



Volume I



SANTA ANA GENERAL PLAN UPDATE



Final Recirculated Program Environmental Impact Report VOLUME I – Response to Comments

State Clearinghouse #2020029087

October 2021

Prepared for:

City of Santa Ana

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1. Introduction

1.1 BACKGROUND

This document is the Final PEIR to the Recirculated Draft Program Environmental Impact Report (PEIR) for the City of Santa Ana's General Plan Update (GPU). The following sections summarize the background of the environmental review for the proposed GPU and the context and requirements for a Recirculated Draft and Recirculated Final PEIRs.

1.1.1 Project Background

The original Draft PEIR was distributed for the required 45-day public review between August 3, 2020, and September 16, 2020. The review period was subsequently extended until October 6, 2020. The Final PEIR (November 2020) was prepared and the Planning Commission held a public hearing on the proposed GPU on November 9, 2020. The Draft PEIR and Final PEIR, including all report appendices, are posted on the City's website.

GPU policies and implementation measures were modified and supplemented to respond to concerns expressed by the public and agencies during the Draft PEIR public review period and during the Planning Commission public hearing held on November 9, 2020. The GPU modifications also reflect input received from an intensive, extended community outreach program conducted by the City between January and May 2021.

1.1.2 Recirculated Draft Program EIR

1.1.2.1 CONDITIONS FOR EIR RECIRCULATION

State CEQA Guidelines Section 15088.5 defines the circumstances under which a lead agency must recirculate an EIR. 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 but before certification of the Final EIR. Such 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 project's proponents have declined to implement

1.1.2.2 GPU DRAFT PEIR: REASONS FOR RECIRCULATION

At its November 9, 2020, public hearing, the Planning Commission voted not to certify the Final PEIR and continue work on the GPU to a future date to allow additional time for outreach to Santa Ana's environmental justice (EJ) communities. The City initiated an expanded outreach program focusing on environmental justice

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and specific community concerns raised in comments received on the draft GPU and the Draft PEIR and voiced during the Planning Commission public hearing. The decision was made to prepare a Recirculated Draft PEIR to:

- Conclude that the recreation-related impacts of the proposed GPU would result in a significant impact and to define a new project alternative to reduce these impacts.
- More thoroughly discuss and evaluate impacts related to environmental justice, including air quality, hazards, and recreation/open space.

1.1.2.3 OPTIONS FOR RECIRCULATION

Pursuant to CEQA Guidelines Section 15088.5, if the required revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified. A Recirculated EIR requires the same noticing and consultation as the original Draft EIR (CEQA Guidelines Sections 15086 and 15087).

CEQA allows two different ways to respond to comments on the Recirculated Draft EIR:

- 1) When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period.
- 2) Or, when the EIR is only partly revised and the lead agency recirculates only the revised chapter or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapter of the earlier EIR that were revised and recirculated.

1.2 FORMAT/CONTENTS OF THE RECIRCULATED FINAL PEIR

The City prepared the Recirculated Draft PEIR pursuant to Option (2) (see Section 1.1.2.3) and limited the revisions and public circulation to limited sections of the Draft PEIR. The Recirculated Draft PEIR was subject to the same public review requirements as the original Draft PEIR and is also subject to preparation of Response to Comments pursuant to CEQA Guidelines 15088 for preparation of a Final EIR.

The Draft Recirculated PEIR was circulated for public review between August 6, 2021 and September 20, 2021 and the Notice of Availability (NOA) for the Draft Recirculated PEIR included the following instructions to commenters on the document:

The City is implementing Option 2 with respect to comments received on this Recirculated Draft PEIR. Reviewers are directed to only submit comments on the revised EIR chapters included in the Recirculated Draft PEIR. The comments in the original Final

2. Response to Comments

PEIR adequately address comments received on portions of the Draft PEIR that have not been recirculated. **Comments received on sections of the Draft PEIR that have not been recirculated will not be addressed in the Final PEIR.**

This Recirculated Final PEIR is organized as follows:

Volume I – Response to Comments

Section 1, Introduction. This section describes the CEQA processing background for the proposed project; conditions and requirements for EIR recirculations, and the format/content for this Recirculated Final PEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the Recirculated Draft PEIR; copies of comment letters received during the public review period, and individual responses to written comments. This section also summarizes and includes responses to oral comments received at the Planning Commission’s September 13, 2021 Study Session on the proposed GPU and Recirculated Draft PEIR. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-X through A-X for letters received from agencies and organizations, and R-X through R-X for letters received from residents). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

Volume II – Updated Draft PEIR

This volume consists of a complete version of the Draft EIR merging the original Draft PEIR with the updated sections of the Recirculated Draft PEIR and reflecting revisions made pursuant to response to comments to both of these Draft documents. Revisions/updates include 1) the revisions made in the original FEIR (as reflected in Chapter 3, *Revisions to the DEIR*, Final EIR, November 2020), 2) revisions in response to comments on the Recirculated Draft PEIR (November 2021), and updates, corrections and supplemental information as provided by the City of Santa Ana and described in the respective Response to Comments (2020 and 2021 FEIRs)

Volumes III and IV – Appendices to the Updated Draft PEIR

Volumes III and IV include all of the appendices as referenced in the Draft PEIR and Recirculated Draft PEIR, with updates as referenced in those documents.

1.4 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should be “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When

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responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.