

## 2.3 Responses to Comments

### 2.3.1 Master Response: Merits of the Project or Alternatives

Many comments on the environmental impact report (EIR) (the DEIR and Partially Revised DEIR) expressed opinions regarding the merits of a component of the project or specific project alternative, including the route alignment, points of access, and preferred location of the parking lot as considered in Chapter 5, "Alternatives." Preferences or suggestions raised on the EIR that do not relate to the adequacy or content of the environmental impacts analysis in the document are not comments that legally require a response under CEQA. Please see State CEQA Guidelines Section 15204(a), which states:

*In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

Furthermore, Section 15204(c) of the State CEQA Guidelines states;

*Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

The Conservancy's Board will consider opinions and suggestions on specific components of the project design or alternatives to the design during its deliberations on the project. However, these comments are not directed at the adequacy or completeness of the EIR analysis; therefore, no response is required under CEQA beyond referring to this master response.

This page intentionally left blank.