1.0 Introduction

This Response to Comments document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the New General Plan project for the City of Redwood City (City) for review and consideration for certification by the City as complete and adequate under the California Environmental Quality Act (CEQA). The Draft EIR was circulated to affected public agencies and interested parties and made available to the general public for a 45-day public review period extending from May 11, 2010 to June 24, 2010.

The Draft EIR was a program-level environmental document. A program EIR was the appropriate document because the New General Plan project sets forth a program of new development standards as well as a series of conceptual public realm improvements. The certification of the EIR and approval of the project would not convey development entitlements.

The purposes of the Response to Comments document are to respond to all significant environmental issues raised in comments received on the Draft EIR and to incorporate appropriate changes, additions, or corrections to the information presented in the Draft EIR (CEQA Guidelines, Section 15088). All written comments received during the comment period are included in this document, as well as oral comments received at the June 15, 2010 public hearing. This chapter provides a summary of certification and project selection procedures, public involvement, the requirements for consideration of recirculation, and an overview of the response to comment process.

1.1 EIR CERTIFICATION AND PROJECT SELECTION PROCESS

The Redwood City Council will review the Final EIR for adequacy and will exercise its independent judgment regarding certification. Prior to approving a project, the City must certify that: (1) the Final EIR has been completed in compliance with CEQA; (2) the City has reviewed and considered the information contained in the Final EIR; and (3) the Final EIR reflects the City’s independent judgment and analysis (CEQA Guidelines, Section 15090). Once it is certified, the Final EIR will be used by responsible agencies in deciding whether, or under what conditions, to approve the required entitlements.

Certification of the EIR is not approval of the project; the Planning Commission and City Council will consider the merits of the project separately from their decisions on the adequacy of the EIR. If the City Planning Commission recommends certification of the Final EIR and approval of the New General Plan, the City Council will then consider the Planning Commission’s recommendations and decide, based on its independent judgment and analysis, whether to certify the Final EIR and approve the New General Plan.
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As part of the approval of either the project or an alternative, the City must make written findings for each significant effect identified in the EIR. These findings will state whether the identified significant effect can be avoided or substantially decreased through feasible mitigation measures or a feasible alternative, whether the effect can only be mitigated by the action of some agency other than the City, or whether the identified mitigation measures or alternatives are infeasible and cannot be implemented (CEQA Guidelines, Section 15091, subd. [a]). To ensure implementation of all adopted mitigation measures, the City must adopt a mitigation monitoring and reporting plan (CEQA Guidelines, Section 15097). This is included within Chapter 4 of this document.

In addition, after all feasible mitigation measures are adopted, if some effects are still considered significant and unavoidable, the City must adopt a Statement of Overriding Considerations that identifies the specific economic, social, technical, or other considerations that, in the City’s judgment, outweigh the significant environmental effects (CEQA Guidelines, Section 15094).

If the City approves the project, a Notice of Determination (NOD) will be prepared and filed with the State Clearinghouse. The NOD will include a description of the project, the date of approval, an indication of whether Findings and Statement of Overriding Considerations were prepared, and the address where the Final EIR and record of project approval are available for public review.

1.2 PUBLIC INVOLVEMENT

On May 10, 2010, the City released the Draft EIR for public review and comment; the public comment period was from May 11, 2010 through June 24, 2010 (45 days in length). Copies of the Draft EIR were distributed to state agencies, local governments, elected officials, groups, and individuals on the City’s mailing list. The entirety of the Draft EIR was made available to the public on the City’s website, www.redwoodcity.org, beginning May 10, 2010. Subsequent to the close of the public comment period, the City also posted all public comment letters on its website.

The City Planning Commission convened a public study session and held a public hearing on the Draft EIR for the New General Plan. The study session was held on May 18, 2010 and the public hearing followed on June 15, 2010.
Ten days after the release of the Final EIR or thereafter, the City will make a decision regarding certification of the EIR and project approval.

1.3 AGENCY APPROVALS AND PERMITS

Following certification of the EIR and approval of the project, property owners and other development proponents can formally apply for approval of specific development projects. Any development proposed for the plan area, as well as proposed public improvements, are subject to CEQA requirements. The City Planning, Housing, and Economic Development Department (PHED) may use this Program EIR as a “first tier” environmental review document for subsequent development proposals. To the extent that the City determines, through the appropriate CEQA process, that a subsequent development proposal may result in new or additional environmental impacts that were not adequately evaluated in this Program EIR, the City will prepare appropriate additional environmental documentation.

Public improvements included in the New General Plan, such as a streetcar network and grade separation of roadways, are conceptual in nature. Additional detailed engineering will be necessary before any public realm projects can proceed.

The discretionary approvals that will be required for each future development project may include but are not limited to Design Review, Conditional Use Permits, and Variances.

1.4 REQUIREMENTS FOR AND CONSIDERATION OF RECIRCULATION

If significant new information is added to an EIR after the public review, the lead agency is required to recirculate the EIR or a portion of it for additional public review and comments. (CEQA Guidelines, Section 15088.5.) “[N]ew information to an EIR is not significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on 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...[R]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies...or makes insignificant modification in...an adequate EIR” (Laurel Heights Improvement Association of San Francisco., Inc. v. Regents of the University of California (1993) 6 Cal. 4th 1112,1129–1130).

Examples of significant new information requiring recirculation include information 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 significant 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.

(See CEQA Guidelines, Section 15088.5, subd. [a])

An EIR is adequate as long as it addresses all questions about significant environmental issues, and as long as the EIR, as a whole, reflects a good faith effort at full disclosure. “Recirculation is not required where the new information added to an EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR.” (CEQA Guidelines Section 15088.5(a).)

The City has reviewed the comments received on the Draft EIR and determined that recirculation of the Draft EIR is not necessary. No new significant or substantially more severe environmental impacts have been identified that would result from the project or from an alternative or a new mitigation measure proposed as part of the project. Moreover, no new feasible mitigation measures or alternatives have been identified that are considerably different from others previously analyzed and would clearly lessen the significant environmental impacts of the project that the City and the applicant have declined to implement. All of the responses to comments contained in Section 2.0 of this document merely provide information that clarifies and amplifies the evaluation of impacts contained in the Draft EIR.

Section 3.0 contains minor clarifying revisions, which do not change any of the Draft EIR impact conclusions.

1.5 RESPONSES TO COMMENTS AND CHANGES TO DRAFT EIR

Under CEQA, the City must address all significant environmental issues raised in comments on the Draft EIR (CEQA Guidelines, Section 15088). Responses to all written and oral comments received within and shortly after the close of the comment period are contained in this Response to Comments document. Section 2 reproduces all written comments received on the Draft EIR during the public review period. This chapter includes summaries of all comments relating to environmental issues evaluated in the Draft EIR followed by written responses to these comments.

Section 3.0 of this document includes changes to the Draft EIR text and figures made after the close of the public review period. Changes in the text are signified by strikeouts (e.g., *strikeouts*) where text is removed and by underlined bold text (e.g., **underlined bold**) where text is added. A brief explanation is provided for each revised figure.