

III. Revisions, Clarifications, and Corrections to the Draft EIR

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This section of the Final EIR provides changes to the Draft EIR that have been made to revise or clarify the environmental impact analysis for the proposed New Beatrice West Project (the Project). The changes described in this section do not result in any new or increased significant environmental impacts.

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

A. Corrections and Additions to Draft EIR Sections and Appendices

Additional changes have been made to the Draft EIR as a result of public comments received in response to the Draft EIR. Deletions are shown in ~~strikethrough text~~ and additions are shown in underlined text. Such changes are presented by EIR section.

I. Executive Summary

Section I, Executive Summary, page I-12, revise Project Design Feature NOI-PDF-1 as follows:

Project Design Feature NOI-PDF-1: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Where feasible, electric construction equipment and/or other noise-reducing best practices will be utilized/implemented near sensitive receptors.

Section I, Executive Summary, page I-15 through page I-16, revise Mitigation Measure NOI-MM-1 as follows:

Mitigation Measure NOI-MM-1: Temporary and impermeable sound barriers shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the southern property line of the Project site between the construction areas and receptor locations R1 and R3. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor locations R1 and 5-dBA at receptor location R3.
- Along the western property line of the Project site between the construction areas and the receptor location R5. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R5.
- During the off-site improvements construction— Provide a temporary moveable noise barrier between the construction equipment and the residences along the south side of Beatrice Street (receptor locations R1 and R3) and along the east side of Grosvenor Boulevard (receptor location R2), where feasible. The temporary noise barrier shall be designed to provide a minimum 10-dBA at the ground level of receptor location R1, 8-dBA at receptor location R2, and 5-dBA at receptor location R3.

II. Project Description

No corrections or additions have been made to this section of the Draft EIR.

III. Environmental Setting

No corrections or additions have been made to this section of the Draft EIR.

IV.A. Aesthetics

No corrections or additions have been made to this section of the Draft EIR.

IV.B. Air Quality

No corrections or additions have been made to this section of the Draft EIR.

IV.C. Cultural Resources (Archaeological Resources)

No corrections or additions have been made to this section of the Draft EIR.

IV.D. Energy

No corrections or additions have been made to this section of the Draft EIR.

IV.E. Geology and Soils (Paleontological Resources)

No corrections or additions have been made to this section of the Draft EIR.

IV.F. Greenhouse Gas Emissions

No corrections or additions have been made to this section of the Draft EIR.

IV.G. Hazards and Hazardous Materials

No corrections or additions have been made to this section of the Draft EIR.

IV.H. Land Use

No corrections or additions have been made to this section of the Draft EIR.

IV.I. Noise

Section IV.I, Noise, page IV.I-32, revise Project Design Feature NOI-PDF-1 as follows:

Project Design Feature NOI-PDF-1: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Where feasible, electric construction equipment and/or other noise-reducing best practices will be utilized/implemented near sensitive receptors.

Section IV.I, Noise, page IV.I-48, revise Mitigation Measure NOI-MM-1 as follows:

Mitigation Measure NOI-MM-1: Temporary and impermeable sound barriers shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the southern property line of the Project site between the construction areas and receptor locations R1 and R3. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor locations R1 and 5-dBA at receptor location R3.
- Along the western property line of the Project site between the construction areas and the receptor location R5. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R5.
- During the off-site improvements construction— Provide a temporary moveable noise barrier between the construction equipment and the residences along the south side of Beatrice Street (receptor locations R1 and R3) and along the east side of Grosvenor Boulevard (receptor location R2), where feasible. The temporary noise barrier shall be designed to provide a minimum 10-dBA at the ground level of receptor location R1, 8-dBA at receptor location R2, and 5-dBA at receptor location R3.

IV.J.1 Public Services—Fire Protection

No corrections or additions have been made to this section of the Draft EIR.

IV.J.2 Public Services—Police Protection

No corrections or additions have been made to this section of the Draft EIR.

IV.K. Transportation

No corrections or additions have been made to this section of the Draft EIR.

IV.L. Tribal Cultural Resources

No corrections or additions have been made to this section of the Draft EIR.

IV.M.1 Utilities and Service Systems—Water Infrastructure

No corrections or additions have been made to this section of the Draft EIR.

IV.M.2 Utilities and Service Systems—Energy Infrastructure

No corrections or additions have been made to this section of the Draft EIR.

V. Alternatives

No corrections or additions have been made to this section of the Draft EIR.

VI. Other CEQA Considerations

No corrections or additions have been made to this section of the Draft EIR.

Appendices

No corrections or additions have been made to the appendices of the Draft 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 information contained in this section clarifies, amplifies, or refines information in the Draft EIR but does not make any changes that would meet the definition of “significant new information” above. The information added to the Draft EIR does not change the Draft EIR in a way that deprives the public of a meaningful opportunity to comment upon a new or substantially increased significant environmental effect of the Project or disclose a feasible alternative or mitigation measure the Applicant has declined to adopt. Specifically, the revisions provided above merely enhance a project design feature and a mitigation measure already included in the Draft EIR to make clear the potential impacts of the proposed water infrastructure improvements alone. These revisions would serve to further reduce the potential impacts of the Project. Accordingly, the revisions to the Draft EIR provided above would not result in new significant impacts or increase any impact already

identified in the Draft EIR. The revisions to the Draft EIR clarify, amplify, or refine the information in the Draft EIR. Thus, none of the conditions in Section 15088.5 of the CEQA Guidelines are met and recirculation of the Draft EIR is not required.