

Decision 10-04-036 April 22, 2010

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Exposition Metro Line Construction Authority for an order authorizing the construction of a two-track at-grade crossing for the Exposition Boulevard Corridor Light Rail Transit Line across Jefferson Boulevard, Adams Boulevard, and 23rd Street, all three crossings located along Flower Street in the City of Los Angeles, County of Los Angeles, California.

Application 06-12-005
(Filed December 6, 2006)

And Related Matters.

Application 06-12-020
Application 07-01-004
Application 07-01-017
Application 07-01-044
Application 07-02-007
Application 07-02-017
Application 07-03-004
Application 07-05-012
Application 07-05-013

**INTERIM DECISION CERTIFYING ADDENDUM TO
FINAL ENVIRONMENTAL IMPACT STATEMENT/FINAL
ENVIRONMENTAL IMPACT REPORT**

1. Summary

In this decision, we consider the Addendum to the Final Environmental Impact Statement/Final Environmental Impact Report as the environmental impact report for the construction of a light-rail transit station at the intersection of Farmdale Avenue and Exposition Boulevard. By taking this action, the

Addendum is certified for use by the Commission and responsible agencies in considering subsequent approvals for the project, or for portions thereof.

This decision considers only the certification of the Addendum and does not determine whether any proposed crossing should be authorized.

Certification of the Addendum does not prejudice the Commission's final selection of the project or alternative.

2. Background

In Interim Decision (D.) 07-12-029, the Commission authorized the construction of 36 of the 38 crossings proposed by the applicant. On February 20, 2009, the Commission addressed the two remaining crossings in D.09-02-031 and found that it is practicable to construct a grade-separated pedestrian crossing at Farmdale Avenue on the Exposition Boulevard Corridor Light Rail Transit Line, in Los Angeles County.¹ That decision also authorized the applicant, Exposition Metro Line Construction Authority (Expo) to file amendments or a new application consistent with the February decision for the Farmdale crossing.

On July 29, 2009, Expo filed and served its amendment to Application 07-05-013. In its amended application, Expo Authority offered four alternatives to its original at-grade crossing at Farmdale Avenue for both vehicles and pedestrians:

- A. Grade-separated pedestrian overcrossing with Farmdale Avenue closed to vehicular traffic.
- B. At-grade pedestrian and vehicular crossing, subject to a permanent "Stop and Proceed" order for all light rail vehicles.

¹ Susan Miller Dorsey (Dorsey) High School is adjacent to the proposed Farmdale Avenue crossing.

- C. At-grade pedestrian and vehicular crossing with a station including platforms east and west of Farmdale Avenue which would require all light rail vehicles to come to a full stop at the crossing.
- D. Alternative B as a temporary measure pending construction of station as described in Alternative C.

Protests were filed by the Unified Community Association, jointly with Neighbors for Smart Rail, and the Los Angeles Unified School District.

On September 30, 2009, the assigned Administrative Law Judge (ALJ) convened a prehearing conference. The parties requested an opportunity to enter into settlement negotiations, and subsequently reported to the ALJ that such discussions had been fruitful, with a final agreement anticipated in early 2010.

On December 21, 2009, the assigned Commissioner issued an Amended Scoping Memo which addressed the ongoing procedural schedule and scope related to the Farmdale crossing. The ruling set a flexible procedural schedule to accommodate on-going settlement negotiations, but set a hearing date for May 3, 2010, if no settlement agreement had been filed by that date. In the scoping ruling, the Commissioner reiterated the Commission's intention stated in D.09-02-031 that if the additional environmental review needed for Expo's alternatives consists of a supplement or an addendum to the existing Environmental Impact Report (EIR), then the Commission will act in lead role in reviewing the supplement or addendum. The Commission also stated that it would not take a lead role if the review includes a new EIR.

On January 22, 2010, Expo moved for an interim decision addressing compliance with environmental review requirements. Expo stated that it had submitted the following six reports to the Commission's environmental review team:

Title	Author	Date	Formal Proceeding Exhibit Number
Air Quality Assessment Memorandum for the Improvements at Farmdale Avenue and Exposition Boulevard	ICF Jones and Stokes	January 2010	Expo-28
Historical Resources Technical Report for the Improvements at Farmdale Avenue and Exposition Boulevard	ICF Jones and Stokes	January 2010	Expo-29
Noise and Vibration Impact Report for the Improvements at Farmdale Avenue and Exposition Boulevard	ATS Consulting	January 2010	Expo-30
Traffic and Parking Assessment for the Exposition Boulevard at Farmdale Avenue Station	Fehr and Peers Transportation Consultants	January 2010	Expo-31
Visual Impact Assessment Memorandum for the Improvements at Farmdale Avenue and Exposition Boulevard	ICF Jones and Stokes	January 2010	Expo-32
CEQA Initial Study of the Improvements at Farmdale Avenue and Exposition Boulevard	ICF Jones and Stokes	January 2010	Expo-33

The six documents will be numbered as exhibits Expo-28 through Expo-33 in this proceeding and received into the formal record.

Based on the reports submitted by the applicant and listed above, the Commission staff prepared their Addendum to the Final Environmental Impact Report, certified by the Los Angeles County Metropolitan Transportation

Authority in 2005. The Addendum is Attachment A to today's decision and includes a Technical Memorandum from the staff's consultant, Environmental Science Associates, dated February 4, 2010.

The Addendum considers a proposed project consisting of construction of a passenger station at the intersection of Farmdale Avenue and Exposition Boulevard, with Farmdale Avenue open to crossing vehicular and pedestrian traffic at Exposition Boulevard. This crossing would have quad gates, flashers, bells, and traffic signals to control vehicular traffic. The passenger station would be constructed as a near-side split-platform configuration at the intersection of Farmdale Avenue and Exposition Boulevard and all trains would stop at each platform prior to reaching the crossing. A small train control and communications building would be located east of the station along Exposition Boulevard. Approximately 5,000 square feet of property would be acquired from Dorsey High School for the construction of the eastbound platform, and would result in the loss of approximately 19 parking spaces. These lost spaces would be made up by Expo in a new paved 26-space parking lot on the northeast corner of the intersection of Exposition Boulevard and Farmdale Avenue.

To the west of Farmdale Avenue, construction of the eastbound platform would require relocating overhead utility lines and an electrical transformer. The existing Dorsey High School driveway would also be realigned to accommodate the pedestrian plaza for the at-grade pedestrian crossing, with a similar pedestrian plaza on the other side of the tracks, both including specifications for swing gates, pedestrian gates, and traffic signals to control pedestrian and vehicle traffic.

The Addendum concludes that documents listed above confirm that no new or substantially more severe impacts would occur if the Commission

approves a change in the overall Expo Project and allows construction of an Expo light rail transit (LRT) passenger station at the intersection of Farmdale Avenue and Exposition Boulevard.

3. Adequacy and Certification of the Addendum

California Environmental Quality Act (CEQA) Guidelines specify that where, as here, a final EIR has been certified, no subsequent EIR need be prepared for the project unless:

- a. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- b. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (1) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (2) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- (4) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.²

As described above, adding a near-side LRT station to the initially proposed at-grade crossing at the Farmdale Avenue and Exposition Boulevard is not a substantial change to the project, nor will it cause new or substantially more severe environmental impacts or resultant mitigation measures.

We, therefore, conclude that a subsequent EIR is not required for the proposed changes to Expo's project.

The CEQA Guidelines further specify that an Addendum to a previously issued EIR shall be prepared where changes or additions to a project are proposed, but the changes or additions are not significant enough to meet the standards for preparing a subsequent EIR:

- (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

² CEQA Guidelines Section 15162.

- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.³

The evidence submitted by the applicant as exhibits Expo-28 to Expo-33, is a comprehensive, detailed, and complete analysis that thoroughly discusses and assesses the environmental impacts of the proposed project, the addition of a station to the previously-proposed and reviewed Farmdale at-grade crossing. Specifically, the supporting studies find that, the evidence shows that no cumulatively considerable adverse effects or significant impacts on aesthetics would occur as a result of the proposed project at the Farmdale crossing. Similarly, cumulative air quality impacts for the construction and operation of the proposed project would be less than significant. The proposed project would not significantly impact cultural resources because the historic integrity of Dorsey High School would be maintained and removing the hotel and constructing a parking lot would not adversely effect or significantly impact cultural resources. The proposed project would not create any new types of construction-related impacts and would not contribute to noise impacts. The proposed project would not increase the associated risk of geological or seismic effects, and no new source or risk of exposure to hazardous materials would be expected to result from the proposed project. There would not be any

³ CEQA Guidelines Section 15164.

cumulatively considerable adverse effects to hydrology and water quality because no permanent increase in water usage would occur, other than as has already been discussed and mitigated, and the relatively small area of new impermeable surface will not adversely affect groundwater recharge. After the construction of the new parking lot, the proposed project will have no cumulatively considerable adverse effects, and will have a less than significant impact on traffic and parking. Finally, the effect on utilities and service systems would not be adverse.

The overall conclusion of the six detailed technical documents is that no new or more severe cumulatively considerable adverse effects or significant impacts would occur as a result of modifying the Expo LRT project with an LRT passenger station at the Farmdale Avenue.

We find that the evidence fully supports the conclusion that a subsequent EIR is not required by Section 15162 of the CEQA regulations and that the Addendum which is Attachment A to today's decision meets the requirements of CEQA Guideline Section 15164.

We find that the Addendum was completed in compliance with CEQA; that the Addendum has been presented to the Commissioners (the decision-making body of the Commission), and has been and will be reviewed, considered, and applied prior to action on the project; and that the Addendum reflects the Commission's independent judgment and analysis. Accordingly, the Commission should certify the Addendum to the Final Environmental Impact Report/Final Environmental Impact Report for the Expo Light Rail Transit project.

Comments on Proposed Decision

The proposed decision of the ALJ in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. No comments or reply comments were received.

Assignment of Proceeding

Timothy Alan Simon is the assigned Commissioner and Maribeth A. Bushey is the assigned ALJ in this proceeding.

Findings of Fact

1. The Commission is a responsible agency taking the lead role with respect to the preparation and consideration of the CEQA documents for the Farmdale Avenue crossing.

2. The Commission has prepared and considered the CEQA documents for the Farmdale crossing pursuant to CEQA.

3. The environmental documents were prepared to assess and analyze the environmental impacts of modifying the Expo LRT project with a LRT passenger station at Farmdale Avenue.

4. The supporting documents consist of exhibits Expo-28 through Expo-33 and have been included in the formal evidentiary record.

5. The Addendum, which is Attachment A to today's decision, has been completed in accordance with CEQA Guidelines, Sections 15162 through 15164.

6. The Addendum and supporting documents accurately and comprehensively describes the proposed project as well as the potential environmental impacts.

7. The Addendum and supporting documents demonstrate that no new or more severe cumulatively considerable adverse effects or significant impacts

would occur as a result of modifying the Expo LRT project with an LRT passenger station at Farmdale Avenue.

Conclusions of Law

1. The notification procedures employed for this project are consistent with the requirements of CEQA.
2. The preparation and processing of the Addendum comply with the requirements of CEQA.
3. The contents of the Addendum comply with the requirements of CEQA and represent the Commission's independent judgment.
4. The Addendum should be certified for the project in accordance with CEQA.
5. Certification of the Addendum does not prejudice the Commission's final selection of the project.
6. The Addendum will be considered by the Commission before approval of the project or any alternatives.
7. The Addendum and supporting documents demonstrate that a subsequent EIR is not required by Section 15162 because no new or more severe cumulatively considerable adverse effects or significant impacts would occur as a result of modifying the Expo LRT project with an LRT passenger station at Farmdale Avenue.
8. The Addendum, which is Attachment A to today's decision, meets the requirements of CEQA Guideline Section 15164.
9. Exhibits Expo-28 through Expo-33 should be included in the formal evidentiary record.
10. This decision should be effective immediately.

O R D E R

IT IS ORDERED that:

1. The Addendum to the Final Environmental Impact Statement/Final Environmental Impact Report for the Mid-City/Exposition Light Rail Transit Project is certified for use by the Commission and responsible agencies in considering subsequent approvals for the project, or for portions thereof.
2. Exhibits Expo-28 through Expo-33 are included in the formal evidentiary record.
3. This proceeding remains open to consider whether the Farmdale Avenue crossing should be authorized.

This order is effective today.

Dated April 22, 2010, at Los Angeles, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
TIMOTHY ALAN SIMON
NANCY E. RYAN
Commissioners

ATTACHMENT A

Mid-City/Exposition Light Rail Transit Project

Construction of an LRT Station at the Intersection of Farmdale Avenue and Exposition Boulevard

Addendum to Final Environmental Impact Report

(SCH# 2000051058)

Prepared by:

California Public Utilities Commission

505 Van Ness Avenue
San Francisco, CA 94102

February, 2010

Docket A.06-12-005

Introduction

A final environmental impact statement/environmental impact report (FEIS/EIR) for the Mid-City/Exposition Light Rail Transit Project (Expo LRT) evaluated Phase I of the project (downtown Los Angeles to Culver City), including an at-grade crossing proposed at Farmdale Avenue and Exposition Boulevard. That FEIS/EIR was certified by the Los Angeles County Metropolitan Transportation Authority (Metro) in 2005, and was used as California Environmental Quality Act (CEQA) documentation by the California Public Utilities Commission (CPUC) in its December 2007 decision approving all but two of the at-grade crossings (at Farmdale Avenue and at Harvard Boulevard) for the Expo LRT Project. The crossing at Farmdale Avenue is the subject of this Addendum.

For the purposes of this Addendum, the CPUC as a responsible agency is taking the lead role in the preparation and consideration of the CEQA documents for the Farmdale Avenue Crossing. In its February 25, 2009 decision (D.09-02-031), the CPUC denied the Exposition Construction Authority's (Expo) application for a proposed at-grade crossing at Farmdale Avenue. After considering various options for the Farmdale Avenue crossing, the CPUC found that a pedestrian overcrossing with Farmdale Avenue closed to traffic was a practicable alternative to the at-grade crossing as then proposed. The CPUC accordingly left the proceeding open to allow Expo to file an amended application or new application. The CPUC decision also stated that the CPUC is a responsible agency under CEQA, and that the CPUC as a responsible agency may act in a lead role for conducting any necessary future environmental review with respect to the Farmdale Avenue crossing, if such review involves either a Supplemental EIR or an Addendum to the existing FEIS/EIR. The decision stated that the CPUC would not act as a responsible agency if a subsequent EIR was required.

Subsequent to the CPUC decision, Expo filed an amended application with the CPUC, suggesting several possible options for the crossing at Farmdale Avenue, including a pedestrian overcrossing with Farmdale closed, an at-grade crossing subject to a stop-and-proceed requirement for all trains, construction of an LRT station in conjunction with an at-grade crossing at the intersection of Farmdale and Exposition, and an at-grade crossing subject to an interim stop-and-proceed requirement with later construction of an LRT station. The CPUC held a prehearing conference on the amended application on September 30, 2009, and at the direction of the Administrative Law Judge, the parties initiated a discussion of issues in hopes of achieving a safe solution acceptable to the parties that would more expeditiously resolve the proceeding. These discussions indicated that the construction of a near-side LRT station in conjunction with an at-grade crossing at the intersection of Farmdale Avenue and Exposition Boulevard would provide a safe solution that might also facilitate a more expeditious resolution of this proceeding.

CEQA Information

Pursuant to CEQA Guidelines Section 15164, the purpose of this Addendum is to document changes to the Expo LRT Project that have occurred subsequent to the release of the FEIS/EIR. The changes that have been made to the Expo LRT Project are in response to concerns raised by CPUC, regarding the acceptability of an at-grade crossing at the intersection of Farmdale Avenue and Exposition Boulevard. The changes involve the construction of an Expo LRT passenger station at the intersection of Farmdale Avenue and Exposition Boulevard. The changes to the Expo LRT Project are not substantial; no new or more substantially more severe

environmental impacts would occur that would require mitigation measures; and the conclusions regarding the significance of impacts remain the same as in the FEIS/EIR. Accordingly, the CPUC finds that the preparation of an Addendum pursuant to CEQA Guidelines section 15164 is appropriate.

Technical studies and a CEQA Initial Study have been prepared that confirm that no new or substantially more severe impacts would occur if the CPUC approves a change in the Expo LRT Project involving the construction of an Expo LRT passenger station at the intersection of Farmdale Avenue and Exposition Boulevard. These documents are provided as attachments to this Addendum.

Changes to Project Design

Previously Proposed At-Grade Crossing at Farmdale Avenue in the FEIS/EIR

The at-grade crossing at the intersection of Farmdale Avenue and Exposition Boulevard was the subject of the previous Expo application to CPUC. In accordance with Metro grade-crossing policy, which is set forth in Appendix E of the FEIS/EIR, the Farmdale Avenue LRT crossing was originally designed as an at-grade crossing, with quad gates, flashers, bells, and traffic signals to control vehicle traffic. The design also included swing gates, pedestrian gates, and signals to control pedestrian traffic.

Currently Proposed LRT Station at the Intersection of Farmdale Avenue and Exposition Boulevard (proposed change)

This proposed project involves the construction of a passenger station at the intersection of Farmdale Avenue and Exposition Boulevard. Farmdale Avenue would remain open to crossing vehicular and pedestrian traffic at Exposition Boulevard. In accordance with the Metro Grade Crossing Policy (see Appendix E of the FEIS/EIR), and as proposed in the FEIS/EIR, the at-grade vehicular and pedestrian crossing of the Expo LRT alignment would include quad gates, flashers, bells, and traffic signals to control vehicular traffic.

In order to ensure pedestrian safety, the passenger station would be constructed as a near-side split-platform configuration at the intersection of Farmdale Avenue and Exposition Boulevard. The split-platform configuration would require trains to stop at each platform prior to reaching the vehicular and pedestrian crossings at Farmdale Avenue. Each station platform would be 12 feet wide and 270 feet long, with a 12-foot wide, 20-foot long fare collection area adjacent to Farmdale Avenue, and an emergency exit on the far end of each platform. Westbound Expo trains would stop at the platform east of Farmdale Avenue, and passengers would ingress/egress trains from the northern side of the Expo LRT tracks, within the existing right-of-way. Eastbound Expo trains would stop at the platform to the west of Farmdale Avenue, and passengers would ingress/egress trains from the platform on the southern side of the Expo LRT tracks. Once passengers embark or disembark the trains, the trains would not leave the station until the train operator verifies the at-grade crossing is clear of both pedestrians and vehicles. A small train control and communications building would be located east of the station along Exposition Boulevard.

Approximately 5,000 square feet of property would be acquired from Dorsey High School, for the construction of the eastbound platform on the southern side of the Expo LRT right-of-way (approximately 2,500 square feet), and a pedestrian plaza for the at-grade crossing at the

northeast corner of the Dorsey High School campus (approximately 2,500 square feet). The eastbound platform would be partially within an existing staff vehicle parking area within Los Angeles Unified School District property at Dorsey High School, and would require the relocation or reconfiguration of approximately 32 existing parking spaces, with a net loss of approximately 19 spaces. A 10,963 square foot property on the northeast corner of the intersection of Exposition Boulevard and Farmdale Avenue would be acquired and all structures would be demolished, specifically including the Expo Inn, a residency motel located at 4523 West Exposition Boulevard. In order to compensate the lost parking spaces from the existing Dorsey High School staff parking lot for the construction of the proposed eastbound Expo LRT station platform, a new paved 26-space parking lot would be constructed on this acquired property.

To the west of Farmdale Avenue, construction of the eastbound platform would require that existing Los Angeles Department of Water and Power (LADWP) overhead utility lines be relocated underground along the right-of-way, as well as the relocation of an electrical transformer at the northeast corner of Dorsey High School. Overhead catenary power lines would be constructed along the Expo LRT alignment, including at this station, in order to provide electrical power to the Expo LRT trains.

The at-grade crossing would also include realignment of the existing Dorsey High School driveway at the northeastern corner of the school property to accommodate the pedestrian plaza for the at-grade pedestrian crossing. Pedestrians would be directed across the crossing when it is safe. The other side of the crossing on the northern side of Exposition Boulevard would also include a smaller pedestrian plaza, including specifications for swing gates, pedestrian gates, and traffic signals to control pedestrian and vehicle traffic.

The Expo Authority may decide to utilize an interim stop and proceed procedure, until the station is constructed. During the initial interim phase, operating the at-grade crossing with a stop and proceed operation variation would not result in any physical modifications to the Farmdale crossing beyond those already evaluated in the FEIS/EIR, and thus would not result in any environmental changes or new potentially significant environmental impacts beyond what was evaluated in the FEIS/EIR.



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memorandum

date February 4, 2010

to Andrew Barnsdale

from Rebecca Skaggs

subject ESA Review Comments – Technical Studies for the Exposition Light Rail EIR Addendum for the Crossing at Farmdale Avenue

We have reviewed the following technical reports for the Exposition Light Rail Transit Improvements at Farmdale Avenue and Exposition Boulevard EIR Addendum:

- *Air Quality Assessment Memorandum for the Improvements at Farmdale Avenue and Exposition Boulevard* by ICF Jones and Stokes (January 2010)
- *Historical Resources Technical Report for the Improvements at Farmdale Avenue and Exposition Boulevard* by ICF Jones and Stokes (January 2010)
- *Noise and Vibration Impact Report for the Improvements at Farmdale Avenue and Exposition Boulevard* by ICF Jones and Stokes (January 2010)
- *Traffic and Parking Assessment for the Exposition Boulevard at Farmdale Avenue Station* by Fehr and Peers Transportation Consultants (January 6, 2010)
- *Visual Impact Assessment Memorandum for the Improvements at Farmdale Avenue and Exposition Boulevard* by ICF Jones and Stokes (January 2010)

We appreciate the opportunity to assist you in reviewing these documents. Please do not hesitate to call us if you have any questions.

The purpose of this technical review is to determine consistency with the California Environmental Quality Act (CEQA) and the *CEQA Guidelines*. ESA is not reviewing for grammatical or other editorial errors.

The first four studies were found to be consistent with CEQA by ESA’s technical reviewers, who had minimal comments. The air quality and noise technical reviewer found those studies to be CEQA-compliant and well put-together. According to the historical resources reviewer, the current report focuses on a nearby historic architectural resource, the Dorsey High School (determined potentially eligible for listing in the National Register of Historic Places by SHPO in 2004), and determines that the proposed project would not result in and adverse effect or significant impact to Dorsey High School. The reviewer agrees that this is an accurate assessment of the project area’s historical resources and the lack of project impacts to those resources. The transportation technical reviewer found the study merely documents the "clean up" of the previous documents (e.g., to incorporate the alluded-to purchase and demolition of the hotel for replacement parking into the formal analysis memo). The reviewer found the previous transportation documents to be sound, and the “clean up” document to be a straightforward amendment.

The technical reviewer for the visual resources assessment had three comments on the study:

<u>No. & Pg.</u>	<u>COMMENT</u>
1. p. 19	The study makes note of the removal of two mature redwood trees near the northeastern corner of the Dorsey High School property. The study does not state that the trees are a significant aesthetic resource, nor does the study call out the removal of the trees as a significant impact, yet, the study recommends mitigation.
2. p. 19	The mitigation for the removal of the two mature redwoods would include replanting or replacement at a 2:1 ratio. It is not clear how this is visual resources mitigation. This mitigation measure would be more suited to a biological resources or land use section.
3. App. B	The photographs included as Appendix B to the memorandum do not identify the trees that are slated for removal.

The visual resources technical reviewer did not think a good case was made for including the tree removal as a visual resources impact, and that the mitigation proposed does not fit within the visual resources section. The reviewer concluded that either a stronger case needs to be made as to why the tree removal is a significant visual impact or the tree removal discussion and mitigation should be removed from the visual resources assessment.

(END OF ATTACHMENT A)