



BEAUMONT SUMMIT STATION PROJECT

FINAL ENVIRONMENTAL IMPACT REPORT

Plot Plans - PP2021-0388, PP2021-0390, PP2021-0391
General Plan Amendment - PLAN2021-0656
Tentative Parcel Map - PM2021-0009
Specific Plan Adoption - SP2021-0005

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Section 1.0 Introduction

1.1 INTRODUCTION

The City of Beaumont has prepared this Final Environmental Impact Report (FEIR) in compliance with the California Environmental Quality Act (CEQA) for the Beaumont Summit Station Project (Project). The City is required, after completion of a DEIR (State Clearinghouse No. 2021090378), to consult with and obtain comments from public agencies having jurisdiction by law with respect to the Project and provide the general public with an opportunity to comment on the DEIR. This FEIR has been prepared to respond to comments received on the DEIR, which was circulated for public review from April 21, 2022 through June 6, 2022. The preceding Table of Contents provides a list of all persons, organizations, and public agencies who commented on the DEIR.

The City will evaluate comments on environmental issues from persons who reviewed the DEIR and will prepare a written response, pursuant to CEQA Guidelines §15088(a). The written response must address any significant environmental issues raised. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the Project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines §15204, §15088). Those comments are responded to in **Section 2.0, Comments on the Draft EIR and Responses to Comments**.

State CEQA Guidelines §15088 recommends that where a response to comment makes important changes in the information contain in the text of the DEIR, that the Lead Agency either revise the text of the DEIR or include marginal notes showing that information. Added or modified text is shown in **Section 3.0, Errata**, by underlining (example) while deleted text is shown by striking (~~example~~). The additional information, corrections, and clarifications are not considered to substantively affect the conclusions within the EIR and therefore the City has determined that recirculation of the DEIR is not required as none of the criteria for recirculation under CEQA Guidelines Section 15088.5 have been met.

CEQA Guidelines §15132 indicates that the contents of a FEIR shall consist of:

- (a) The DEIR or a revision of the draft.
- (b) Comments and recommendations received on the DEIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the DEIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

Pursuant to CEQA Guidelines §15088(b), the City will provide written responses to comments to any public agency that commented on the DEIR, at least ten (10) days prior to the City Council consideration of certifying the EIR as adequate under CEQA. Written responses to comments will also be provided to

non-public agency individuals, organizations, and entities that commended on the DEIR. In addition, the FEIR will be made available to the general public at the City's Planning Division office and on the City's website a minimum of 10 days prior to the Planning Commission public hearing.

The FEIR, along with other relevant information and public testimony at the Planning Commission and City Council's public hearings, will be considered by the City's Council. Next, the Planning Commission would recommend EIR certification and Project approval to the City Council.

1.2 ORGANIZATION OF EIR

This FEIR provides the requisite information required under CEQA and is organized as follows:

- **Section 1.0: Introduction.** This section provides an introduction to the FEIR, including the requirements under CEQA, the organization of the document, as well as a brief summary of the CEQA process activities to date.
- **Section 2.0: Comments on the Draft EIR and Responses to Comments.** This section provides a list of public agencies, organizations, and individuals commenting on the DEIR, provides a copy of each written comment received, and any response required under CEQA.
- **Section 3.0: Errata to the Draft EIR.** This section presents clarifications, amplifications, and insignificant modifications to the EIR, identifying revisions to the text of the document.

1.3 CEQA PROCESS HISTORY

The City has complied with relevant Public Resources Code provisions and CEQA Guidelines regarding the preparation and processing of the Project EIR. A brief summary of the Project's CEQA process is as follows:

- A Notice of Preparation (NOP) informing interested parties and agencies of the Project was distributed on September 22, 2021.
- Written and verbal comments were given at a public scoping meeting held for the Project on October 7, 2021.
- Following a Notice of Completion (NOC), the DEIR and Notice of Availability was distributed for public review and comment for a 45-day period, beginning April 21, 2022. The public review period closed on June 6, 2022.

1.4 CHANGES TO THE DRAFT EIR

As previously stated, **Section 3.0, Errata** to the Draft EIR, details the changes to the DEIR. In response to public comments, text changes have been made to DEIR sections to clarify and amplify the analysis or mitigation measures, and to make insignificant modifications to the DEIR. This information does not rise to the level of significant new information as the resulting impact analysis and alternatives considered remain essentially unchanged, and no new or more severe impacts have been identified. These changes do not warrant DEIR recirculation pursuant to California Public Resources Code §21092.1 and CEQA Guidelines §15088.5. As discussed herein and as elaborated upon in the respective Response to Comments, none of the clarifications or changes made in the Errata reflect a new significant environmental impact, a "substantial increase" in the severity of an environmental impact for which

mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted, nor do the Errata reflect a “fundamentally flawed” or “conclusory” DEIR. In all cases, as discussed in individual responses to comments and DEIR Errata, these minor clarifications and modifications do not identify new or substantially more severe environmental impacts that the City has not committed to mitigate. Therefore, the public has not been deprived of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or an unadopted feasible Project alternative or mitigation measure. Instead, the information added supports the existing analysis and conclusions, and responds to inquiries made from commenters. Therefore, this FEIR is not subject to recirculation prior to certification.

CEQA Guidelines §15088.5 describes when an EIR requires recirculation prior to certification, stating in part:

- “(a) 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 for public review under Section 15087 but before certification. As used in this section, the term “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 environmental impacts of the project, but the project’s proponents decline to apply it.*
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).*
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”*

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