

MARINA CENTER EIR

Summary of Revisions to the EIR

Below is a summary of notable revisions to the Draft EIR as a result of the Final EIR. There are other minor modifications to the text or mitigation measures from the Draft EIR which can be viewed in their entirety in strikeout/underline format in Chapter 2 of the Final EIR.

- ▶ The project description and project phasing have been modified to specifically describe Phase 1 as the interim remediation and creation of the wetland reserve.
- ▶ The estimation of wastewater generated by the project has been modified to be about 1/3 the estimate evaluated in the Draft EIR. The conclusion that capacity exists at the Elk River Wastewater Treatment Plant to serve the anticipated project's wastewater demands has not changed.
- ▶ The location of the coastal zone boundary has been clarified but there are no changes to the impacts, analysis and conclusions of the Draft EIR as a result of the clarification.
- ▶ The transit system bus routes have been corrected based on comments to the Draft EIR. No changes to the impacts, analysis and conclusions of the Draft EIR as a result of the correction was identified, however, Mitigation Measure O-7d was modified to include bus stop improvements at the bus stops in front of the Wharfinger Building.
- ▶ The mitigation measures for protection of archaeological resources (measures E-2a - E-2c) were modified or added to increase protections; the mitigation requires that a qualified archeologist conduct subsurface investigations for ground-disturbing activities in areas of high sensitivity, and the mitigation prescribes steps that must be taken should resources be encountered.
- ▶ Mitigation measures for the treatment of stormwater (measures H-5a - H-5b) have been modified to require the submittal of a drainage plan that includes best management practices and design features effective at reducing or eliminating stormwater pollutants, and the incorporation of low impact development strategies, such as grass/vegetative swales (biofilters).
- ▶ Appendix F has been deleted. It is a health risk assessment that was superseded by the health risk assessment found in Appendix E.
- ▶ Appendix M (Variable Routes and Parking Lot Management) of Appendix P (Traffic Impact Study) has been deleted because the subject is no longer under consideration.

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Recirculation Not Required for EIR

Pursuant to CEQA Guidelines section 15088.5 recirculation of an EIR prior to certification must occur when “significant new information” is added to the EIR after public review of the draft EIR but before certification. New 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 significant 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 revisions to the EIR listed in Chapter 2 of the Final EIR do not identify any new significant impacts not previously identified in the Draft EIR, nor do they reveal a substantial increase in the severity of an environmental impact. The revisions further do not describe an alternative or mitigation measure considerably different from those identified in the Draft EIR. Accordingly, the revisions in Chapter 2 of the Final EIR are not considered “significant new information” and, therefore, the EIR does not require recirculation prior to certification.