

# CHAPTER 8 Introduction to the Final EIR

## 8.1 CEQA REQUIREMENTS

Before approving a project, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (Final EIR or FEIR). The contents of a Final EIR are specified in CEQA Guidelines Section 15132, which states that:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft EIR.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

The Lead Agency (City of El Segundo) must also provide each public agency that commented on the Draft EIR (DEIR) with a copy of the City's response to those comments at least ten days before certifying the FEIR. In addition, the City may also provide an opportunity for members of the public to review the FEIR prior to certification, though this is not a requirement of CEQA.

## 8.2 PUBLIC REVIEW PROCESS

The DEIR for the 540 East Imperial Avenue Specific Plan Project (proposed project) was circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on November 3, 2011, and concluded on December 19, 2011. A public information meeting to receive comments on the adequacy of the DEIR was held on January 26, 2012. One written comment letter was received during the public review period from a state agency. No comment letters were received from private organizations or individuals during the public review period.

## 8.3 CONTENTS AND ORGANIZATION OF THE FINAL EIR

This Final EIR is composed of three volumes. They are as follows:

**Volume I**      **Draft EIR**—This volume describes the existing environmental conditions in the project area and in the vicinity of the project, and analyzes potential impacts on those conditions due to the proposed project; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts. The DEIR is incorporated by reference into the FEIR.

**Volume II Final EIR (Introduction to the Final EIR)**—This volume contains an explanation of the format and content of the DEIR; a complete list of all persons, organizations, and public agencies that commented on the DEIR; a copy of the comment letter received by the City of El Segundo (lead agency) on the proposed project; and the Lead Agency’s responses to these comments.

**Volume III Draft EIR Appendices**—This volume includes supporting technical data used in the preparation of the DEIR. No text changes were made to the Technical Appendices in preparation of the FEIR.

## 8.4 USE OF THE FINAL EIR

Pursuant to CEQA Guidelines Sections 15088(a) and 15088(b), the lead agency must evaluate comments on environmental issues received from persons who reviewed the DEIR and must prepare written responses. The FEIR allows the public and the City of El Segundo an opportunity to review the response to comments, revisions to the DEIR, such as the Mitigation Monitoring and Reporting Program (MMRP), prior to the City’s decision on the project. The FEIR serves as the environmental document to support approval of the proposed project, either in whole or in part.

After completing the FEIR, and before approving the project, the Lead Agency must make the following three certifications as required by CEQA Guidelines Section 15090:

- That the Final EIR has been completed in compliance with CEQA
- That the Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project
- That the Final EIR reflects the Lead Agency’s independent judgment and analysis

Pursuant to CEQA Guidelines Section 15091(a), if an EIR that has been certified for a project identifies one or more significant environmental effects, the lead agency must adopt “Findings of Fact.” For each significant impact, the lead agency must make one of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, pursuant to CEQA Guidelines Section 15091(d), the agency must adopt, in conjunction with the findings, a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the Mitigation Monitoring and Reporting Program (MMRP).

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the FEIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations shall be supported by substantial information in the record, which includes this FEIR. Because the project would result in seven significant and unavoidable impacts to two environmental issue areas (four project-specific impacts and three cumulative impacts), the City of El Segundo would be required to adopt a Statement of Overriding Considerations if it approves the proposed project. This statement is not a substitute for the Findings of Fact described above.

These certifications, the Findings of Fact and the Statement of Overriding Considerations, are included in a separate Findings document that accompanies the City's staff report. Both the FEIR and the Findings are submitted to the City for consideration of the proposed project.

