

CHAPTER 1 INTRODUCTION

1.1 CEQA REQUIREMENTS

Before approval of a project, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (Final EIR). A Final EIR consists of:

- (a) The Draft EIR or a revision of the Draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (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.

An overview of the contents of this Revised Final EIR (RFEIR), indicating compliance with CEQA Guidelines § 15132, is provided in Section 1.3 (Contents and Organization of the Revised Final EIR) of Part 2 of this document.

As discussed in the Preface, this RFEIR is composed of two parts, bound as separate documents. Part 1 is the October 2013 proposed Final EIR, with associated Technical Appendices and Mitigation Monitoring and Reporting Program (MMRP). Part 1 includes comment letters received on the February 2013 Revised Draft EIR and responses to these comments. Part 1 also incorporates changes to the Revised Draft EIR that resulted from comments received. Part 2 includes comment letters received when the City circulated Part 1 for additional public review following the October 2013 Planning Commission project introduction hearing. Part 2 also includes responses to the comments received, revisions, errata, and the revised MMRP (dated June 2014).

The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the Lead Agency's response at least 10 days before certifying the RFEIR. The City sent letters to each agency that commented on the Revised Draft EIR, with responses to their respective comments in October 2013. The full comment letters and responses are available in Chapter 8, Responses to Comments, of the RFEIR Part 1. Additionally, the City sent letters to each agency that commented on the Proposed Final EIR, with responses to their respective comments in June 2014, and the full comment letters and responses are available in Chapter 3, Responses to Comments, of the RFEIR Part 2. In addition, the Lead Agency may also provide an opportunity for members of the public to review the Final EIR before certification, though this is not a requirement of CEQA. Part 1 of the RFEIR is available for review on the City's website (www.cityofgoleta.org), at the City of Goleta Planning and Environmental Review office, and at the Goleta Library. Part 2 of the RFEIR will be available for the public to review at these locations before certification.

1.2 PUBLIC REVIEW PROCESS

The City of Goleta released the Proposed Final EIR for the Marriott Residence Inn/Hollister Center Project (12-EIR-1; SCH #2007121058) in October 2013. The project was introduced to

the City of Goleta Planning Commission on October 28, 2013. At the request of the applicant, the Planning Commission continued the project indefinitely on November 25, 2013, to allow for circulation of the Proposed Final EIR. Although Final EIRs are not required to be circulated for additional public review, the City of Goleta noticed and circulated the Proposed Final EIR for additional public comment from December 3, 2013 to February 3, 2014. A copy of each numbered comment letter and a numbered response to each comment are provided in Chapter 3, Response to Comments, of Part 2 of this document. To avoid confusion, the comment letters are numbered to begin where the comment numbers on the Revised Draft EIR left off, starting with Comment Letter No. 9. Table 1-1 summarizes the comments received on the Proposed Final EIR.

TABLE 1-1. PUBLIC COMMENTS RECEIVED ON THE PROPOSED FINAL EIR

Letter No.	Commenter	Commenter Type
9	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (January 13, 2014)	State
10	Native American Heritage Commission (December 4, 2013)	State
11	California Department of Conservation Division of Oil, Gas, & Geothermal Resources (February 7, 2014)	State
12	Goleta Sanitary District (January 9, 2014)	Local
13	David Stone, Dudek (January 30, 2014)	Interested Party
14	Peter Brown, Brownstein Hyatt Farber Schreck, LLP (February 3, 2014)	Interested Party
15	Timothy Thompson, Cardno ENTRIX (February 3, 2014)	Interested Party
16	Marc Chytilo, Law Office of Marc Chytilo (February 3, 2014)	Interested Party

Before circulation of the Proposed Final EIR, a Draft EIR was released for public review on January 3, 2013. On February 14, 2013, the City withdrew the January 2013 Draft EIR from State Clearinghouse review and submitted a Revised Draft EIR for the same project dated February 2013. The Revised Draft EIR, which was released for public review on February 15, 2013, included corrections to the Executive Summary, the Cultural Resources section, and the Alternatives chapter. An environmental hearing to receive testimony from all interested parties was held on March 21, 2013 at 6:00 p.m. The comment period for the Revised Draft EIR ended on April 4, 2013, consistent with the minimum 45-day public review period required by CEQA and the CEQA Guidelines. All comment letters received on the Revised Draft EIR (comment letters 1 through 8) are included in Chapter 8, Response to Comments, of Part 1 of this document.

1.3 CONTENTS AND ORGANIZATION OF THE REVISED FINAL EIR

This RFEIR is composed of two distinct parts. They are as follows:

Part 1 Proposed Final EIR, Technical Appendices, and Proposed Mitigation Monitoring and Reporting Program (dated October 2013): This volume includes a revision of the Revised Draft EIR and technical appendices (dated February 2013) and describes the existing environmental resources on the project site and surrounding vicinity; analyzes potential impacts on those resources due to the proposed project; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future

projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid project-related impacts. This volume also includes all comment letters received on the Revised Draft EIR, responses to comments, any changes to the Revised Draft EIR that resulted from comments received, and the October 2013 MMRP.

Part 2 Revisions, Errata, and Responses to Comments to the Proposed Final EIR and Revised MMRP (dated June 2014): This volume includes an explanation of the format and content of the RFEIR; all Proposed Final EIR text changes; a complete list of all persons, organizations, and public agencies that commented on the Proposed Final EIR; all comments received and the Lead Agency's responses to those comments; copies of the actual comment letters; and the revised MMRP.

1.4 USE OF THE REVISED FINAL EIR

The RFEIR allows the public and the City of Goleta an opportunity to review revisions to the Revised Draft EIR (dated February 2013) and Proposed Final EIR (dated October 2013), the response to comments, and other components of the EIR, such as the MMRP, before considering whether to approve the project. The RFEIR serves as the environmental document to inform the public regarding the proposed project.

After completing the RFEIR, and before considering whether to approve the project, the Lead Agency must make the following three certifications, as required by CEQA Guidelines § 15090:

- That the RFEIR was completed in compliance with CEQA;
- That the RFEIR was presented to the City Council, which independently reviewed and considered the information in the RFEIR prior to approving the project; and
- That the RFEIR reflects the City's independent judgment and analysis.

These certifications, the Findings of Fact, and the Statement of Overriding Considerations (which are described further below) are included in a separate Findings document. Both the RFEIR and the Findings document are submitted to the City of Goleta for consideration of the proposed project.

Additionally, pursuant to CEQA Guidelines § 15091(a), if an EIR that has been certified for a project identifies one or more significant environmental effects, the public agency must adopt "Findings of Fact." For each significant impact, the lead agency must make one of the following findings:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR;
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings, and that such changes have been adopted by such other agency or can and should be adopted by such other agency; or

- (3) Specific economic, legal, social, technological, or other considerations, including employment opportunities for workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (this finding must state the specific reasons for rejecting identified mitigation measures or project alternatives).

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, pursuant to CEQA Guidelines § 15091(d), the agency must adopt a program for reporting on or monitoring the changes, either in conjunction with the project or as a condition of approval, to avoid or substantially lessen environmental effects. This program is usually referred to as the Mitigation Monitoring and Reporting Program.

If a Lead Agency wishes to approve a project that would result in significant, unavoidable impacts that are disclosed in the final EIR, the agency must, pursuant to CEQA Guidelines § 15093(b), state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations is supported by substantial information in the record, which includes this RFEIR. Since the proposed project would result in significant, unavoidable impacts, the City Council would be required to adopt a Statement of Overriding Considerations before it can approve the proposed project. This statement is not a substitute for the Findings of Fact described above.