

1 **FINAL EIR**

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3 **1.0 INTRODUCTION**

4 **1.1 PURPOSE**

5 This document is the finalizing addendum to the Draft Environmental Impact Report
6 (Draft EIR) prepared for consideration of the Disposition of Offshore Cooling Water
7 Conduits Project by the California State Lands Commission (CSLC).

8 This Final EIR has been prepared by the CSLC pursuant to the California
9 Environmental Quality Act (the CEQA) (section 21000 et seq., California Public
10 Resources Code) and in accordance with the *Guidelines for the Implementation of the*
11 *California Environmental Quality Act* (section 15000 et seq., California Code of
12 Regulations, Tit. 14). The State CEQA Guidelines stipulate that an EIR must be
13 prepared for any project that may have a significant impact on the environment. The
14 Disposition of Offshore Cooling Water Conduits Project is a “project” as defined by the
15 State CEQA Guidelines. Upon preliminary review, the CSLC determined that the
16 Proposed Project may have a significant adverse impact on the environment and,
17 therefore, an EIR is required.

18 This document, together with the Draft EIR prepared in February 2005, constitutes the
19 Final EIR for the Proposed Project. The CSLC, as the Lead Agency for this proposal, is
20 required by section 15089 of the CEQA to prepare a Final EIR. The Final EIR will be
21 used by the CSLC as part of its approval process, including setting the conditions of the
22 lease termination agreement, and incorporating mitigation measures for project
23 implementation. A Mitigation Monitoring Program is incorporated in Section 6 of the Draft
24 EIR, with revisions shown in Section 4 of this Final EIR.

25 **1.2 ORGANIZATION OF FINAL EIR**

26 As required by section 15132 of the State CEQA Guidelines, the Final EIR consists of
27 the following elements:

- 28
- The Draft EIR.

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 - A list of persons, organizations, and public agencies commenting on the Draft
30 EIR (see Section 3 of this Final EIR).

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 - Comments and recommendations received on the Draft EIR (see Section 3 of
32 this Final EIR).

1 • Responses to significant environmental points raised in the review and consultation
2 process (see Section 3 of this Final EIR).

3 • Revisions to the Draft EIR (Section 4 of this Final EIR).

4 Additional information is also provided, including a description of the public hearing
5 (Section 2 of this Final EIR).

6 **1.3 DECISION-MAKING PROCESS**

7 The CSLC is the lead agency for this EIR. The CSLC will use the Final EIR in its
8 decision-making process in consideration of the Proposed Project. The CSLC must
9 certify that:

10 • The Final EIR has been completed in compliance with the CEQA;

11 • The Final EIR was presented to the CSLC in a public meeting and the CSLC
12 reviewed and considered the information contained in the Final EIR prior to
13 considering the Proposed Project; and

14 • The Final EIR reflects the CSLC's independent judgment and analysis (State
15 CEQA Guidelines section 15090).

16 In conjunction with certification of the Final EIR, the CSLC must prepare one or more
17 written findings of fact for each significant environmental impact identified in the
18 document. The possible findings are:

19 • Changes or alterations have been required in, or incorporated into, the project
20 that avoid or substantially lessen the significant environmental effect as identified
21 in the Final EIR.

22 • Such changes or alterations are within the responsibility and jurisdiction of
23 another public agency and not the agency making the finding. Such changes
24 have been adopted by such other agency or can and should be adopted by such
25 other agency.

26 • Specific economic, legal, social, technological or other considerations, including
27 provision of employment opportunities for highly trained workers, make infeasible
28 the mitigation measures or project alternatives identified in the Final EIR.
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30 If any of the impacts identified in the EIR cannot be reduced to a level that is less than
31 significant, the CSLC may adopt a Statement of Overriding Considerations and approve
32 the Proposed Project. If the CSLC decides to approve the Proposed Project, the CSLC
33 will file a Notice of Determination.