

## How to Make Effective Comments on an EIR Document

An important part of the EIR process is the public review period. During this time, the public is invited to make comments on the Draft EIR. The lead agency (the agency which had the EIR prepared and may eventually certify it) is then required to provide responses to these comments and incorporate the responses and the comments into the Final EIR. Providing effective comments is, therefore, one of the most important ways that the public has to effect change in a proposed project. These guidelines have been provided to assist members of the public in commenting on the Draft EIR for the Aera Energy/Diamond Bar project so the public can meaningfully participate in this process.

- To start, comments that simply reflect an opinion about the project will not be addressed. For example, a comment that states, "I don't like the project," typically results in a response of "Comment Noted."
- Serious comments sometimes lead to changes in the EIR and in the project. Therefore, comments should be accompanied by factual support. The comments should be written in a manner that requires the lead agency to respond. The following example related to the project description provided in the Notice of Preparation for the EIR could also be a concern for the Draft EIR.

The plan results in a wildlife corridor that does not follow the natural topography and may not function well. The wildlife movement corridors onsite need to allow for wildlife movement for a longer period of time than the life span of an individual animal, but rather, must guarantee the functionality of wildlife movement over multiple generations and multiple species, including smaller animals which require cover for migration and cannot be expected to use golf course fairways as migratory routes. Project alternatives must be considered that provide more adequate secondary access areas for wildlife.

- Focus on the sufficiency of the EIR in identifying and analyzing the possible impacts of the project on the environment. For example, is there a local public facility required to serve the new development that has not been identified as potentially having an impact? If you believe an area has been insufficiently analyzed, include that in your comment and request that it be analyzed.

Traffic impact analysis is worthy of particular attention. The introduction of 300,000 square feet of additional commercial space and up to 3,600 residential units will compound existing traffic congestion in the project vicinity. Adequate analysis of project impacts on the local and regional traffic infrastructure must be a focus of the EIR. This can trigger questions regarding traffic flow, air quality, noise, and aesthetics.

- Another key emphasis is to identify which of the project's significant effects might be avoided or mitigated. These are typically called "mitigation measures." Does it appear that the mitigation measures will actually minimize project impacts? If not, don't simply state that a mitigation measure is insufficient. A comment is taken more seriously when it suggests an alternative project or a mitigation measure that would provide better ways to avoid or mitigate the significant environmental effects of the project. For example, a comment such as the one below regarding open space could result in more certainty regarding open space preservation:

A mitigation measure clearly worded to require permanent preservation, and funding for management, of the open space onsite is fundamental for this project to sustain the viability of the

preserved open space. The open space should be dedicated in fee simple to a public park or conservation agency.

- Be specific: the more specific your comments are, the more they will require the lead agency to consider and respond to them. Don't say: "this project will increase traffic" if you can say "this project will increase traffic at the corner of 5<sup>th</sup> and Elm in the vicinity of an elementary school which already has traffic problems. The EIR should analyze the project's impact on traffic circulation and safety, especially regarding school children near this site."
- Supply some evidence, if you can, even if it simply personal experience or observations: It is better to say, "I often view the project site when traveling on Harbor Boulevard and consider the site visually prominent in the community" than to say "I'm concerned about visual impacts of this project."
- Look for inconsistencies in the document. If they use one set of numbers for traffic counts in the traffic section and another in the noise section, the two sections must be made consistent.
- Look for errors in logic. If a proposed mitigation measure isn't funded, doesn't have an identified site, or for some other reason looks like a fig leaf rather than a serious effort to address a problem, say so.
- Look for stale data and point it out.