

### 8.1 CEQA REQUIREMENTS

Before approving a project, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a Final Subsequent Environmental Impact Report (Final SEIR or FSEIR). The contents of a Final SEIR 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 (the City of Huntington Beach) must also provide each public agency that commented on the Draft Subsequent EIR (Draft SEIR or DSEIR) with a copy of the City's response to those comments at least ten days before certifying the Final SEIR. In addition, the City may also provide an opportunity for members of the public to review the Final SEIR prior to certification, though this is not a requirement of CEQA.

### 8.2 PUBLIC REVIEW PROCESS

The DSEIR for the Huntington Beach Senior Center Project was circulated for review and comment by the public, agencies, and organizations for a 45-day public review period that began on September 15, 2011, and concluded on October 31, 2011. A public information meeting was held on October 12, 2011, to receive comments on the adequacy of the DSEIR. In addition to the 13 verbal comments that were received at the public meeting, 12 comment letters were received during the review period from one state department, one organization, and nine individuals.

### 8.3 CONTENTS AND ORGANIZATION OF THE FINAL SEIR

This Final SEIR is composed of two volumes. They are as follows:

**Volume I**      **Draft Subsequent EIR and Appendices**—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. This volume

also includes supporting technical data used in the preparation of the DSEIR. No text changes were made to the Technical Appendices in preparation of the Final SEIR. Text revisions to the DSEIR resulting from corrections of minor errors and/or clarification of items are identified in Volume II, as described below. The DSEIR is incorporated by reference into the Final SEIR.

**Volume II Final Subsequent EIR (Text Changes and Responses to Comments)**—This volume contains an explanation of the format and content of the Final SEIR; all text changes to the DSEIR; a complete list of all persons, organizations, and public agencies that commented on the DSEIR; copies of the comment letters received by the City of Huntington Beach on the proposed project; and the Lead Agency’s responses to these comments. As stated above, the DSEIR is incorporated by reference into the Final SEIR.

## 8.4 USE OF THE FINAL SUBSEQUENT 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 DSEIR and must prepare written responses. The Final SEIR allows the public and the City of Huntington Beach an opportunity to review the response to comments, revisions to the DSEIR, and other components of the SEIR, such as the Mitigation Monitoring and Reporting Program (MMRP), prior to the City’s decision on the project. The Final SEIR serves as the environmental document to support approval of the proposed project, either in whole or in part.

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

- That the Final SEIR has been completed in compliance with CEQA
- That the Final SEIR 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 SEIR prior to approving the project
- That the Final SEIR 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 CEQA Guidelines Section 15093(b), when a Lead Agency approves a project that would result in significant, unavoidable impacts that are disclosed in the Final SEIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations is supported by substantial information in the record, which includes this Final SEIR. Since the project would not result in any significant and unavoidable impacts, the City of Huntington Beach would not be required to adopt a Statement of Overriding Considerations for the proposed project.

