

2—CEQA PUBLIC REVIEW PROCESS

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2.1 PURPOSES OF PUBLIC REVIEW

The California Environmental Quality Act (CEQA) Guidelines Section 15201 states:

Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency's activities. Such procedures should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

Alameda County (County) has invited public input during the Subsequent Environmental Impact Report (SEIR) preparation processing, including providing opportunities to review and comment during the scoping process and during Draft SEIR circulation, as discussed further in Section 2.2, below.

CEQA (California Public Resources Code [PRC] § 21082.2(b)) explains that, "Statements in an environmental impact report and comments concerning an environmental impact report shall not be determinative of whether the project may have a significant effect on the environment." According to CEQA, it is the responsibility of the lead agency decision makers to "determine whether a project may have a significant effect on the environment based on substantial evidence in the record." Substantial evidence is defined as facts, fact-related reasonable assumptions, and expert opinion. "Substantial evidence" does not include arguments, speculation, unsubstantiated opinion or narrative, clearly erroneous evidence, or socioeconomic impacts not related to the physical environment (PRC § 21080(e), 21082.2(a), 21082.2(c), and CEQA Guidelines § 15384).

2.2 PUBLIC REVIEW PERIOD AND NOTIFICATIONS

In accordance with both the specific requirements and the intent of CEQA, the environmental review process for the proposed project has included substantial opportunities for public and agency review and comment on the environmental evaluations. The public review process for the proposed project SEIR has included the following opportunities:

- June 18, 2019 to July 18, 2019: SEIR Public Scoping and Notice of Preparation of SEIR Review Period
- June 26, 2019: Public Scoping Meeting for SEIR
- January 27, 2021 to March 12, 2021: 45-day Draft SEIR public review period
- Public Meeting via Zoom on the Draft SEIR, March 3, 2021

This Final SEIR or notices of its availability have been provided to commenting agencies, organizations, and individuals made available via the County website at: <http://nps.acgov.org/Eliot.page?> or electronic form via USB prior to proposed project hearings before County decision makers. The County provided responses to comments to each of the agencies commenting on the Draft SEIR 10 days before the first County Planning Commission hearing to consider certification of the Final SEIR.

2.3 SUMMARY OF PUBLIC INPUT AND APPROACH TO RESPONSES

Comments were received from three public agencies, seven private organizations, and one individual. Each comment set (i.e., letter or e-mail) is included in Appendix A, “Comments on the Draft SEIR,” of this Final SEIR. A list of the agencies and individuals who submitted comments is provided in the table of contents of this Final SEIR.

Comments addressed a range of issues, including the content and analysis of the Draft SEIR. Comments addressing the adequacy of the SEIR or issues relevant to the environmental review included the following topics:

- Air quality,
- Biological resources,
- Geology and Soils,
- Hydrology and water quality,
- Noise, and
- Utilities.

These comments were responded to with the level of detail appropriate to the comment and issue. In some cases, the County decided that it was appropriate to revise information in the Draft SEIR to correct, clarify, or amplify information. These revisions are presented as errata in Chapter 3, “Draft SEIR Errata,” of this Final SEIR.

Some issues raised in comments did not speak to the adequacy of the Draft SEIR or did not otherwise address environmental issues. These comments are included in the administrative record by virtue of their submittal to the County and will be considered by County decision makers. However, the Final SEIR need not, and does not, respond in detail to non-environmental issues raised in comments. Responses to these issues in this Final SEIR are limited to identifying that the comment does not raise an environmental issue and noting that decision makers will consider the issue separate from the environmental review process.