
1. INTRODUCTION AND LIST OF COMMENTERS

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1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains comments received during the public review period of the 3820 Chiles Road Project Draft EIR. This document has been prepared by the City of Davis, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, and provides an overview of the Final EIR's organization.

1.2 BACKGROUND

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the 3820 Chiles Road Project Draft EIR:

- Air Quality;
- Cultural Resources;
- Greenhouse Gas Emissions and Energy;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Transportation and Circulation;
- Utilities and Service Systems; and
- Cumulative Impacts.

In accordance with CEQA, the City of Davis used the following methods to solicit public input on the Draft EIR:

- Notice of Preparation (NOP) for the Draft EIR was released for a 30-day public review from February 1, 2018 to March 5, 2018.
- A public scoping meeting was held on February 22, 2018 to solicit public comments regarding the scope of the Draft EIR. The NOP comment letters are included as Appendix D to the Draft EIR.
- On August 6, 2018, a combined Notice of Availability (NOA) of the Draft EIR and notice of public meeting to provide comments on the Draft EIR was posted to the City's website, and mailed to local agencies, interested members of the public, and property owners within 500 feet of the proposed project site.

- On August 3, 2018, the Draft EIR was delivered to the State Clearinghouse for distribution to state agencies, resulting in a 45-day public review period from August 6, 2018 to September 19, 2018.
- The City posted the Draft EIR on the City of Davis website.
- Printed and electronic copies of the document were made available for public review at the City of Davis Department of Community Development and Sustainability, located at 23 Russell Boulevard, Suite 2, Davis, at the Yolo County Library, Davis Branch, located at 315 E. 14th Street, Davis, and at the UC Davis Shields Library, located at 100 W. Quad Avenue, Davis, on the university campus.
- A public comment meeting was held on the Draft EIR before the City of Davis Planning Commission. The public comment meeting was held on August 29, 2018.
- The Draft EIR was also reviewed by the following advisory commissions on the following dates:
 - Bicycle, Transportation, and Street Safety Commission: September 13, 2018;
 - Historical Resources Management Commission: August 20 and September 17, 2018;
 - and
 - Planning Commission: August 29, 2018.

All public comments received on the Draft EIR are listed in this chapter, and written responses to comments are included in Chapter 2, Response to Comments, as discussed in more detail in Section 1.4 of this chapter.

1.3 PURPOSE OF THE FINAL EIR

Pursuant to CEQA Guidelines Section 15132, this Final EIR consists of the following:

1. The Draft EIR (Released August 6, 2018);
2. Comments received on the Draft EIR (Chapter 2 of this Final EIR);
3. Revisions to the Draft EIR (Chapter 3 of this Final EIR);
4. A list of persons, organizations, and public agencies commenting on the Draft EIR (included as Section 1.4 of this chapter); and
5. Any other information added by the Lead Agency.

Although CEQA requires responses for “significant environmental issues” only, the City has provided responses to all comments. This is not intended to expand the City’s legal obligations under CEQA but rather to maximize opportunities for sharing information and increasing public understanding regarding the project and related review process.

1.4 LIST OF COMMENTERS

The City of Davis received nine comment letters during the public comment period on the Draft EIR for the proposed project. The comment letters were authored by the following City of Davis commissions, State agencies, and other interested persons.

City of Davis Commissions

Letter 1.....Historic Resources Management Commission
Letter 2.....Planning Commission
Letter 3.....Bicycling, Transportation, and Street Safety Commission

State Agencies

Letter 4.....Alex Fong, California Department of Transportation

Interested Persons

Letter 5.....Greg Rowe
Letter 6.....Erin Autry-Montgomery
Letter 7.....Graham Ryland
Letter 8.....Larry Greene
Letter 9.....Holly Wong

1.5 CERTIFICATION OF THE FINAL EIR

State law requires that the City make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
 1. The Final EIR has been completed in compliance with CEQA.
 2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
 3. The Final EIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6f).
- Project Approval (CEQA Guidelines Section 15092) – These findings will be prepared to support approval of the project if that is the City Council’s action.

Pursuant to CEQA Guidelines, section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The 3820 Chiles Road Project would result in significant and unavoidable impacts to cultural resources; thus, a Statement of Overriding Considerations must be adopted if the project is approved.

1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following four chapters.

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft EIR and the purposes of the Final EIR, provides a list of commenters, and describes the organization of the Final EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received, and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR text including clarifications, modifications, and amplifications of the analysis. Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when "significant new information" is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Pursuant to 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 considered "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 City has declined to implement. "Significant new information" requiring recirculation includes any of the following:

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.

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 modifications to the Draft EIR identified in Chapter 3 have been examined with these requirements and obligations in mind. The City has determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required. A more detailed description of this determination will be included in the CEQA Findings of Fact described above.

4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the 3820 Chiles Road Project.