Downtown Specific Plan

September 9, 2009

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LATE COMMUNICATION SS#A-3 PC MEETING 9-09-09

Purposes of an EIR

- Disclose to the decision makers and the public potential environmental impacts of a project
- Foster public agency coordination in review of projects
- Public participation in the planning process
- Determine which impacts are "significant"
- Identify feasible mitigation to avoid or reduce significant impacts
- Consider alternatives to project
- Address cumulative impacts of the project
- Identify significant unavoidable impacts

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Program EIR

- A "program" EIR has been prepared for the proposed DTSP Update
- An EIR examines a project at a level of detail commensurate with the project's detail
- A program EIR is appropriate for a project where site specifics are not known or a series of actions characterized as one large project

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Program EIR

- Later actions/activities are subject to CEQA review
  - Later actions/activities that are "within the scope" of the program do not require a new EIR. Actions/activities described and analyzed in the Program EIR are within its scope.
- Additional environmental would be required if:
  - Substantial changes in the project;
  - Substantial changes in circumstances; or
  - Substantial new information that identifies there is a new or more severe impact.

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EIR Process – Key Dates

- November 6, 2009 – Notice of Preparation (30 day public review period begins)
- November 19, 2009 – Public Scoping Meeting
- July 20, 2009 – Notice of Completion Filed and Draft EIR 45-day Public Review Period begins
- August 13, 2009 – Public Comment Meeting
- September 2, 2009 – Close of 45-Day Public Review Period

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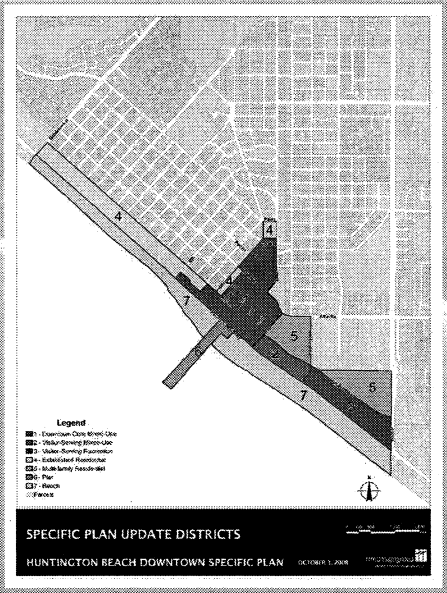
Summary of Project Impacts

No Impacts or Less Than Significant Impacts

- Agriculture
- Mineral Resources
- Land Use and Planning
- Population and Housing



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Summary of Project Impacts

Impacts that would result in Significant or Potentially Significant Impacts that could be mitigated to a less-than-significant level

- Aesthetics
- Biological Resources (as identified in the NOP)
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Recreation
- Traffic/Transportation
- Utilities and Service Systems

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Summary of Project Impacts

Significant, Unavoidable Impacts

- Air Quality
- Cultural Resources
- Noise
- Public Services

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Significant, Unavoidable Impacts

Air Quality

- Project Specific:

  Peak construction activities would generate emissions that exceed SCAQMD thresholds – assumes "worst case" of 50 acres under construction with multiple projects

- Cumulative:
  - Emission will continue to exceed SCAQMD thresholds for ROG and PM10

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Significant, Unavoidable Impacts

Cultural Resources

- Project Specific:

  Potentially significant since specific development projects maybe be proposed that impact historical buildings and resources, including unrecorded resources that may become significant within 20-year Plan period.

- Cumulative:

  Mitigation measures will reduce impacts, but may be cumulatively considerable because it is currently infeasible to determine impacts of yet-to-be-defined specific development proposals

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Significant, Unavoidable Impacts

Noise

- Project Specific:

  Pile driving activities would result in substantial temporary increase in ambient noise

- Cumulative:

  Pile driving activities would result in construction-related temporary increases in ambient noise levels, resulting in cumulative impact

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Significant, Unavoidable Impacts

Public Services

- Project Specific:

  Additional fire personnel, facilities and/or equipment may be needed for future development, and it is currently unknown where or how these additions may be provided

- Cumulative:

  Increases in fire personnel and/or equipment would require expansion of existing facilities or a new station with unknown environmental impacts. Mitigation measures will help ensure response times and adequate staffing are maintained, however, potential impacts still considered cumulatively significant impact.

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Project Alternatives

Three Alternatives Evaluated

- Alternative 1: No Project
- Alternative 2: Conservative Market Demand
- Alternative 3: Reduced Development

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EIR Certification

Must make findings for every significant impact:

1. Changes or alterations have been incorporated in the project to reduce impact to a less than significant level; or
2. Such changes or alterations are within the jurisdiction of another public agency; or
3. Mitigation measures or alternatives are infeasible due to specific economic, social, legal, technological or other considerations

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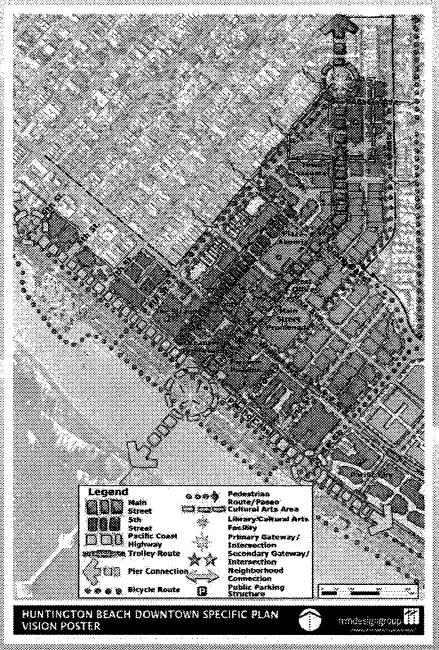
Statement of Overriding Considerations

Required for Significant Unavoidable Impacts

- Allows an agency to weigh the benefits of a project against potentially adverse impacts
- If the benefits outweigh the impacts, the project can be approved
- Discloses the reasons why project decision is made
- Must be supported by substantial evidence



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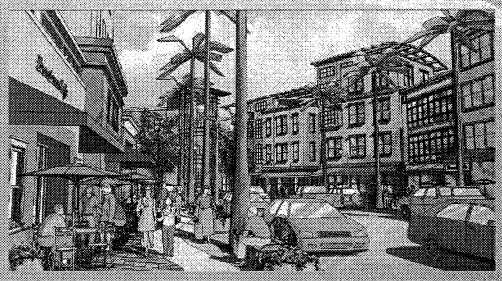
Final EIR

- Must respond in writing to all comments received
- Changes or corrections to Draft EIR
- Mitigation Monitoring & Reporting Program
- Provide Response to Comments to agencies that commented 10 days prior to certification of EIR
- Considered by Decision Makers
- Notice of Determination filed and posted



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