change in the number of employees on the Project Site would increase by five employees. Thus, the Proposed Project would not induce substantial unplanned population growth in an area either directly or indirectly during its operation. ***Therefore, the Proposed Project's impacts to employment growth would be less than significant, when compared to SCAG's 2020-2045 RTP/SCS.***

IV.I Transportation

Page IV.I-30, subheading (b) *Los Angeles Municipal Code*, revise the discussion under S. Fairfax Avenue as follows:

S. Fairfax Avenue (Avenue II): S. Fairfax Avenue adjoins the Project Site to the west. S. Fairfax Avenue has a total designated right-of-way width standard of 86 feet (43 foot half width) and a designated roadway width of 56 feet (requiring a 28 foot half-width roadway from the centerline) with a 15 foot sidewalk. South Fairfax Avenue currently has a half width of 30 feet on the east side where it fronts the Project Site with sidewalk width that ranges from five to 10 feet. Thus, a dedication of 13 feet would be required to conform to the applicable roadway standards. However, S. Fairfax Avenue is not within the proposed Development Site and no improvements or new buildings are proposed along S. Fairfax Avenue. Furthermore, the existing Whole Foods building and Citi Bank building, which are proposed to remain in place, would preclude any dedications or street widenings in this area. Because no development would occur along S. Fairfax Avenue, and the Development Site is not adjacent to it, no dedications along this frontage are needed or required. Due to the fact that S. Fairfax Avenue technically borders the Project Site along its western property line, the Applicant has requested a Waiver of Dedications and Improvement (WDI) from the Planning Director pursuant to LAMC Section 12.37.1.

Page IV.I-52, under e) Cumulative Impacts, subheading (1) Impact Analysis, revise the discussion as follows:

With regard to threshold b), cumulative VMT impacts are determined through a consistency check with SCAG's 2016–2040 RTP/SCS. The 2016–2040 RTP/SCS is the regional plan that demonstrates compliance with air quality conformity requirements and greenhouse gas emissions reduction targets. As such, projects that are consistent with the 2016–2040 RTP/SCS in terms of development location, density, and intensity, are part of the regional solution for meeting air pollution and GHG goals. Projects that are deemed to be consistent would have a less than significant cumulative impact on VMT. As discussed in further detail in Section IV.E Land Use, the Proposed Project is consistent with the regional growth projections of the 2016–2040 RTP/SCS. Also, as shown in the supplemental analysis that has been added to Section IV.E, Land Use, the Project is also consistent with the applicable goals, policies, and regional growth strategies of the 2020–2045 RTP/SCS. Additionally, the Proposed Project is a compact infill development, which is the type of project encouraged by the 2016–2040 RTP/SCS and 2020–2045 RTP/SCS, and transportation planning in accordance with Senate Bill (SB)

375. Furthermore, as described above, the Proposed Project would result in an average household VMT per capita of 5.8 and is not expected to generate work VMT, which is below the thresholds for the Central APC (6.0 and 7.6, respectively). Thus, since the Proposed Project is consistent with the 2016–2040 RTP/SCS and the 2016–2040 RTP/SCS, cumulative VMT impacts would be less than significant, and the Project’s contribution to cumulative impacts would not be cumulatively considerable.

Appendix F Noise

The technical memorandum from Veneklasen Associates, dated April 27, 2021, is provided as Appendix FEIR-2 to this Final EIR. This technical memorandum addresses the technical correction to Figure 4 Location Map of Noise Barriers on page 13 of the Construction Noise and Vibration Technical Report, prepared by Veneklasen Associates, 3rd and Fairfax, Los Angeles, CA, VA Project No. 4824-019, October 9, 2020 (as shown in Appendix F, Noise to the Draft EIR) is incorporated as an addendum to Appendix F.1 in the Draft EIR.

The above changes to the construction noise barrier are necessary as a technical correction to properly depict the location of the temporary noise barrier atop the CMU wall for the portion of the wall that is fronting the Development Site. As noted in the memorandum from Veneklasen Associates, dated April 27, 2021 (incorporated as an addendum to Appendix F.1, Noise), the barrier location as depicted in this revised exhibit was the basis for the technical calculations presented in the Construction Noise and Vibration Technical Report and thus no further technical corrections are warranted.

Appendix C.1 Air Quality Modeling Worksheets

The CalEEMod Air Quality Modeling Worksheets for the Proposed Project – Summer and Winter conditions have been revised to update the total surface area of painted surface area within the parking structure (changed from 22,872 square feet to 24,000 square feet) and the estimate of vendor trips during the building construction phase (from 112 trips to 114 trips). The revised CalEEMod worksheets are provided in Appendix FEIR-3 to this Final EIR.

Appendix E Greenhouse Gas Emissions Modeling Worksheets

Appendix FEIR-4 Revised CalEEMod GHG Modeling Worksheets for the Proposed Project-2023 With Mitigation – Annual

The CalEEMod Greenhouse Gas Emissions Modeling Worksheets for the Proposed Project – 2023 Annual conditions have been revised to update the total surface area of painted surface area within the parking structure (changed from 22,872 square feet to 24,000 square feet) and the estimate of vendor trips during the building construction phase (from 112 trips to 114 trips). The revised CalEEMod GHG worksheets are provided in Appendix FEIR-4 to this Final EIR.

Appendix D Energy Demand Calculation Worksheets

Appendix FEIR-5 Revised Construction Worker, Vendor, and Hauling Gasoline and Diesel Consumption

The CalEEMod Worksheets for the Proposed Project have been revised to update the estimate of vendor trips during the building construction phase (from 112 trips to 114 trips). The revised worksheet calculating energy demand from vendor trips during construction is provided in Appendix FEIR-5 to this Final EIR.

Appendix M Land Use Consistency Tables

Appendix FEIR-6 Land Use Consistency Tables

Table 7, Project Consistency Analysis with Connect SoCal (2020-2045 Regional Transportation Plan / Sustainable Community Strategy), has been added to Appendix M - Land Use Consistency Tables in the Draft EIR. The entirety of the revised Appendix M-Land Use Consistency Tables with the addition of Table 7 is provided as FEIR-6 to this Final EIR.

B. 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 additions and corrections presented in this Final EIR reflect a correction to a minor omission from the Executive Summary; revised air quality, energy, and greenhouse gas emissions worksheets to address minor CalEEMod software errors; a technical correction to the Proposed Construction Noise Barrier Diagram; and the addition of a discretionary request for a Waiver of Dedication and Improvement for the street frontage along S. Fairfax Avenue. The additional discretionary request would not change the scope of the street improvements and assumptions analyzed in the Draft EIR. Further, a detailed analysis of the Proposed Project’s consistency with the updated 2020-2045 RTP/SCS are included in this Final EIR to supplement the analysis with the 2016-2040 provided in the Draft EIR. These additions and corrections would not result in new significant impacts or increase the severity of environmental impacts previously disclosed in the Draft EIR.

Therefore, the additions and corrections contained in this section and the information contained in Section II, Responses to Comments, of this Final EIR, clarify, amplify, or make insignificant changes to the Draft EIR. In addition, Section II, Responses to

Comments, of this Final EIR, fully considers and responds to all written comments received on the Draft EIR. As demonstrated therein, the Proposed Project would not result in any significant impacts that are not disclosed in the Draft EIR and none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR. Rather, the additions and corrections to the Draft EIR provide minor revisions, and augment the analysis of the Draft EIR and would not result in new significant environmental impacts. Thus, none of the conditions in CEQA Guidelines Section 15088.5 are met and recirculation of the Draft EIR is not required.