1.0 INTRODUCTION

1.1 PURPOSE

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

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

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

1.2 ORGANIZATION OF FINAL EIR

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

• The Draft EIR.

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

• Comments and recommendations received on the Draft EIR (see Section 3 of this Final EIR).
• Responses to significant environmental points raised in the review and consultation process (see Section 3 of this Final EIR).

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

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

1.3 DECISION-MAKING PROCESS

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

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

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

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

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

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

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

• Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

If any of the impacts identified in the EIR cannot be reduced to a level that is less than significant, the CSLC may adopt a Statement of Overriding Considerations and approve the Proposed Project. If the CSLC decides to approve the Proposed Project, the CSLC will file a Notice of Determination.