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during Project construction and operation. The DSEIR fails to perform a quantitative assessment of the Project’s DPM emissions but concludes that the Project would result in a less-than-significant construction-related health risk impact from DPM because of the highly dispersive nature of DPM, the short-term construction duration, and the fact that construction activities would occur at various locations throughout the Project site.<sup>235</sup> No analysis was provided regarding the Project’s DPM emissions during operations.<sup>236</sup> The analysis in the DSEIR—or lack thereof—is inadequate for three reasons, as set forth in detail in SWAPE’s expert comments.<sup>237</sup> First, neither the DSEIR nor the Appendices quantify the Project’s construction-related and operational TAC, which weakens the DSEIR’s effectiveness as an informational document.<sup>238</sup> DPM emissions would be emitted through exhaust stacks of construction equipment over the course of at least 26 months, and the Project’s operational phase was estimated to generate approximately 19,040 and 14,426 average weekday and weekend vehicle trips, respectively, which would generate additional exhaust emissions.<sup>239</sup> Nevertheless, the DSEIR omitted a quantitative analysis of these DPM emissions and therefore impacts to exposed nearby sensitive receptors exposed to DPM emissions was not disclosed in the DSEIR.

Second, since the Project’s construction timeline significantly exceeds the OEHHHA two-month threshold, a quantified HRA should have been performed pursuant to OEHHHA guidance.<sup>240</sup> Moreover, OEHHHA recommends that exposure from projects lasting more than six months should be evaluated for the duration of the project and “that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (“MEIR”).”<sup>241</sup> Although the DSEIR fails to disclose the expected Project life, it is reasonable to assume the Project will operate for at least 30 years and thus health risk impacts from Project operation must also be evaluated.<sup>242</sup> The DSEIR improperly omitted this analysis.

<sup>235</sup> DSEIR, Appendix I at 21.  
<sup>236</sup> SWAPE at 13.  
<sup>237</sup> *Id.* at 13-14.  
<sup>238</sup> *Id.* at 13.  
<sup>239</sup> DSEIR, Appendix I at 14; DSEIR at 5.1-5.  
<sup>240</sup> SWAPE at 13-14.  
<sup>241</sup> *Id.* at 14.  
<sup>242</sup> *Id.*  
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Finally, “by claiming a less than significant impact without conducting a quantified construction and operational HRA for nearby, existing sensitive receptors, the DSEIR fails to compare the excess health risk impact to the applicable SDAPCD threshold of 10 in one million and lacks evidence to support its conclusion that the health risk would be less-than-significant.”<sup>243</sup> For these reasons, and based on the analysis and recommendations offered in SWAPE’s expert comments, a quantified HRA that analyzes the adverse health impacts that may be caused by exposure to TACs from the Project’s construction and operational emissions must be performed and included in a project-level EIR for the Project.

SWAPE conducted a screening-level HRA, which “demonstrate[d] that construction and operation of the Project could result in a significant health risk impact, when correct exposure assumptions and up-to-date, applicable guidance are used.”<sup>244</sup> Utilizing AERSCREEN<sup>245</sup> and applicable HRA methodologies recommended by OEHHA and SDAPCD, SWAPE concludes that “[t]he excess cancer risk over the course of a residential lifetime (30 years), utilizing Age Sensitivity Factors (“ASFs”), is approximately 56.1 in one million. The infant, child, and lifetime cancer risks exceed the SDAPCD threshold of 10 in one million, thus resulting in a potentially significant impact that was not previously addressed or identified in the DSEIR.”<sup>246</sup> Even without ASFs, the excess cancer risk calculated by SWAPE over the course of thirty years is 16.2 in one million, which would exceed the SDAPCD threshold of ten in one million.<sup>247</sup> This is a new and more severe health risk than disclosed in the Pavilion FEIR, and is not adequately disclosed or mitigated in the DSEIR.

The City must prepare a legally adequate project-level EIR to address the potentially significant health risk impacts described in this comment letter and the attached expert comments. As written, the DSEIR is completely deficient as an informational document in failing to disclose the Project’s potentially significant impacts to public health and does not provide any mitigation to reduce these impacts to less than significant levels.

<sup>243</sup> *Id.*

<sup>244</sup> *Id.* at 17.

<sup>245</sup> U.S. EPA, *AERSCREEN Released as the EPA Recommended Screening Model* (April 2011), available at:

[http://www.epa.gov/ttn/scram/guidance/clarification/20110411\\_AERSCREEN\\_Release\\_Memo.pdf](http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf)

<sup>246</sup> SWAPE at 17.

<sup>247</sup> *Id.*

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**D. The DSEIR Fails to Adequately Disclose and Mitigate the Project’s New and More Severe Impacts from Greenhouse Gas Emissions**

“The Legislature has ‘emphatically established as state policy the achievement of a substantial reduction in the emission of gases contributing to global warming.’”<sup>248</sup> Moreover, CEQA requires a lead agency to “make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of [GHG] emissions resulting from a project.”<sup>249</sup> Here, the DSEIR’s quantitative GHG analysis is unsubstantiated and therefore fails to support the DSEIR’s conclusion that impacts from GHG emissions would be less than significant. Additionally, the DSEIR relied on sustainability features rather than formal mitigation measures to demonstrate consistency with the City of Oceanside’s Climate Action Plan (“CAP”). To ensure these sustainability measures are enforceable, verifiable, and incorporated into the Project’s design, the DSEIR should have included the measures as additional mitigation. Without implementing sufficient safeguards, the DSEIR fails to demonstrate consistency with the City’s CAP.

a. The DSEIR Fails to Disclose Potentially Significant Impacts from GHG Emissions

The DSEIR concludes that the Project would not generate GHG emissions that may have a significant impact on the environment because “the Project’s operational GHG emissions would be approximately 3.0 MT CO<sub>2</sub>e per service population per year, which would be below the 2025 City threshold of 3.5 MT CO<sub>2</sub>e per service population per year.”<sup>250</sup> However, as discussed in the attached expert report by SWAPE, the DSEIR’s conclusion that impacts from GHG emissions would be less than significant is incorrect and unsubstantiated.

First, the DSEIR’s quantitative GHG analysis is unsubstantiated because “several of the values inputted into the model are not consistent with information disclosed in the DSEIR.”<sup>251</sup> Inputting incorrect values into the model may cause

<sup>248</sup> *Golden Door Properties, LLC*, 50 Cal. App. 5th at 484.

<sup>249</sup> 14 C.C.R. § 15064.4(a).

<sup>250</sup> DSEIR at 5.1-13.

<sup>251</sup> SWAPE at 19.

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Project GHG emissions to be underestimated.<sup>252</sup> Instead, a project-level EIR is necessary to adequately assess the GHG impacts of the Project.

Second, the DSEIR calculations relied on a bloated service population efficiency value of 6,725 people that incorrectly accounted for customers and visitors in addition to residents and employees.<sup>253</sup> Inclusion of customers and visitors in the service population calculation is contrary to the definition of “service population” set forth in the CAPCOA CEQA & Climate Change Report.<sup>254</sup> Pursuant to this Report, SWAPE performed the proper calculations for the service population efficiency value and estimated a service population of 2,334 people.<sup>255</sup> “When utilizing a correct service population value and applying the City’s 2025 Efficiency Threshold of 3.5 MT CO<sub>2</sub>e/SP/year, as well as the County’s bright-line threshold of 900 MT CO<sub>2</sub>e/year, the DSEIR’s incorrect and unsubstantiated air model indicates a potentially significant GHG impact,” as shown in the below table.<sup>256</sup>

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cont.

Greenhouse Gas Emissions	
Source	DSEIR Model
Total Annual Emissions (MT CO <sub>2</sub> e/year)	<b>20,195.9</b>
Bright-line Threshold	900
Service Population	2,334
Service Population Efficiency (MT CO <sub>2</sub> e/SP/year)	<b>8.65</b>
2025 Efficiency Threshold	3.50
Exceed?	<b>Yes</b>

Thus, a project-level EIR that accurately and adequately analyzes the potentially significant GHG impacts from the Project is required and corresponding mitigation measures should be implements where necessary.

<sup>252</sup> *Id.*

<sup>253</sup> *Id.*; *See also* DSEIR at 5.1-13.

<sup>254</sup> *Id.*; *See also* CAPCOA, *CEQA & Climate Change* at 71-72 (January 2008), available at: <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>.

<sup>255</sup> SWAPE at 19.

<sup>256</sup> *Id.*

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b. The DSEIR Fails to Demonstrate Consistency with the City's CAP

The DSEIR further concludes that the Project would not conflict with the goals of the CAP given that emissions were calculated to be below the City's threshold (which is not based in fact for the reasons discussed above), and because the Project would be vaguely consistent with "requirements regarding smart growth, alternative-fueled vehicle infrastructure, alternative-fueled vehicle parking, transportation demand management, recycled water, and tree canopy."<sup>257</sup> However, in failing to incorporate the PDFs listed on page 2-10 of the DSEIR as formal mitigation measures, no assurance is provided in the DSEIR that the measures will be adopted and can be enforced.<sup>258</sup> For these reasons, SWAPE concludes that the DSEIR fails to provide substantial evidence to demonstrate the Project's consistency with the CAP and potentially significant impacts are not mitigated in the DSEIR.<sup>259</sup>

J-24 Please refer to Response J-52.

J-25

**E. The DSEIR Fails to Adequately Disclose and Mitigate the Project's New and More Severe Impacts on Biological Resources**

The proposed Project involves numerous revisions to the former Pavilion project that substantially increase the severity of indirect impacts, like edge effects, on sensitive biological resources. These changes include, but are not limited to, a new mixed-use development plan, architectural and design changes, and proposed uses, e.g., residential, resort, and commercial. Despite these significant changes to the Project, the DSEIR fails to analyze the Project's indirect effects and instead relies on a conclusory assertion that there would be no new edge effects, and that the mitigation incorporated into the Pavilion FEIR would be sufficient to reduce edge effects to less-than-significant levels.<sup>260</sup> For the reasons set forth herein and in the attached expert report by Mr. Scott Cashen, M.S., the DSEIR's conclusion is not supported by evidence or analysis.

As detailed in Mr. Cashen's report, the Project would generate new edge effects, and substantially increase the severity of edge effects identified in the Pavilion FEIR such that the previously approved mitigation measures are no longer

J-25 The SEIR analyzed impacts to biological resources, including indirect impacts and edge effects associated with human activity in light of the proposed project components. For more specific responses to impacts and mitigation associated with edge effects please see Response J-26 below. For wetlands, please refer to Response J-27.

<sup>257</sup> DSEIR at 5.1-13; SWAPE at 20-21.

<sup>258</sup> See SWAPE at 21.

<sup>259</sup> *Id.*

<sup>260</sup> DSEIR at 5.1-8.

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sufficient for this Project.<sup>261</sup> Additionally, Mr. Cashen identifies deficiencies with the DSEIR’s analysis of impacts to wetlands.

- a. Substantial Evidence Demonstrates that Changes to the Project Present New and More Severe Edge Effects and Substantially Increase the Severity of the Edge Effects Previously Analyzed in the Pavilion FEIR

The Pavilion FEIR concluded that indirect impacts caused by “edge effects” would be potentially significant.<sup>262</sup> Nevertheless, the DSEIR omits any discussion regarding how edge effects may result in new significant impacts as compared to the prior project upon concluding that impacts on biological resources would not exceed impacts previously analyzed in the Pavilion FEIR.<sup>263</sup> To the contrary, Mr. Cashen’s report provides substantial evidence to demonstrate that changes to the Project (mainly the new residential uses) would generate new, potentially significant edge effects, and substantially increase the severity of the edge effects identified in the Pavilion FEIR.<sup>264</sup> The new, potentially significant edge effects of the Project and those effects that have increased severity due to the Project changes are discussed in detailed in the attached expert report by Mr. Cashen and summarized below.

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- **Argentine ants** – The Argentine ant (an exotic, invasive species) has severe, adverse effects on native biota.<sup>265</sup> The Pavilion FEIR acknowledged that “residential uses usually introduce Argentine ants (*Linepithema humile*) to local habitats, which could have adverse consequences for native ant species and animals that feed on them,” but concluded that the issue did not warrant further analysis (or mitigation) because “*the project does not include any residential uses.*”<sup>266</sup> Mr. Cashen explains that the new residential uses proposed for this Project, however, would “provide high quality habitat for Argentine ants and enable them to occur at high densities and spread rapidly.”<sup>267</sup>

<sup>261</sup> See Cashen at 12-13.

<sup>262</sup> Pavilion FEIR at S-13 and -14.

<sup>263</sup> Scott Cashen at 2; DSEIR at 5.1-1.

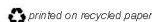
<sup>264</sup> *Id.* at 2-12.

<sup>265</sup> City of Oceanside, *Final Oceanside Subarea Plan* at 7-17 (2010).

<sup>266</sup> City of Oceanside, *Final Environmental Impact Report for the Pavilion at Oceanside; Appendix C* at 29 (September 4, 2008)(emphasis added).

<sup>267</sup> Cashen at 3.

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There are existing residential uses in the immediate area and the area surrounding the project site is already urbanized with a mix of residential, non-residential, and recreational uses. The addition of similar uses in an already urbanized areas is not expected to substantively contribute to conditions associated with the existing presence of Argentine ants, the brown-headed cowbird, or predation by domestic pets, and no new or more severe impact associated with these issues will occur. With regard to avian collisions and in response to a similar comment received by CDFW (refer to Response C-5), the project has committed to incorporate PDF BIO-2 Standards for Bird-Safe Buildings to reduce the potential for avian collisions. Indirect impacts associated with invasive species will not increase from those impacts analyzed and mitigated by Mitigation Measure BIO-7 of the Pavilion EIR. Please also refer to Response I-10 with regard to lighting and E-7 with regard to impacts to the wildlife corridor.

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Additionally, this Project proposes “a 91,000 square foot increase in storm water retention features that would provide mesic microclimates beneficial to Argentine ants. The new storm water features and residential developments associated with the Project increase the potential that the Project would facilitate invasion of the San Luis Rey River corridor by Argentine Ants— especially because modifications to the Project include construction of a large biofiltration basin and multiple residential units (i.e., Argentine ant habitat) in close proximity to the San Luis Rey River corridor.”<sup>268</sup> The DSEIR fails to disclose and mitigate the potentially significant impacts from Argentine ants.

- **Predation by Domestic Cats** – Domestic cats present a significant threat to the survival of birds in and around the Project site.<sup>269</sup> “Therefore, even if only a few of the residential units developed for the Project would have domestic cats that go outside, those cats could have a significant impact on the California gnatcatcher, least Bell’s vireo, and other special-status birds that are present on or around the Project site.”<sup>270</sup> Although the Pavilion FEIR recognized that domestic animals could cause a significant impact to native wildlife, the Pavilion FEIR dismissed the impact, reasoning that “[t]he potential for introduction of nuisance animals is limited in this case by the fact that the project does not include any residential uses.”<sup>271</sup>

As discussed by Mr. Cashen, the same reasoning is not applicable to the current Project.<sup>272</sup> In fact, Mr. Cashen concludes that “the potential for the currently proposed Project to cause a significant impact to special-status birds and other native wildlife is heightened by the Applicant’s plan to construct approximately 146 dwelling units in the lots bordering the biological open space (gnatcatcher dispersal corridor), and approximately 213 dwelling units in the lots bordering the San Luis Rey River corridor.”<sup>273</sup> Thus, as supported by Mr. Cashen’s comments, the severity of the impacts from predation by domestic cats is substantially increased yet the DSEIR fails to analyze and mitigate this potentially significant impact.

<sup>268</sup> *Id.*

<sup>269</sup> *Id.* at 4.

<sup>270</sup> *Id.*

<sup>271</sup> City of Oceanside, *Final Environmental Impact Report for the Pavilion at Oceanside; Appendix C* at 28-29 (September 4, 2008).

<sup>272</sup> Cashen at 4.

<sup>273</sup> *Id.*

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- **Avian Collisions** – The Project design and materials are very different from the former project.<sup>274</sup> These project changes create new project-specific hazards to birds that were not analyzed in the Pavilion FEIR or the DSEIR. These include: (1) buildings with reflective or transparent windows, large windows, or a high percentage of glass; (2) windowed courtyards and balconies; (3) buildings with windows located adjacent to extensive vegetation; and (4) windows adjacent to open spaces one hectare (2.47 acres) or greater in size.<sup>275</sup> Given the foregoing Project changes, Mr. Cashen concludes that “the increase in the avian collision hazard posed by the proposed Project uses and design features represents a substantially more severe significant impact on special-status birds than shown in the Pavilion FEIR. Due to the issues described above, the City must analyze the avian collision hazard as a potentially significant impact, and it must provide adequate mitigation.”<sup>276</sup>
- **Invasive Species** – Table 2-4 in the DSEIR provides a list of plant species that comprise the conceptual landscape palette for the proposed Project, which would nearly double the overall landscaped area as compared to the prior project.<sup>277</sup> Several of the plants listed in Table 2-4 are in the California Invasive Plant Inventory.<sup>278</sup> For these reasons, Mr. Cashen concludes that a revised landscape palette must be required for the Project and that “the DSEIR needs to discuss what mechanisms (if any) would prevent the Project’s residences (or property managers) from planting invasive species after development of the Project is complete.”<sup>279</sup>
- **Night Lighting** – The DSEIR concludes that MM BIO-12, as identified in the Pavilion FEIR, would mitigate the potentially significant impacts from night lighting to less than significant levels.<sup>280</sup> However, Mr. Cashen found two problems with this conclusion. First, “the DSEIR fails to discuss how revisions to the Project would affect: (a) the height and abundance of lights at the Project site; (b) the types of lights that will be installed; (c) the luminosity

<sup>274</sup> DSEIR at 2-7; Pavilion FEIR at S-8.

<sup>275</sup> Cashen at 7-9.

<sup>276</sup> *Id.* at 9-10.

<sup>277</sup> DSEIR at 2-13—2-15.

<sup>278</sup> Cashen at 10.

<sup>279</sup> *Id.*

<sup>280</sup> DSEIR at 5.1-9.

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of the bulbs; and (d) the location and density of light fixtures.”<sup>281</sup> Second, Mr. Cashen highlights the DSEIR’s lack of “quantitative standards for BIO-12, which makes efficacy of the mitigation uncertain.”<sup>282</sup> Taken together, Mr. Cashen concludes: “The City’s failure to provide a lighting plan precludes the ability to validate the City’s conclusion that, despite significant revisions to the development plan, no additional mitigation is needed to prevent significant impacts on wildlife (due to night-lighting).”<sup>283</sup>

- **Brown-headed Cowbird** – As discussed by Mr. Cashen, “[n]est parasitism by the brown-headed cowbird (a species that is not indigenous to California) is one of the primary reasons for the decline of the least Bell’s vireo, a federally and state endangered species.”<sup>284</sup> Given that the Project proposes the addition of 700 residential units and fifteen acres of recreational space in close proximity to habitat occupied by the least Bell’s vireo, Mr. Cashen concludes that “[t]hese features would facilitate an increase in the size of the cowbird population, with concomitant impacts on the least Bell’s vireo population.”<sup>285</sup>

Therefore, based on the evidence presented herein and in Mr. Cashen’s expert report, there is substantial evidence that changes to the Project (e.g., residential development) would generate new, potentially significant edge effects, and substantially increase the severity of the edge effects identified in the Pavilion FEIR.

b. The DSEIR Provides Inconsistent Information Regarding Impacts to Wetlands and Is Therefore Deficient

J-27

The Pavilion FEIR estimated that the former project would directly impact 0.73 acre of jurisdictional wetlands and wetland habitats.<sup>286</sup> However, the DSEIR now estimates that the Project would only impact 0.57 acre of wetlands and wetland habitats.<sup>287</sup> The DSEIR fails to explain this discrepancy, and as determined in Mr.

<sup>281</sup> Cashen at 11.

<sup>282</sup> *Id.*

<sup>283</sup> *Id.* at 11-12.

<sup>284</sup> *Id.* at 12,

<sup>285</sup> *Id.*

<sup>286</sup> Pavilion FEIR at S-13; *See also* Helix, *Mitigation Plan for the Pavilion at Oceanside Property* at 2 (November 26, 2007).

<sup>287</sup> DSEIR, p. 5.1-8 (BIO-2).

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It is not uncommon for the extent and quality of aquatic resources to fluctuate. The most current delineation of aquatic resources represents current site conditions, which will be reviewed and confirmed by the resources agencies to include the Department of Fish and Wildlife, U.S. Army Corps of Engineers, and San Diego Regional Water Quality Control Board in the course of processing authorizations for impacts to jurisdictional resources as required by and consistent with Mitigation Measures BIO-2 and BIO-13.

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Cashen's report, "[t]his deficiency impairs the public's ability to understand the Project's impacts on wetland resources and the sufficiency of the mitigation proposed in BIO-2."<sup>288</sup>

**F. The DSEIR Fails to Adequately Disclose and Mitigate the Project's New and More Severe Impacts on Water Quality and Supply, and Fails to Disclose Violations of the Water Code**

Despite over a decade of new water demands and drought conditions since the Pavilion FEIR was certified, the DSEIR nevertheless concludes that Project implementation, like the former project, would not result in significant impacts to hydrology, water quality, or water supply.<sup>289</sup> However, the cursory analysis of impacts to water resources in the DSEIR omits relevant information and provides insufficient detail about the effects of the Project on these critical resources.

J-28

First, the DSEIR fails to analyze the conservation measures, particularly with regards to residential uses, that would purportedly reduce future demand during multiple dry years given that "the City's total water demand is estimated to exceed the total supply by approximately 3% and 7% for the third year of 2035 and 2040, respectively."<sup>290</sup>

Second, the DSEIR omits any information about when and how much recycled water would be available to support the Project needs, and therefore the DSEIR's reliance on recycled water to offset potable water needs is highly suspect and uncertain.

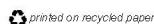
Finally, the water demand estimations for the Project are uncertain and the DSEIR lacks substantial evidence to support the conclusion that the Project would not result in significant impacts to water resources given the dearth of information in the DSEIR about the Project's new residential uses.

<sup>288</sup> Cashen at 2.

<sup>289</sup> DSEIR at 5.1-15.

<sup>290</sup> DSEIR, Appendix G at 3, 34 (emphasis added).

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An updated Sewer Study, Water System Analysis, Drainage Report, and Water Supply Assessment were prepared for the proposed project (Appendices F, G, H, and I to the Draft SEIR, respectively). These updated reports were used to support the analyses and conclusions in the SEIR. Please also refer to Response D 2 regarding the water supply analysis.

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- a. The DSEIR Does Not Establish the Project's Water Supply Sufficiency for Twenty-Year Protection, as Required by the Water Code

The DSEIR concludes that the Project would have sufficient water supplies, even during multiple dry years, and therefore did not set forth any additional avoidance, minimization, or mitigation measures.<sup>291</sup> However, the Water Supply Analysis in Appendix G determined that although there would be sufficient supply to meet the estimated demand over the twenty-year projection during normal years and single dry years, “the City’s total water demand is estimated to *exceed* the total supply by approximately 3% and 7% for the third year of 2035 and 2040, respectively,” and “...associated water conservation measures [would be needed to achieve projected demand] for multiple-dry years.”<sup>292</sup> The conclusion in the Water Supply Analysis is based on expected deficits during multiple dry year conditions anticipated in the City’s planning documents.<sup>293</sup>

J-29

The relevant threshold of significance is whether “sufficient water supplies [are] available to serve the Project and reasonably foreseeable future development during normal, dry *and multiple dry years*;...”<sup>294</sup> If achieving adequate supply during multiple dry years is dependent on the implementation of conservation measures, these measures must be identified, quantified, and evaluated in the DSEIR and corresponding Water Supply Analysis to confirm whether the measures are in fact adequate.

By way of example, Pavilion FEIR Water Supply Analysis quantified reduced future demands through increased water conservation measures and discussed these measures specifically.<sup>295</sup> To the contrary, neither the DSEIR nor Appendix G evaluate any relevant conservation measures, particularly with regards to residential uses, and any reductions to future demand are likewise not quantified. The DSEIR’s analysis regarding water supply during multiple dry years is therefore inadequate and the DSEIR lacks substantial evidence to demonstrate that the impacts on water supply would be less than significant.

<sup>291</sup> DSEIR at 4.6-8.

<sup>292</sup> DSEIR, Appendix G at 3, 34 (emphasis added).

<sup>293</sup> *Id.* at 3.

<sup>294</sup> California Water Code § 10910(c)(3); DSEIR at 4.6-4 (emphasis added).

<sup>295</sup> City of Oceanside, *Final Environmental Impact Report for the Pavilion at Oceanside; Appendix J* at 12 (September 4, 2008).

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Please refer to Response D 2 regarding the assumptions and conclusions of “sufficient water supply” in the water supply analysis. The Pavilion FEIR detailed water conservation best management practices such as system water audits, leak detection, high efficiency washing machine rebate programs, low flow toilet replacement programs, and others. The proposed Project would implement modernized versions of the best management practices as listed in the Project Design Features in the MMRP a. However, to provide a conservative analysis none of these conservation measures were assumed as part of the project demand in the water supply analysis.

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b. The DSEIR Must Not Only Disclose Possible Alternative Water Sources, but Also the Impacts

Impact 2 in the DSEIR explains that “In addition, the City can increase supply through the purchases of ... continued augmentation of recycled water use in new as well as established parts of the City’s service area, which is anticipated to offset potable demand. Recycled water is anticipated by the City to be available through the Fallbrook outfall line in the near future. When available, the proposed Project would convert its irrigation system to access recycled rather than potable water for irrigation supply.”<sup>296</sup> The DSEIR, however, omits any information about when and how much recycled water would be available to support the Project needs. In failing to disclose this information in the DSEIR, the DSEIR’s reliance on recycled water to offset potable water needs is highly suspect and uncertain.

As explained by the court in *Vineyard Area Citizens for Responsible Growth, Inc.*, “CEQA’s informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project. Decision makers must, under the law, be presented with sufficient facts to ‘evaluate the pros and cons of supplying the amount of water that the [project] will need.’”<sup>297</sup> Moreover, “...speculative sources and unrealistic allocations (‘paper water’) are insufficient bases for decision-making under CEQA. An EIR for a land use project must address the impacts of likely future water sources, and the EIR’s discussion must include a reasoned analysis of the circumstances affecting the likelihood of the water’s availability.”<sup>298</sup>

Here, the DSEIR’s Water Supply Analysis disclosed that recycled water is a mere 0.5% of the total water use for the City.<sup>299</sup> This is because at present, recycled water in the City is only used to irrigate the Oceanside Municipal Golf Course and provide water for habitat at Whelan Lake.<sup>300</sup> As such, recycled water hardly even makes up a ‘drop in the bucket’ in the City’s water supply. Despite the limited availability of recycled water, the DSEIR relies on an undisclosed volume of recycled water at an unspecified date to offset potable water demand, rendering the DSEIR’s water supply conclusions unsupported. Additional information about the Project’s proposed use of recycled water is required under CEQA; “... CEQA’s

<sup>296</sup> DSEIR at 4.6-7.

<sup>297</sup> *Vineyard Area Citizens for Responsible Growth, Inc.*, 40 Cal. 4th at, 430–31.

<sup>298</sup> *Id.* at 432.

<sup>299</sup> DSEIR, Appendix G at 20.

<sup>300</sup> *Id.*

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J-30 Please refer to Response D 2 regarding the assumptions and conclusions of the water supply analysis.

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demand for meaningful information ‘is not satisfied by simply stating information will be provided in the future.’”<sup>301</sup>

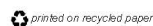
c. The DSEIR’s Water Demand Estimations are Uncertain and Omit Relevant Project Components

As explained by the court in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, “...the future water sources for a large land use project and the impacts of exploiting those sources are not the type of information that can be deferred for future analysis. An EIR evaluating a planned land use project must assume that all phases of the project will eventually be built and will need water, and must analyze, to the extent reasonably possible, the impacts of providing water to the entire proposed project.”<sup>302</sup> Here, the DSEIR’s Water Supply Analysis only considers projected potable water demand at buildout, but neither the DSEIR nor the Water Supply Analysis clearly define when full buildout would be achieved for the Project.<sup>303</sup> Moreover, it is unknown if “buildout” is the maximum amount of water that will be needed for the Project, or if more water will be needed for different stages of the Project.

Additionally, the Water Demands Estimation in Table 2.2 in the Water Supply Analysis is deficient because the Table omitted numerous project components and uses, including, multiple pools in addition to the wave pool, water needed for fire protection, water needed for landscaping,<sup>304</sup> water needed for open space areas (if any), and water needed for dust control.<sup>305 306</sup>

J-31

<sup>301</sup> *Vineyard Area Citizens for Responsible Growth, Inc.*, 40 Cal. 4th at 431.  
<sup>302</sup> *Id.*  
<sup>303</sup> DSEIR, Appendix G at 3.  
<sup>304</sup> This Project proposes nearly twice as much landscaping as proposed in the Pavilion FEIR (34% for Ocean KAMP Project as compared to 18% of site for Pavilion Project). The substantial increase in landscaped areas for this Project would likely increase water needs as well, but this information is not disclosed in the DSEIR.  
<sup>305</sup> *Id.* at 15.  
<sup>306</sup> “The Project would incorporate best management practices (BMPs) during construction to reduce emissions of fugitive dust. The San Diego Air Pollution Control District (SDAPCD) Rule 55 – Fugitive Dust Control states that no dust and/or dirt shall leave the property line.” DSEIR at 2-19. BMPs include: (1) At least 2 applications of water must be applied during grading between dozer/grader passes (DSEIR 2-20); and (2) All exposed soils shall maintain a min soil moisture of 12% (DSEIR 2-20)  
 5607-004aep



J-31 Please refer to Response D 2 regarding the assumptions and conclusions of the water supply analysis.

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d. The Project's New Residential Uses Have Different Impacts on Water Quality and Supply as Compared to Commercial Uses That Are Not Adequately Analyzed in the DSEIR

The DSEIR's conclusion that the Project would not result in significant impacts to water quality, water supply, or the San Luis Rey River is not supported by substantial evidence given the dearth of information in the DSEIR about the Project's new residential uses.<sup>307</sup> The DSEIR relies in part on the Drainage Report in Appendix L to support the analysis regarding the hydrological effects of the proposed Project, which determined "that the Project as designed would not substantially alter existing drainage patterns."<sup>308</sup>

J-32

However, as explained above, the DSEIR omits a host of necessary information about the Project's proposed residential uses, such as a detailed map, figures depicting the various designs for the residential units, the number of units for each type of residence, the materials to be used, etc. Without this information, the DSEIR's cursory discussion about the Project's effects on hydrology and water quality is unsupported and highly suspect with regard to the proposed residential uses. For example, the DSEIR is able to provide specific percentages regarding the drainage patterns for the hotel and commercial areas, but only generally states that "[r]unoff from the proposed residential area to the east also contribute to the existing drain."<sup>309</sup> A new or subsequent EIR must be prepared to include additional details about the proposed residential uses and the impacts analysis must also be updated based on the added information. Once revised, the new EIR must be recirculated for public review.

**G. New and Potentially More Severe Impacts from Hazards were Not Evaluated or Mitigated in the DSEIR**

J-33

Significant yet mitigable impacts from hazards were identified in the Pavilion FEIR due in part to the "release of isolated concentrations of the pesticide dieldrin and toxaphene (associated with prior on-site agriculture starting in 1928 until approximately 2000) during grading,..."<sup>310</sup> The DSEIR, however, concludes, without analysis, that impacts from hazards were not found to be significant and

<sup>307</sup> See DSEIR at 5.1-15.

<sup>308</sup> *Id.*

<sup>309</sup> *Id.*

<sup>310</sup> DSEIR at 4-1. "Dieldrin is considered to be a probable human carcinogen by the US EPA. Toxaphene is also considered to be a probable human carcinogen by the US EPA." SWAPE at 2. 5607-004acp

J-32

This comment repeats the erroneous assertion that CEQA requires additional information about the future residential development for the SEIR to be adequate. See response to comment J-4 regarding that issue. Refer to page 3 of the project's Drainage Report, included as Appendix H to the Draft SEIR. Although exact details regarding some elements of the proposed residences are currently unknown, the layout of residences would be subject to future design review approval by the City and would incorporate the drainage infrastructure outlined in the Drainage Report. As discussed, drainage infrastructure for both residential areas would include roof downspouts to landscaped areas, private drainage pipes, catch basins at sumps, trunk private storm drains, and grass swales where there is available space. The cul-de-sac street would include a trunk public storm drain that would outlet into the detention basin and curb inlets. The layout design would incorporate such features; therefore, the analysis in the Drainage Report would remain applicable and no new subsequent EIR or recirculation of the SEIR is required.

J-33

Through Voluntary Assistance Program Case #H39715-001, the cleanup goals established for the site have been met based on unrestricted land use, including residential uses. The pesticide-impacted soil has been fully remediated in accordance with the Department of Environmental Health approved Soil Remediation Plan. Not only have the soil samples within the project site been tested and shown to be at acceptable levels, but the encapsulation areas of the buried impacted soil are also deed restricted and not subject to further excavation. The Closure Letter recommends no further action is needed with respect to this issue. Therefore, no significant hazards impact to residents or workers on the site associated with this issue will occur.

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were instead determined to be consistent with the impacts analyzed in the Pavilion FEIR.<sup>311</sup> Moreover, the DSEIR did not provide any additional mitigation measures beyond what was already required in the Pavilion FEIR to address the potentially more severe hazardous materials impacts that would result from the changes in the Project's design.<sup>312</sup>

As of December 19, 2019, the Project site is considered "closed" on GeoTracker upon completion of soil remediation activities, including the encapsulation of nearly 20,000 cubic yards pesticide-contaminated soil.<sup>313</sup> Approximately 14,100 cubic yards of contaminated soils were placed within the western encapsulation area and approximately 5,500 cubic yards were placed within the eastern encapsulation area.<sup>314</sup> The pesticide-impacted soil was placed a minimum of 5 feet below proposed finish grade and a minimum of 7 feet above the existing groundwater elevation within the encapsulation areas.<sup>315</sup>

The DSEIR briefly mentions that this Project would require an additional 300,000 cubic yards of fill on the Project site, which the attached expert comments consider to be "a major change from the 2008 Pavilion FEIR."<sup>316</sup> However, "[t]he DSEIR fails to disclose or analyze the potentially significant impacts from this additional fill in areas above and around the encapsulated soils and specifically how construction will be completed to avoid disturbance of the encapsulated contaminated soils."<sup>317</sup> Our experts found these omissions to be "particularly egregious given that the Project proposes new residential uses that were not analyzed in the Pavilion FEIR. The DSEIR also fails to analyze whether the 2019 remediation and site closure is adequate for the Project's proposed residential uses."<sup>318</sup>

Although the DSEIR did not propose any additional mitigation measures, it did adopt MM GEO-1 from the Pavilion FEIR, which states: "Loose surficial soil in the upper 1 to 2 feet would be over-excavated prior to placement of fill or in building

<sup>311</sup> *Id.* at 4-2.

<sup>312</sup> *Id.* at 5.1-14.

<sup>313</sup> State Water Resources Control Board, *GeoTracker; Zephyr-Oceanside (SLT19752423)*, available at: [https://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=SLT19752423](https://geotracker.waterboards.ca.gov/profile_report?global_id=SLT19752423).

<sup>314</sup> *Id.*

<sup>315</sup> *Id.*

<sup>316</sup> SWAPE at 2.

<sup>317</sup> *Id.*

<sup>318</sup> *Id.*

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cont.

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J-33  
cont.

pad locations. The upper 5 to 10 feet of soil, which is loose to medium dense, would be over excavated in deep fill areas, and compacted as engineered fill.”<sup>319</sup> However, as detailed in the attached expert comments by SWAPE, “[p]esticide-impacted soil placed at depths as shallow as five feet, may be encountered if over excavation to depths of up to ten feet is to be conducted where the contaminated soils are located, presenting potentially significant impacts that were not analyzed in the DSEIR.”<sup>320</sup>

Based on the foregoing omissions, our experts recommend the preparation of a project-level EIR to analyze potentially significant impacts from disturbing and/or encountering pesticide-contaminated soils in areas that are to be over excavated under MM GEO-1.<sup>321</sup> Additionally, the attached expert comments by SWAPE explain that an evaluation of health impacts on construction workers who may come into contact with pesticide-contaminated soils is also necessary, which should include the identification of appropriate mitigation measure(s) to lessen impacts to less than significant levels.<sup>322</sup>

**V. THE PROJECT FAILS TO COMPLY WITH THE SUBDIVISION MAP ACT**

The Project requires a Tentative Map to divide the Project site into sixteen lots, nine of which would be for residential uses.<sup>323</sup> The DSEIR lacks substantial evidence to support the Subdivision Map Act’s required factual findings to approve the Tentative Map, which require the City to find that a proposed subdivision is consistent with the general plan/specific plan, and does not have any detrimental environmental or public health effects.<sup>324</sup>

The purpose of the Subdivision Map Act is to regulate and control design and improvement of subdivisions with proper consideration for their relation to adjoining areas, to require subdividers to install streets and other improvements, to prevent fraud and exploitation, and to protect both the public and purchasers of subdivided lands.<sup>325</sup> Before approving a tentative map, the Subdivision Map Act requires the agency’s legislative body to make findings that the proposed

<sup>319</sup> DSEIR at 5.1-11.

<sup>320</sup> SWAPE at 2.

<sup>321</sup> *Id.*

<sup>322</sup> *Id.* at 2-3.

<sup>323</sup> DSEIR, p. 1-7.

<sup>324</sup> Gov Code §§66473.5, 66474.

<sup>325</sup> *Pratt v. Adams* (1964) 229 Cal.App.2d 602, 5607-004acp

J-34

Please refer to the responses to comments throughout this letter regarding the Project’s consistency with the General Plan and impacts related to air quality, public health, climate change, noise, biological resources, and traffic. As detailed in those responses, the Project’s impacts would be reduced to below a level of significance. The Tentative Map is a discretionary action requiring the decision-maker to adopt findings consistent with State law and City ordinances. Neither CEQA nor the Map Act preclude a lead agency from approving a Tentative Map due to the presence of mitigated impacts.

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cont.

subdivision map, together with the provisions for its design and improvement, is consistent with the general plan and any specific plan.<sup>326</sup> The Subdivision Map Act also requires the agency's legislative body to deny a proposed subdivision map in any of the following circumstances:

- (a) the proposed map is ***not consistent with applicable general and specific plans*** as specified in Section 65451.
- (b) the design or improvement of the proposed subdivision is ***not consistent with applicable general and specific plans***.
- (c) the site is not physically suitable for the type of development.
- (d) the site is not physically suitable for the proposed density of development.
- (e) the ***design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat***.
- (f) the ***design of the subdivision or type of improvements is likely to cause serious public health problems***.
- (g) the ***design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision***. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.<sup>327</sup>

As discussed above, there is substantial evidence demonstrating that the Project is likely to have new and more severe impacts on air quality, public health, climate change, noise, biological resources, water supply, and traffic than previously analyzed in the Pavilion FEIR, and which are not adequately mitigated in the DSEIR. As a result of these unmitigated impacts, the Project fails to comply with mandatory Subdivision Map Act requirements and the City cannot make the requisite findings to approve the Project's Tentative Map.

<sup>326</sup> Gov Code § 66473.5.

<sup>327</sup> Gov. Code § 66474 (emphasis added).  
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## VI. CONCLUSION

“[T]he ultimate decision of whether to approve a project, be that decision right or wrong, is a nullity if based upon an EIR that does not provide the decision-makers, and the public, with the information about the project that is required by CEQA.’ The error is prejudicial ‘if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process.’”<sup>328</sup>

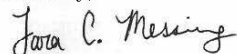
J-35

For the reasons set forth herein, we urge the City of Oceanside to fulfill its responsibilities under CEQA by withdrawing the DSEIR and preparing a legally adequate, project-level EIR to address the potentially significant impacts described in this comment letter and the attached expert comments. An EIR is necessary to allow the decision-makers and public to ensure that the Project’s significant environmental impacts are mitigated to less than significant levels.

In the alternative, the City must prepare a subsequent EIR pursuant to CEQA Guidelines Section 15162 to address the substantial changes in the Project, and the new and more severe impacts of the current Project that were not analyzed or mitigated in the Pavilion FEIR.

Thank you for your attention to these comments.

Sincerely,



Tara C. Messing  
Associate

TCM:acp

Attachments

<sup>328</sup> *Napa Citizens for Honest Gov't v. Napa Cty. Bd. of Supervisors* (2001) 91 Cal. App. 4th 342, 355–56, *as modified* (Aug. 7, 2001), *as modified on denial of reh'g* (Sept. 4, 2001).  
5607-004acp

J-35 Please refer to the responses to comments throughout this letter, particularly Responses J-2 through J-4 and J-9 through J-10 for why no additional CEQA analysis is needed.

COMMENTS

RESPONSES

**EXHIBIT A**



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September 29, 2021

Tara C. Messing  
Adams Broadwell Joseph & Cardozo  
601 Gateway Blvd #1000  
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**Subject: Comments on the Ocean Kamp Project (SCH No. 2006111033)**

Dear Ms. Messing,

We have reviewed the August 2021 Draft Supplemental Environmental Impact Report (“DSEIR”) for the Ocean KAMP Project (“Project”) located in the City of Oceanside (“City”). The Project proposes to construct 700 dwelling units, 300 hotel rooms within a 486,100 SF resort, including commercial and conference space, and 126,400 SF of retail and restaurant space, as well as 1,050 parking spaces, on the 94.25-acre site.

Our review concludes that the DSEIR fails to adequately evaluate the Project’s hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. A project-level EIR should be prepared and circulated for public comment to adequately assess and mitigate the potential hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts that the Project may have on the surrounding environment.

**Hazards and Hazardous Waste**  
**New Impacts Not Properly Evaluated or Mitigated**

The 2008 Final Environmental Impact Report (“FEIR”) for the Pavilion at Oceanside Project identified significant and mitigable hazards and hazardous material impacts, cited in the DSEIR as:

“release of isolated concentrations of the pesticide dieldrin and toxaphene (associated with prior on-site agriculture starting in 1928 until approximately 2000) during grading, and potential removal of on-site soils contaminated by leakage from an off-site underground storage tank if

J-36

J-37

J-36 Please refer to Response J-33 related to hazardous materials and Responses J-38 through J-55 related to air quality and greenhouse gas emissions.

J-37 Please refer to Response J-33.

COMMENTS

RESPONSES

J-37  
cont.

such soils are identified on site during grading, potential asbestos and lead associated with on-site structures, and overflight safety compliance.” (p. 3-9)

Furthermore, the DSEIR states that “[b]ased on the potential hazards and hazardous materials impacts identified in the Pavilion FEIR, mitigation measures were identified to mitigate the potential impact to less than significant.” (p. 5.1-14)

We note the site is listed on Envirostor as closed following regulatory review of the encapsulation of pesticide-contaminated soil.<sup>1</sup> The encapsulation was based on the proposed grading activities at the time of the 2019 Soil Remediation Plan,<sup>2</sup> and involved placing almost 20,000 cubic yards of pesticide-contaminated soil at depths as shallow as five feet below the Project site.<sup>3</sup> The encapsulated soils were contaminated with dieldrin and toxaphene. Dieldrin is considered to be a probable human carcinogen by the US EPA.<sup>4</sup> Toxaphene is also considered to be a probable human carcinogen by the US EPA.<sup>5</sup>

Now, the Ocean KAMP Project would require an additional 300,000 cubic yards of fill on the Project site, which is a major change from the 2008 Pavilion FEIR. The location and activities associated with this additional fill material were not contemplated in the Pavilion FEIR and thus the impacts from this additional fill material will not necessarily be mitigated by the measures set forth in the Pavilion FEIR. Additionally, despite this project change, the DSEIR failed to disclose or analyze the potentially significant impacts from this additional fill in areas above and around the encapsulated soils and specifically how construction will be completed to avoid disturbance of the encapsulated contaminated soils.

These omissions are particularly egregious given that the Project proposes new residential uses that were not analyzed in the Pavilion FEIR. The DSEIR also failed to analyze whether the 2019 remediation and site closure is adequate for the Project’s proposed residential uses.

Finally, we note that the DSEIR adopted Mitigation Measure GEO-1 from the Pavilion FEIR, which states:

“Loose surficial soil in the upper 1 to 2 feet would be over-excavated prior to placement of fill or in building pad locations. The upper 5 to 10 feet of soil, which is loose to medium dense, would be over excavated in deep fill areas, and compacted as engineered fill.” (p. 5.1-11)

Pesticide-impacted soil placed at depths as shallow as five feet, may be encountered if over excavation to depths of up to ten feet is to be conducted where the contaminated soils are located, presenting potentially significant impacts that were not analyzed in the DSEIR. A project-level EIR is therefore required that must disclose these potential impacts from encountering pesticide contaminated soils in areas that are to be over excavated under Mitigation Measure GEO-1. The project-level EIR should also

<sup>1</sup> [https://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=SLT19752423](https://geotracker.waterboards.ca.gov/profile_report?global_id=SLT19752423)  
<sup>2</sup> [https://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=SLT19752423](https://geotracker.waterboards.ca.gov/profile_report?global_id=SLT19752423);  
[https://geotracker.waterboards.ca.gov/getfile?filename=/esi/uploads/geo\\_report/9688110589/SLT19752423.PDF](https://geotracker.waterboards.ca.gov/getfile?filename=/esi/uploads/geo_report/9688110589/SLT19752423.PDF)  
<sup>3</sup> [https://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=SLT19752423](https://geotracker.waterboards.ca.gov/profile_report?global_id=SLT19752423)  
<sup>4</sup> <https://www.n.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=316&toxid=56>  
<sup>5</sup> <https://www.n.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=547&toxid=99>

J-37  
cont.

evaluate health impacts to construction workers who may come into contact with the pesticide contaminated soil and as necessary, identify appropriate mitigation measure(s) to lessen these impacts to less than significant.

**Air Quality**

**Unsubstantiated Input Parameters Used to Estimate Project Emissions**

The DSEIR’s air quality analysis relies on emissions calculated with CalEEMod.2016.3.2 (p. 5.1-4). CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type, and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (“CEQA”) requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project’s construction and operational emissions are calculated, and “output files” are generated. These output files disclose to the reader what parameters are utilized in calculating the Project’s air pollutant emissions and make known which default values are changed as well as provide justification for the values selected.

J-38

When reviewing the Project’s CalEEMod output files, provided in the Air Quality and Greenhouse Gas Technical Report (“AQ & GHG Technical Report”) as Appendix I to the DSEIR, we found that several model inputs were not consistent with information disclosed in the DSEIR. As a result, the Project’s construction and operational emissions are underestimated. Thus, a project-level EIR should be prepared to include an air quality analysis that adequately evaluates the potentially significant impacts that construction and operation of the Project will have on local and regional air quality.

**Underestimated Land Use Size**

According to the DSEIR:

“Total square footage of the resort, commercial, and conference facilities would total approximately 486,100 SF” (p. S-2).

However, review of the CalEEMod output files demonstrates that the “Ocean KAMP Project” model includes only 435,600-SF of “Hotel,” and fails to include any commercial or conference space (see excerpt below) (Appendix I, pp. 59, 101).

J-39

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Other Asphalt Surfaces	19.75	Acre	19.75	860,310.00	0
Parking Lot	9.40	Acre	9.40	419,464.00	0
City Park	9.94	Acre	9.94	432,996.40	0
Hotel	300.00	Room	4.32	435,600.00	0
Recreational Swimming Pool	203.50	1000sqft	4.67	203,500.00	0
Condo/Townhouse	700.00	Dwelling Unit	27.40	700,000.00	2030
Strip Mall	126.40	1000sqft	1.52	126,400.00	0

J-38

The characterization of CalEEMod in this comment is accurate. Deviation from the default values can occur when different specifications are known to be part of a project, and adjustment of the model will result in more accurate results relative to project specifications. As noted, the CalEEMod output files highlight each parameter changed in the modeling. This supports potential for peer review, as has occurred here. Relative to the project specific modifications from CalEEMod default values, substantial evidence supporting the analysis performed by the air quality experts in the Project Description, in CalEEMod remarks, in other technical reports used in the analysis, and in the Air Quality and Greenhouse Gas Technical Report (Draft SEIR Appendix J).

J-39

The comment is incorrect. The citation taken from page S-2 of the Draft SEIR is incomplete. The complete citation should read:

*Commercial uses are proposed to include a 300 key resort hotel, hotel conference buildings, a surf lagoon and beach club, and commercial buildings offering approximately 126,400 square feet (SF) of office, retail and restaurants. Total square footage of the resort, commercial, and conference facilities would total approximately 472,850 SF.*

The 472,850 SF total includes the 300 key resort hotel, hotel conference buildings, surf lagoon and beach club, and 126,400 SF of commercial buildings offering office, retail, and restaurant space. As shown in the CalEEMod output table excerpted from Draft SEIR Appendix J, land uses modeled include 126,400 SF of commercial space, 203,500 SF of CalEEMod land use type “Recreational Swimming Pool” meant to serve as the surf lagoon and beach club, and a 300-room hotel. CalEEMod defaults were used for the hotel square footage, yielding 435,600 square

J-39  
cont.

As you can see in the excerpt above, the proposed hotel space was underestimated by 50,500-SF. This underestimation presents an issue, as the land use size feature is used throughout CalEEMod to determine default variable and emission factors that go into the model's calculations. The square footage of a land use is used for certain calculations such as determining the wall space to be painted (i.e., VOC emissions from architectural coatings) and volume that is heated or cooled (i.e., energy impacts).<sup>6</sup> Thus, by underestimating the size of the proposed resort, commercial, and conference space, the model underestimates the Project's operational emissions and should not be relied upon to determine Project significance.

*Unsubstantiated Reductions to Architectural and Area Coating Emission Factors*

Review of the CalEEMod output files demonstrates that the "Ocean KAMP Project" model includes several reductions to the default architectural and area coating emission factors (see excerpt below) (Appendix I, pp. 61, 102).

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	50.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	50.00
tblArchitecturalCoating	EF_Parking	250.00	50.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	50.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	50.00
tblAreaCoating	Area_EF_Nonresidential_Interior	250	50
tblAreaCoating	Area_EF_Parking	250	50
tblAreaCoating	Area_EF_Residential_Exterior	250	50
tblAreaCoating	Area_EF_Residential_Interior	250	50

J-40

As you can see in the excerpt above, the architectural and area coating emission factors were each reduced from the default value of 250- to 50-grams per liter ("g/L"). As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.<sup>7</sup> According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

"50 g/L VOC limit per SDAPCD rule 67.0.1, effective 1/01/2022" (Appendix I, pp. 60, 102).

Furthermore, the AQ & GHG Technical Report states:

"Construction of development within the Specific Plan is required to comply with SDAPCD Rule 67.0.1 (Architectural Coatings) which requires residential interior/exterior flat coatings to be less than or equal to 50 grams per liter VOC content and interior/exterior non-flat coatings to be less than or equal to 50 grams per liter VOC content (SDAPCD 2021)" (p. 10).

However, these justifications are insufficient for two reasons.

<sup>6</sup> CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 28.

<sup>7</sup> CalEEMod User Guide, available at: [http://www.aqmd.gov/docs/default-source/caleemod/01\\_user-39-s-guide2016-3-2\\_15November2017.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15November2017.pdf?sfvrsn=4), p. 2, 9

J-39

(cont.) feet. As a result, as the project will only have 472,850 SF, the total floor surface area for these uses is largely overestimated within the CalEEMod analysis at a total of 765,500. Any CalEEMod calculations that rely on this floor surface area value would be conservative and actually overstate project impacts.

J-40

The comment's first contention is that the Draft SEIR fails to formally require implementation of SDAPCD Rule 67.0. However, that the rule is a regulatory requirement that applies to every project in the County, and also to coatings sold within the County. Therefore, by operation of law, the project must comply with SDAPCD Rule 67.0 such that no change is required to the SEIR.

The comment's second contention is that the author was unable to verify the appropriate emission factor based on Rule 67.0 including a list of 48 different coating categories. The CalEEMod version 2016.3.2 model defaults for architectural coatings in San Diego County are set to the statewide defaults of 250 grams per liter. Statewide defaults are used in the model when no specific limits on VOC content were supplied by the air district to the CalEEMod developers.<sup>7</sup> SDAPCD Rule 67.0.1 became effective February 10, 2021, after development of CalEEMod version 2016.3.2. The statewide model default VOC limits were replaced in the project modeling with site-specific VOC limits for architectural coating established by the SDAPCD. Because the project plans did not include details for the types of coatings to be used for the project, reasonable assumptions were made that the project would use general flat and/or non-flat coatings (e.g., standard interior and exterior house paints), both of which have a maximum VOC limit of 50 grams per liter in accordance with SDAPCD Rule 67.0.1. The commenter has not provided any evidence that the project would use significant quantities of any of the specialty coatings mentioned in the comment, nor has the commenter suggested any other coating that might be reasonably assumed to be used in project construction or operation.

<sup>7</sup> California Air Pollution Control Officers Association. 2017. CalEEMod version 2016.3.2 User's guide, Appendix D.

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cont.

First, while the AQ & GHG Technical Report mentions the specific VOC content limits for flat and non-flat paints, it fails to discuss the specific VOC content limits for all coatings that may be used during project operation. As the DSEIR fails to explicitly require the Project to use only flat or non-flat paint coatings, we cannot verify the revised architectural and area coating emission factors.

Second, we cannot verify the accuracy of the revised architectural and area coating emission factors based on SDAPCD Rule 67.01 alone. The SDAPCD Rule 67.01 VOC Content of Coatings Table provides the required VOC limits (grams of VOC per liter of coating) for 48 different coating categories (e.g., Aluminum Floor coatings, Faux Finishing Coatings, Fire Resistive Coatings, Multi-Color Coatings, Primers, Sealers, Recycled Coatings, Shellac, Stains, Traffic Marking Coatings, Waterproofing Membranes, Wood Coatings, etc.).<sup>8</sup> The VOC limits for each coating varies from a minimum value of 50 g/L to a maximum value of 730 g/L. As such, SDAPCD Rule 67.01 fails to substantiate reductions to the default coating values without more information regarding what category of coating will be used. Absent additional information regarding which categories of coating would be used during Project construction and operation, we cannot compare the revised emission factors with the SDAPCD Rule 67.01 requirements for those categories.

These unsubstantiated reductions present an issue, as CalEEMod uses the architectural and area coating emission factors to calculate the Project’s reactive organic gas/volatile organic compound (“ROG”/“VOC”) emissions. Thus, by including unsubstantiated reductions to the default architectural and area coating emission factors, the model likely underestimates the Project’s construction-related and operational ROG/VOC emissions and should not be relied upon to determine the significance of the impacts on air quality and public health.

*Unsubstantiated Changes to Individual Construction Phase Lengths*

Review of the CalEEMod output files demonstrates that the “Ocean KAMP Project” model includes several changes to the default individual construction phase lengths (see excerpt below) (Appendix I, pp. 61, 103).

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Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	155.00	132.00
		110.00	41.00
tblConstructionPhase	NumDays	1,550.00	393.00
tblConstructionPhase	NumDays	110.00	132.00

As a result of these changes, the model includes a construction schedule as follows (see excerpt below) (Appendix I, pp. 78, 121):

<sup>8</sup> “RULE 67.0.1. ARCHITECTURAL COATINGS.” SDAPCD, February 2021, available at: [https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Rules\\_and\\_Regulations/Prohibitions/APCD\\_R67-0-1-2021.pdf](https://www.sdapcd.org/content/dam/sdc/apcd/PDF/Rules_and_Regulations/Prohibitions/APCD_R67-0-1-2021.pdf), p. 13-15, Table 1.

J-41 The comment cites changes made to the CalEEMod outputs in Appendix J to the DSEIR, cites the requirement from CalEEMod User’s Guide that changes to model defaults must be justified, then proceeds to cite the justification provided in various locations throughout the DSEIR and appendices. As cited in the comment, the changes to construction phasing were based on input provided by the applicant, O’Side Partnership, LLC. As the modifications were based on input from the applicant engineering and construction team, the parties most familiar with the project site and project design, O’Side Partnership, LLC is the subject matter expert and is qualified to provide project specific assumptions about construction duration for use in emissions modeling. No further response is warranted.

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	7/1/2021	12/31/2021	5	132	
2	Underground Utilities	Trenching	10/1/2021	12/31/2021	5	66	
3	Paving	Paving	1/1/2022	2/28/2022	5	41	
4	Building Construction	Building Construction	3/1/2022	8/31/2023	5	393	
5	Architectural Coating	Architectural Coating	3/1/2023	8/31/2023	5	132	

As you can see in the excerpt above, the grading phase length was decreased by approximately 15%, from the default value of 155 to 132 days; the paving phase length was decreased by approximately 63%, from the default value of 110 to 41 days; the building construction phase was decreased by approximately 75%, from the default value of 1,550 to 393 days; and the architectural coating phase was increased by approximately 20%, from the default value of 110 to 132 days. As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.<sup>9</sup> According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

"Demolition and site preparation completed under previous approval. Underground utilities concurrent with the last half of grading. Architectural coating concurrent with the last 6 months of building construction." (Appendix I, pp. 59-60, 101-102)

Furthermore, regarding the Project's anticipated construction schedule, the DSEIR states:

"Construction of the project is anticipated to be complete in approximately August 2023." (p. 2-19)

The AQ & GHG Technical Report states that the "construction schedule assumed in the modeling is shown in Table 5, *Anticipated Construction Schedule*" and provides the following schedule (Appendix I, pp. 29):

Table 5  
ANTICIPATED CONSTRUCTION SCHEDULE

Construction Activity	Construction Period Start	Construction Period End	Number of Working Days
Final Grading	7/1/2021	12/31/2021	132
Underground Utilities	10/1/2021	12/31/2021	66
Paving	1/1/2022	2/28/2022	41
Building Construction	3/1/2022	8/31/2023	383
Architectural Coatings	3/1/2023	8/31/2023	132

Source: Zephyr Oceanside LLC; CalEEMod

However, this is insufficient, as the source provided for the assumed individual construction phase lengths above is the CalEEMod output files themselves. This is incorrect, as the Project documents should substantiate the changes included in the CalEEMod model, not vice versa. According CalEEMod User's Guide:

<sup>9</sup> CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

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cont.

“CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, provided that the information is supported by substantial evidence as required by CEQA.”<sup>10</sup>

Here, as the DSEIR only provides the construction end date, the DSEIR and associated documents fail to provide substantial evidence to support the revised individual construction phase lengths.

These unsubstantiated changes present an issue, as the construction emissions are improperly spread out over a longer period of time for some phases, but not others. According to the CalEEMod User’s Guide, each construction phase is associated with different emissions activities (see excerpt below).<sup>11</sup>

Demolition involves removing buildings or structures.

Site Preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.

Grading involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.

Building Construction involves the construction of the foundation, structures and buildings.

Architectural Coating involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.

Paving involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

As such, by disproportionately altering individual construction phase lengths without proper justification, the model’s calculations are altered and may underestimate emissions. Thus, by including unsubstantiated changes to the default individual construction phase lengths, the model underestimates the Project’s construction-related emissions associated with some phases and is deficient to determine Project significance.

*Unsubstantiated Changes to Natural Gas Energy Use Values*

Review of the CalEEMod output files demonstrates that the “Ocean KAMP Project” model includes several changes to the default energy use values (see excerpt below) (Appendix I, pp. 61, 103).

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<sup>10</sup> CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 12.

<sup>11</sup> “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: [http://www.aqmd.gov/docs/default-source/caleemod/01\\_user-39-s-guide2016-3-2\\_15november2017.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4), p. 31.

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The CalEEMod energy use for the resort building and pool was set to match the Climate Action Plan Energy Report calculations of resort building and pool energy use, which includes natural gas use (Syska Hennessy 2021, p. 4):

“An energy model of the site was constructed to estimate the required peak electrical and natural gas demand...”

Therefore, the Climate Action Plan Energy Report reported energy use of 12,219,300 kWh includes equivalent natural gas energy use from the building energy modeling. Therefore, the CalEEMod energy input for the combined resort hotel, commercial businesses, and swimming pools was set correctly to match the energy calculations from the Climate Action Plan Energy Report. This change from model defaults was based on project-specific substantial evidence provided by the Climate Action Plan Energy Report.

Table Name	Column Name	Default Value	New Value
tblEnergyUse	LightingElect	4.50	0.00
tblEnergyUse	LightingElect	6.22	0.00
tblEnergyUse	NT24E	3.67	0.00
tblEnergyUse	NT24E	3.16	0.00
tblEnergyUse	NT24NG	11.10	0.00
tblEnergyUse	NT24NG	1.09	0.00
tblEnergyUse	T24E	4.78	28.06
tblEnergyUse	T24E	3.18	0.00
tblEnergyUse	T24NG	47.27	0.00
tblEnergyUse	T24NG	1.14	0.00

As you can see in the excerpt above, the lighting electricity (“LightingElect”), Nonitle-24 electricity energy intensity (“NT24E”), Nonitle-24 natural gas energy intensity (“NT24NG”), and Title-24 natural gas energy intensity (“T24NG”) values were all manually reduced to 0, while the Title-24 electricity energy intensity (“T24E”) was manually increased from the default value of 4.78 to 28.06 kilowatt hours per square feet (“kWh/SF”). As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.<sup>12</sup> According to the “User Entered Comments & Non-Default Data” table, the justification provided for these changes is:

“Energy use for resort/commercial/swimming pool from Climate Action Plan Energy Report (Siska Hennessy May 2021), combined energy use of all buildings and pools applied to the hotel.” (Appendix I, pp. 60, 102)

Furthermore, review of the Climate Action Plan (“CAP”) Energy Report (“Energy Report”), provided as Appendix J to the DSEIR, demonstrates that the Project’s anticipated total electricity use is 12,219,300 kWh (see excerpt below) (p. 3, Table 1).

Table 1

Project Component	Estimated Energy (kWh)
Buildings	7,570,300
Lap Pool Heating	128,100
Wave Pool Generator	4,520,900
<b>Total Electricity</b>	<b>12,219,300</b>

As demonstrated above, the energy use values associated with electricity (LightingElect, T24E, and N24E) included in the model are consistent with the Energy Report.<sup>13</sup> However, the Energy Report fails

<sup>12</sup> CalEEMod User Guide, available at: [http://www.aqmd.gov/docs/default-source/caleemod/01\\_user-39-s-guide2016-3-2\\_15november2017.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4), p. 2, 9

<sup>13</sup> Calculated: (12,219,300 kWh) / (435,600-SF of hotel) = 28.05

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(cont.) The Climate Action Plan Energy Report did not calculate energy use for the project condominiums/townhomes and the CalEEMod default natural gas use for the condominiums/townhomes was not changed. As shown in the CalEEMod Annual Output report, Section 5.3 of the Air Quality and Greenhouse Gas Technical Report (Appendix J of the Draft SEIR), natural gas consumption for the condominiums/townhomes total 10,068,000 kBtu per year, matching the natural gas energy use listed in Table 5.2-2.

Therefore, the energy use input for the project air quality and greenhouse gas emissions modeling is consistent with the Climate Action Plan Energy Report and the reported project energy totals in Table 5.2-2. All changes to CalEEMod default energy use were based on project-specific energy use calculations provided in the Climate Action Plan Energy Report. No further response is warranted.

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to substantiate the reductions to the default energy use values associated with natural gas. Specifically, the Energy Report states:

“[N]atural gas consumption is limited to the food and beverage buildings, fitness center and overhead gas fired heaters” (p. 7).

However, review of the DSEIR demonstrates that the Project’s anticipated natural gas energy use is 10,139,461 kilo British thermal units per square feet (“KBTU/SF”) (p. 5.2-3).

**Table 5.2-2  
PROJECT ESTIMATED OPERATIONAL ENERGY USE**

Energy Type	Quantity	kBtu
Gasoline (Gallons)	55,076	6,829,436
Diesel (Gallons)	9,760	1,356,663
Natural Gas (kBtu)	10,139,461	10,139,461
Electricity (kWh)	13,371,754	45,626,324
	<b>TOTAL<sup>1</sup></b>	<b>63,951,884</b>

Source: Air Quality and Greenhouse Gas Technical Report (HELIX 2021b)

<sup>1</sup> The total presented is the sum of the unrounded values.

kBtu = kilo-British thermal units

As such, the reduction of the natural gas energy use values to zero is incorrect.

This presents an issue, as CalEEMod uses the energy use values to calculate the Project’s emissions associated with non-hearth natural gas usage.<sup>14</sup> By including unsubstantiated reductions to the natural gas energy use values, the model may underestimate the Project’s energy-related operational emissions and should not be relied upon to determine Project significance.

*Incorrect Application of Mitigation Measures for Construction-Related Emissions*

Review of the CalEEMod output files demonstrates that the “Ocean KAMP Project” model includes the following construction-related mitigation measures (see excerpt below) (Appendix I, pp. 80, 123):

**3.1 Mitigation Measures Construction**

- Water Exposed Area
- Water Unpaved Roads
- Reduce Vehicle Speed on Unpaved Roads

Furthermore, the models include a 15 miles per hour (“MPH”) vehicle speed limit and a 12% minimum moisture content for unpaved roads (see excerpt below) (Appendix I, pp. 61, 103).

<sup>14</sup> CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 43

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A limitation exists within CalEEMod itself and the model’s inability to provide for the implementation of basic dust control required by the SDAPCD without calling it mitigation. As discussed in Air Quality and Greenhouse Gas Technical Report pages 2, 10, and 14 (Draft SEIR Appendix J), SDAPCD Rule 55 requires that no visible dust emissions are discharged into the atmosphere beyond the property line for periods aggregating more than 3 minutes in any hour. SDAPCD Rule 55 does not specify how this visible dust emissions requirement shall be met. The project modeling assumed the project would apply reasonably foreseeable and commonly used standard dust control measures (best management practices), including watering two times daily during grading, ensuring that all exposed surfaces maintain a minimum soil moisture of 12 percent, and limiting vehicle speeds on unpaved roads to 15 mph to ensure compliance with SDAPCD Rule 55. The only way to account for these best management practices is to apply them within the “mitigation” section in CalEEMod, though they are not true mitigation measures, but rather, best management practices to meet regulatory requirements.

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadMoistureContent	0	12
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.<sup>15</sup> However, no justification is provided by the “User Entered Comments & Non-Default Data” table. Furthermore, regarding SDAPCD Rule 55 fugitive dust best management practices (“BMPs”), the DSEIR states:

“The control measures listed below are the BMPs that the project would incorporate for dust control and are included in the modeling:

- A minimum of two applications of water shall be applied during grading between dozer/grader passes;
- Paving, chip sealing, or chemical stabilization of internal roadways shall be applied after completion of grading;
- Grading shall be terminated if winds exceed 25 miles per hour (mph);
- All exposed surfaces shall maintain a minimum soil moisture of 12 percent;
- Dirt storage piles shall be stabilized by chemical binders, tarps, fencing, or other erosion control; and
- Vehicle speeds shall be limited to 15 mph on unpaved roads.” (p. 2-20)

However, this justification is insufficient. Simply because the DSEIR states that the Project would comply with SDAPCD Rule 55 and the associated BMPs does not justify the inclusion of the above-mentioned construction-related mitigation measures in the model. According to the Association of Environmental Professionals (“AEP”) CEQA Portal Topic Paper on mitigation measures:

“By definition, mitigation measures are not part of the original project design. Rather, mitigation measures are actions taken by the lead agency to reduce impacts to the environment resulting from the original project design. Mitigation measures are identified by the lead agency after the project has undergone environmental review and are above-and-beyond existing laws, regulations, and requirements that would reduce environmental impacts” (emphasis added).<sup>16</sup>

As set forth in the excerpt above, mitigation measures “are not part of the original project design” and are intended to go “above-and-beyond” existing regulatory requirements. As such, the inclusion of these measures, based on the Project’s compliance with SDAPCD Rule 55 alone, is insufficient. By including several construction-related mitigation measures without properly committing to their implementation, the model may overestimate the mitigation measures’ ability to offset the Project’s potentially

<sup>15</sup> CalEEMod User Guide, available at: [http://www.aqmd.gov/docs/default-source/caleemod/01\\_user-39-s-guide2016-3-2\\_15november2017.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4), p. 2, 9.

<sup>16</sup> “CEQA Portal Topic Paper Mitigation Measures.” AEP, February 2020, available at: <https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf>, p. 5.

J-43  
cont.

J-43 cont. significant construction-related emissions and should not be relied upon to determine the significance of impacts on air quality.

*Incorrect Application of Mitigation Measures for Operational Emissions*  
 Review of the CalEEMod output files demonstrates that the “Ocean KAMP Project” model includes the following energy-related mitigation measure (see excerpt below) (Appendix I, pp. 137).

**5.1 Mitigation Measures Energy**

**Kilowatt Hours of Renewable Electricity Generated**

As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.<sup>17</sup> According to the “User Entered Comments & Non-Default Data” table, the justification provided for this inclusion is:

“Solar requirement (resort only) to meet City CAP per project energy Report (Syska Hennessy 2021).” (Appendix I, pp. 102)

Furthermore, the DSEIR states that the Project proposes to include an “[o]ffset of 50 percent of Project forecasted energy demand (a minimum of 5,000 kW) through photovoltaic panels or other renewable sources.” (p. 2-10) However, these justifications are insufficient.

J-44 Simply because the DSEIR proposes to incorporate energy-conserving measures into the overall project design does not justify the inclusion of these measures in the model. According to the *AEP CEQA Portal Topic Paper* on mitigation measures:

“While not ‘mitigation’, a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact.”<sup>18</sup>

As you can see in the excerpt above, project design features (“PDFs”) are not mitigation measures and may be eliminated from the Project’s design. Thus, as the above-mentioned operational measure included in the model is not formally included as a mitigation measure, we cannot guarantee that it would be implemented, monitored, and enforced on the Project site. As a result, the inclusion of the energy-related operational mitigation measure in the model is incorrect. By including an operational mitigation measure without properly committing to its implementation, the model may underestimate

<sup>17</sup> CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 2, 9

<sup>18</sup> “CEQA Portal Topic Paper Mitigation Measures.” AEP, February 2020, available at: <https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf>, p. 6.

J-44 The project description includes the renewable energy components of the project as operational measures that serve as sustainable design project features as described in Section 3.4.2.3 of the Air Quality and Greenhouse Gas Technical Report (Appendix J of the Draft SEIR), and Section 2.4.3 of the Draft SEIR. As described previously, limitations within CalEEMod require that these measures be listed as “mitigation” within the model even though they are PDFs instead of mitigation measures as that term is defined in CEQA. However, these PDFs are still located withing the MMRP to ensure their implementation.

J-44 cont. the Project’s operational emissions and should not be relied upon to determine the significance of the impact.

**Updated Analysis Indicates a Potentially Significant Air Quality Impact**

In an effort to more accurately estimate the Project’s construction-related and operational emissions, we prepared updated an CalEEMod model, using the Project-specific information provided by the DSEIR. In our updated models, we included the correct hotel land use size; proportionally increased the individual construction phase lengths to match the proposed construction duration; and excluded the incorrect construction-related and operational mitigation measures (see Attachment A). Furthermore, our updated model fails to include the changes to operational vehicle emission factors that were included in the DESIR’s model. However, because the DSEIR’s model increased the operational vehicle emission factors, the omission presented in SWAPE’s updated model decreases and underestimates emissions estimates.

Our updated analysis estimates that the VOC and NO<sub>x</sub> emissions associated with Project construction, as well as the PM<sub>10</sub> and PM<sub>2.5</sub> emissions associated with Project operation, exceed the applicable SDAPCD thresholds of 137-, 250-, 100-, and 67-pounds per day (“lbs/day”), respectively, as referenced by the DSEIR (p. 5.1-5, Table 5.1-2; p. 5.1-6, Table 5.1-3) (see table below).

J-45

Model	Construction		Operational	
	VOC	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
DSEIR	63.6	138.4	81.3	22.6
SWAPE	1,194.1	277.3	1,085.1	122.9
% Increase	1,778%	100%	1,235%	444%
SDAPCD Regional Threshold (lbs/day)	<b>137</b>	<b>250</b>	<b>100</b>	<b>67</b>
Threshold Exceeded?	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

As set forth in the excerpt above, construction-related VOC and NO<sub>x</sub> emissions, as well as operational PM<sub>10</sub> and PM<sub>2.5</sub> emissions, estimated by SWAPE, increase by approximately 1,778%, 100%, 1,235%, and 444%, respectively, and exceed the applicable SDAPCD significance thresholds. Thus, our updated modeling demonstrates that the Project would result in a significant air quality impact that was not previously identified or addressed in the DSEIR. As a result, a project-level EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the surrounding environment.

**Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated**

The AQ & GHG Report concludes that the Project would not expose sensitive receptors to substantial pollutant concentrations without preparing a quantified construction and operational health risk analysis (“HRA”) (Appendix J, p. 21). Specifically, regarding the potential TAC emissions resulting from Project construction, the AQ & GHG Report states:

“Implementation of the project would result in the use of heavy-duty construction equipment, haul trucks, on-site generators, and construction worker vehicles. These vehicles and equipment

J-46

J-45 The assessment of air quality impacts was adequately and appropriately evaluated, as disclosed in the Draft SEIR that concluded that the project would result in less than significant impacts related to air quality. The commenter proposes a different methodology based on the faulty assumptions and opinions of the author and then performed revised modeling removing all project-specific information that was documented and substantiated by the air quality experts that participated in the drafting of the Draft SEIR, as detailed above.

J-46 The assessment of health risk impacts was adequately and appropriately evaluated, as disclosed in the Draft SEIR that concluded that the project would result in less than significant impacts related to air quality.

The comment contends that there needs to be an assessment of risk, requiring quantification and comparison to applicable thresholds, and that no significance determination can be reached until this is done. The project air quality analysis complied with CAPCOA (the association comprised of all air pollution control districts in California), as well as

J-46  
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could generate the TAC DPM. Generation of DPM from construction projects typically occurs in a localized area (e.g., at the project site) for a short period of time. Because construction activities and subsequent emissions vary depending on the phase of construction (e.g., grading, building construction), the construction-related emissions to which nearby receptors are exposed to would also vary throughout the construction period. During some equipment-intensive phases such as grading, construction-related emissions would be higher than other less equipment-intensive phases such as building construction. Concentrations of mobile-source DPM emissions are typically reduced by 70 percent at approximately 500 feet (CARB 2005) [...]

There is considerable uncertainty in trying to evaluate the cancer risk from projects that will only last a small fraction of a lifetime (Office of Environmental Health Hazard Assessment [OEHHA] 2015). Considering this information, the highly dispersive nature of DPM, and the fact that construction activities would occur at various locations throughout the project site, it is not anticipated that construction of the project would expose sensitive receptors to substantial DPM concentrations” (p. 21).

As demonstrated above, the AQ & GHG Report concludes that the Project would result in a less-than-significant construction-related health risk impact from diesel particulate matter (“DPM”) because of the highly dispersive nature of DPM, the short-term construction duration, and the fact that construction activities would occur at various locations throughout the project site. Neither the DSEIR nor the AQ & GHG Report analyze toxic air contaminant (“TAC”) emissions associated with Project operation. The DSEIR’s evaluation of the Project’s potential health risk impacts during construction activities, as well as the less-than-significant impact conclusion, is incorrect for three reasons.

First, by failing to quantitatively evaluate the Project’s construction-related and operational TAC emissions, the DSEIR and AQ & GHG Report fail to adequately evaluate the potential health risk impacts posed to nearby, existing sensitive receptors from these emissions. This is incorrect, as construction of the proposed Project would produce DPM emissions through the exhaust stacks of construction equipment over a potential construction period of approximately 26 months (Appendix I, p. 14, Table 5). Furthermore, Project operation would generate approximately 19,040 and 14,426 average weekday and weekend vehicle trips, respectively, which would generate additional exhaust emissions and continue to expose nearby sensitive receptors to DPM emissions (p. 5.1-5). However, the DSEIR and AQ & GHG Report fail to quantify Project-generated TACs or indicate the concentrations at which such pollutants would trigger adverse health effects. Thus, in failing to specify the nature and magnitude of the potential health risks posed to nearby sensitive receptors from the Project’s construction-related and operational TAC emissions, the DSEIR is inadequate as an informational document.

Second, the Office of Environmental Health Hazard Assessment (“OEHHA”), the organization responsible for providing guidance on conducting HRAs in California, released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* in February 2015. This guidance document describes the types of projects that warrant the preparation of an HRA. The OEHHA document recommends that all short-term projects lasting at least two months be evaluated for cancer risks to nearby sensitive receptors. As the Project’s construction duration vastly exceeds the 2-month

J-46 (cont.) publicly adopted SDAPCD thresholds, and are fully adequate under CEQA. Specifics are addressed in response to the comment that follows (see Response J-47 below).

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requirement set forth by OEHHA, it is clear that the Project meets the threshold warranting a quantified HRA under OEHHA guidance. Furthermore, the OEHHA document recommends that exposure from projects lasting more than 6 months be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (“MEIR”). Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, health risk impacts from Project operation must also be evaluated, as a 30-year exposure duration vastly exceeds the 6-month requirement set forth by OEHHA. These recommendations reflect the most recent state health risk policies, and as such, we recommend that an analysis of health risk impacts posed to nearby sensitive receptors from Project-generated DPM emissions be included in an EIR for the Project.

Third, by claiming a less than significant impact without conducting a quantified construction and operational HRA for nearby, existing sensitive receptors, the DSEIR fails to compare the excess health risk impact to the applicable SDAPCD threshold of 10 in one million and lacks evidence to support its conclusion that the health risk would be less-than-significant.<sup>19</sup> Thus, pursuant to CEQA and SDAPCD Guidelines, an analysis of the health risk posed to nearby, existing receptors from Project construction and operation should have been conducted.

**Screening-Level Analysis Demonstrates Significant Impacts**

In order to conduct our screening-level risk assessment we relied upon AERSCREEN, which is a screening level air quality dispersion model.<sup>20</sup> The model replaced SCREEN3, and AERSCREEN is included in the OEHHA<sup>21</sup> and the California Air Pollution Control Officers Associated (“CAPCOA”)<sup>22</sup> guidance as the appropriate air dispersion model for Level 2 health risk screening assessments (“HRSA”). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary HRA of the Project’s construction and operational health risk impact to residential sensitive receptors using the annual PM<sub>10</sub> exhaust estimates from the DSEIR’s CalEEMod output files. Consistent with recommendations set forth by OEHHA, we assumed residential exposure begins during the third trimester stage of life. The DSEIR’s CalEEMod model indicates that construction

<sup>19</sup> See: “California Environmental Quality Act Significance Determination Thresholds.” County of San Diego, July 2016, available at: [https://www.sandiego.gov/sites/default/files/july\\_2016\\_ceqa\\_thresholds\\_final\\_0.pdf](https://www.sandiego.gov/sites/default/files/july_2016_ceqa_thresholds_final_0.pdf), p. 7; and “South Coast AQMD Air Quality Significance Thresholds.” SCAQMD, April 2019, available at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>20</sup> U.S. EPA (April 2011) AERSCREEN Released as the EPA Recommended Screening Model, [http://www.epa.gov/ttn/scram/guidance/clarification/20110411\\_AERSCREEN\\_Release\\_Memo.pdf](http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf)

<sup>21</sup> OEHHA (February 2015) Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments, <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>.

<sup>22</sup> CAPCOA (July 2009) Health Risk Assessments for Proposed Land Use Projects, [http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA\\_HRA\\_LU\\_Guidelines\\_8-6-09.pdf](http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf).

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The commenter claims that the Office of Environmental Health Hazard Assessment’s (OEHHA’s) Risk Assessment Guidelines recommends “that all short-term project lasting at least months be evaluated for cancer risks.” The commenter is incorrect in this assertion. The OEHHA Risk Assessment Guidelines was drafted to support health risk assessments conducted to comply with the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). Construction projects in general, and construction or operation of the project specifically, are not stationary sources of toxic air contaminants (TACs) subject to health risk assessments (HRAs) under AB 2588. The OEHHA Risk Assessment Guidelines recognize that “The local air pollution control districts sometimes use the risk assessment guidelines for the Hot Spots program in permitting decisions for short-term projects such as construction or waste site remediation.”<sup>8</sup> Because of this recognition of the Risk Assessment Guideline’s use outside of its intended purpose, OEHHA provides recommendations for cancer risk exposure durations if a HRA is conducted to evaluate short-term projects.<sup>9</sup> OEHHA does not provide any guidance or recommendations for when a HRA should be considered for evaluation of a short-term construction project.

<sup>8</sup> OEHHA. 2015. Risk Assessment Guidelines, p. 8-17.

<sup>9</sup> OEHHA. 2015. Risk Assessment Guidelines, p. 8-18.

activities will generate approximately 531 pounds of DPM over the 791-day construction period.<sup>23</sup> The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in equipment usage and truck trips over Project construction, we calculated an average DPM emission rate by the following equation:

$$\text{Emission Rate } \left( \frac{\text{grams}}{\text{second}} \right) = \frac{530.8 \text{ lbs}}{791 \text{ days}} \times \frac{453.6 \text{ grams}}{\text{lbs}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ hour}}{3,600 \text{ seconds}} = 0.00352 \text{ g/s}$$

Using this equation, we estimated a construction emission rate of 0.00352 grams per second (“g/s”). Subtracting the 791-day construction period from the total residential duration of 30 years, we assumed that after Project construction, the sensitive receptors would be exposed to the Project’s operational DPM for an additional 27.83 years. The DSEIR’s operational CalEEMod emissions indicate that operational activities will generate approximately 360 pounds of DPM per year throughout operation. Applying the same equation used to estimate the construction DPM rate, we estimated the following emission rate for Project operation:

$$\text{Emission Rate } \left( \frac{\text{grams}}{\text{second}} \right) = \frac{360.0 \text{ lbs}}{365 \text{ days}} \times \frac{453.6 \text{ grams}}{\text{lbs}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ hour}}{3,600 \text{ seconds}} = 0.00518 \text{ g/s}$$

Using this equation, we estimated an operational emission rate of 0.00518 g/s. Construction and operation were simulated as a 92-acre rectangular area source in AERSCREEN, with approximate dimensions of 862.91 meters by 431.46 meters. A release height of three meters was selected to represent the height of stacks of operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project site. EPA guidance suggests that in screening procedures, the annualized average concentration of an air pollutant to be estimated by multiplying the single-hour concentration by 10%.<sup>24</sup> According to the AQ & GHG Report, “[t]he closest existing sensitive receptors to the project site are single-family homes located approximately 100 feet east of the project site,” or roughly 30 meters (p. 12). However, a review of the AERSCREEN output files demonstrates that the maximally exposed receptor is located approximately 425 meters from the Project site. Thus, the single-hour concentration estimated by AERSCREEN for Project construction is approximately 0.5971 µg/m<sup>3</sup> DPM at approximately 425 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.05971 µg/m<sup>3</sup> for Project construction at the MEIR. For Project operation, the single-hour concentration estimated by AERSCREEN is 0.8777 µg/m<sup>3</sup> DPM at approximately 425 meters

<sup>23</sup> See Attachment B for calculations.

<sup>24</sup> U.S. EPA (October 1992) Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised, [http://www.epa.gov/ttn/scram/guidance/guide/FPA-454R-92-019\\_OCR.pdf](http://www.epa.gov/ttn/scram/guidance/guide/FPA-454R-92-019_OCR.pdf).

J-47  
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J-47 (cont.) The commenter contends that their screening-level HRA demonstrates that construction and operation of the project could result in a significant health risk impact. The screening HRA detailed in the comment is flawed, used inappropriate modeling tools, and does not present substantial evidence of a potentially significant impact, or that a quantitative HRA for project emissions is needed:

- The screening HRA provided by the commenter purports to analyze the health risk resulting from exposure to diesel particulate matter (DPM) generated by both project construction and operation. The screening HRA assumed the annual exhaust PM10 reported by CalEEMod is equivalent to DPM produced on the 92-acre project site. This assumption is incorrect and leads to a large overestimation of DPM produced on the project site, and subsequent grossly inflated estimates of DPM concentrations and resulting cancer risks. For project construction, the total exhaust PM10 reported by CalEEMod includes emissions from diesel off-road construction equipment and exhaust emissions from all on-road project construction related vehicles (of which only a portion are diesel powered). For operational emissions, the total exhaust PM10 reported by CalEEMod includes area source emissions, energy emissions, and mobile emissions. Area source exhaust emissions for the project are limited to landscape maintenance equipment which would be primarily gasoline powered—the emissions from gasoline powered equipment does not include DPM. Energy source exhaust emissions would result from the burning of natural gas in water heaters, furnaces, and kitchen appliances—the emissions from burning natural gas does not include DPM. Mobile source exhaust emissions are the tailpipe emissions from on-road vehicle powered by diesel, gasoline, and natural gas. Only exhaust emissions from diesel-powered vehicles are considered to include DPM, and diesel powered vehicles represent a relatively small percentage of vehicles on the road in San Diego County (3.7 percent of the total vehicle population and 4.6 percent of the total vehicle miles traveled according to CARB’s EMFAC).<sup>10</sup> In addition, exhaust emissions from

<sup>10</sup> California Air Resource Board. 2022. EMFAC Emissions Inventory (EMFAC2021 version 1.0.2). <https://arb.ca.gov/emfac/emissions-inventory/>.

J-47  
cont.

downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.08777 µg/m<sup>3</sup> for Project operation at the MEIR.

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA, as recommended by SDAPCD.<sup>25</sup> Consistent with the 791-day construction schedule, the annualized average concentration for construction was used for the entire third trimester of pregnancy (0.25 years) and the first 1.92 years of the infantile stage of life (0 – 2 years). The annualized average concentration for operation was used for the remainder of the 30-year exposure period, which makes up the latter 0.08 years of the infantile stage of life, as well as the entire child stage of life (2 – 16 years) and adult stage of life (16 – 30 years).

Consistent with OEHHA guidance, as recommended by SDAPCD, we used Age Sensitivity Factors (“ASF(s)”) to account for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution.<sup>26,27</sup> According to this guidance, the quantified cancer risk should be multiplied by a factor of ten during the third trimester of pregnancy and during the first two years of life (infant) as well as multiplied by a factor of three during the child stage of life (2 – 16 years). Furthermore, in accordance with guidance set forth by OEHHA, we used the 95<sup>th</sup> percentile breathing rates for infants.<sup>28</sup> Finally, consistent with OEHHA guidance, we used a Fraction of Time At Home (“FAH”) Value of 1 for the 3<sup>rd</sup> trimester and infant receptors.<sup>29</sup> We used a cancer potency factor of 1.1 (mg/kg-day)<sup>-1</sup> and an averaging time of 25,550 days. The results of our calculations are shown in the tables below.

The Maximally Exposed Individual at an Existing Residential Receptor						
Age Group	Emissions Source	Duration (years)	Concentration (ug/m <sup>3</sup> )	Breathing Rate (L/kg-day)	Cancer Risk (without ASFs*)	Cancer Risk (with ASFs*)
3rd Trimester	Construction	0.25	0.05971	361	8.12E-08	10 <b>8.12E-07</b>
	Construction	1.92	0.05971	1090	1.88E-06	

<sup>25</sup> “Supplemental Guidelines for Submission of Rule 1200 Health Risk Assessments (HRAs).” SDAPCD, July 2019, available at: [https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Toxics\\_Program/APCD\\_1200\\_Supplemental\\_Guidelines.pdf](https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Toxics_Program/APCD_1200_Supplemental_Guidelines.pdf).

<sup>26</sup> “Risk Assessment Guidelines Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

<sup>27</sup> “Supplemental Guidelines for Submission of Rule 1200 Health Risk Assessments (HRAs).” SDAPCD, July 2019, available at: [https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Toxics\\_Program/APCD\\_1200\\_Supplemental\\_Guidelines.pdf](https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Toxics_Program/APCD_1200_Supplemental_Guidelines.pdf).

<sup>28</sup> SCAQMD (Jun 2015) Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics ‘Hot Spots’ Information and Assessment Act, p. 19, <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588-risk-assessment-guidelines.pdf?sfvrsn=6>; see also OEHHA (Feb 2015) Risk Assessment Guidelines Manual for Preparation of Health Risk Assessments, <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>.

<sup>29</sup> SCAQMD (Aug 2017) Risk Assessment Procedures for Rules 1401, 1401.1, and 212, p. 7, [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures\\_2017\\_080717.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf).

J-47 (cont.)

on-road vehicles are dispersed throughout the travel route of each vehicle trip and only a small and undetermined fraction of those emissions would occur on the project site. Therefore, the on-road vehicle exhaust emissions reported by CalEEMod cannot be included in an inventory of DPM produced on the project site.

- The screening HRA does not use a valid method to estimate annual DPM concentrations. Cancer health risks are calculated utilizing the annual average concentration reported by the dispersion model. The screening HRA modeled all project emission as a single large rectangular area source. For rectangular area sources, AERSCREEN (the model used in the screening HRA) does not report annual average emissions.<sup>11</sup> To estimate the annual average DPM concentration, the screening HRA multiplied the maximum hourly DPM concentration reported by AERSCREEN by 10 percent, citing EPA guidance. The USEPA document referenced by the commenter, *Screening Procedures for Estimating the Air Quality Impacts of Stationary Sources Revised*, only contains guidance for estimating annual average concentrations from stationary point sources. For area sources, the USEPA document does not provide any guidance for estimating average concentrations for periods beyond 24 hours.<sup>12</sup> Because AERSCREEN does not report annual average concentrations for area sources and the USEPA does not provide guidance for estimating the annual average concentration from area sources modeled in AERSCREEN, the dispersion modeling methodology utilized by the screening HRA is not valid for determining potential cancer risks.
- The screening HRA does not use appropriate source parameters or the appropriate model for dispersion modeling of off-road construction equipment exhaust. The screening HRA modeled all DPM emissions as a single area source in AERSCREEN. AERSCREEN is based on the USEPA AERMOD gaussian plume dispersion model.

<sup>11</sup> USEPA. 2021. AERSCREEN User’s Guide, p. 3.

<sup>12</sup> USEPA. 1992. Screening Procedures for Estimating the Air Quality Impacts of Stationary Sources Revised, p. 4-36.

COMMENTS

RESPONSES

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cont.

	Operation	0.08	0.08777	1090	1.19E-07		
Infant (Age 0 - 2)	Total	2			2.00E-06	10	<b>2.00E-05</b>
Child (Age 2 - 16)	Operation	14	0.08777	572	1.06E-05	3	<b>3.18E-05</b>
Adult (Age 16 - 30)	Operation	14	0.08777	261	3.53E-06	1	<b>3.53E-06</b>
<b>Lifetime</b>		<b>30</b>			<b>1.62E-05</b>		<b>5.61E-05</b>

\* We, along with CARB and SCAQMD, recommend using the more updated and health protective 2015 OEHHA guidance, which includes ASFs.

As demonstrated in the table above, the excess cancer risks for the 3<sup>rd</sup> trimester of pregnancy, infants, children, and adults at the MEIR located approximately 425 meters away, over the course of Project construction and operation, utilizing ASFs, are approximately 0.812, 20.0, 31.8, and 3.53 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), utilizing ASFs, is approximately 56.1 in one million. The infant, child, and lifetime cancer risks exceed the SDAPCD threshold of 10 in one million, thus resulting in a potentially significant impact that was not previously addressed or identified in the DSEIR.

Utilizing ASFs is the most conservative, health-protective analysis according to the most recent guidance by OEHHA and reflects recommendations from the air district. Results without ASFs are presented in the table above, although we do not recommend utilizing these values for health risk analysis. Regardless, the excess cancer risks for the 3<sup>rd</sup> trimester of pregnancy, infants, children, and adults at the MEIR located approximately 425 meters away, over the course of Project construction and operation, without ASFs, are approximately 0.0812, 2.00, 10.6, and 3.53 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), without ASFs, is approximately 16.2 in one million. The child and lifetime cancer risks exceed the SDAPCD threshold of 10 in one million, thus resulting in a potentially significant impact that was not previously addressed or identified in the DSEIR. While we recommend the use of ASFs, the Project's cancer risk without ASFs, as estimated by SWAPE, exceeds the SDAPCD threshold regardless.

An agency must include an analysis of health risks that connects the Project's air emissions with the health risk posed by those emissions. Our analysis represents a screening-level HRA, which is known to be conservative and tends to err on the side of health protection. The purpose of the screening-level construction and operational HRA shown above is to demonstrate the link between the proposed Project's emissions and the potential health risk. Our screening-level HRA demonstrates that construction and operation of the Project could result in a significant health risk impact, when correct exposure assumptions and up-to-date, applicable guidance are used. Thus, a project-level EIR should be prepared, including a quantified air pollution model as well as an updated, quantified refined health risk assessment which adequately and accurately evaluates health risk impacts associated with both Project construction and operation.

J-47 (cont.)

According to the AERMOD User's Guide, "the area source algorithm is used to model low level or ground level releases with no plume rise (e.g., storage piles, slag dumps, and lagoons)."<sup>13</sup> The screening HRA uses an area source to model exhaust emissions from multiple pieces of off-road diesel equipment with an average 3-meter stack height, which would include plume rise of hot exhaust gases. In addition, the project site has a complex polygonal outline that is poorly represented by a single large rectangle. The USEPA's screening guidance recommends that, if the separation between an area source and a receptor is less than one length of the side of the area source, then the area source should be subdivided into smaller area sources.<sup>14</sup> The closest sensitive receptors to the project site are approximately 100 feet east of the project site boundary. Therefore, if rectangular area sources were to be used to model the project site, there should be multiple area sources with a maximum side length of 100 feet (30.5 meters). However, AERSCREEN is not capable of modeling more than one source. Therefore, AERSCREEN is not an appropriate dispersion model to estimate concentrations from the project's construction equipment exhaust.

- The meteorological data used in the screening HRA dispersion modeling is not representative of the project site, resulting in over estimation of pollutant concentrations. Even though there is an option in AERSCREEN to import project site specific metrological data, and such data is available by request from the SDAPCD, the metrological input to the screening HRA was limited to the estimated minimum and maximum temperatures, minimum estimated wind speed (with no directional input), the anemometer height, and the option for urban dispersion coefficients. The generic meteorological data generated by AERSCREEN does not account for the diurnal and seasonal nature of wind at the project site due the proximity to the Pacific Ocean (approximately 3 miles). As shown in the monthly wind rose plots for the Oceanside Municipal Airport (approximately 1,000 feet west of the project site), southwest winds

<sup>13</sup> USEPA. 2022. User's Guide for the AMS/EPA Regulatory Model (AERMOD), P. 3-66.

<sup>14</sup> USEPA. 1992. Screening Procedures for Estimating the Air Quality Impacts of Stationary Sources Revised, p. 4-36.

**Greenhouse Gas**

**Failure to Adequately Evaluate Impacts from Greenhouse Gas Emissions**

The DSEIR estimates that the Project would generate net annual greenhouse gas (“GHG”) emissions of 20,195.9 metric tons of carbon dioxide equivalents per year (“MT CO<sub>2</sub>e/year”) (p. 5.1-13, Table 5.1-4). Furthermore, based on a service population of 6,725 people, the DSEIR estimates a service population efficiency value of 3.0 metric tons of carbon dioxide equivalents per service population per year (“MT CO<sub>2</sub>e/SP/year”), which would not exceed the City’s 2025 Efficiency Threshold of 3.5 MT CO<sub>2</sub>e/SP/year (see excerpt below) (p. 5.1-13, Table 5.1-4).

**Table 5.1-4  
OPERATIONAL GHG EMISSIONS**

Source	Emissions (MT CO <sub>2</sub> e/year)
Area	8.7
Energy	3,745.5
Vehicular (Mobile)	13,381.4
Solid Waste	2,413.4
Water and Wastewater	403.9
Amortized Construction Emissions	243.0
<b>Total Annual Emissions<sup>1</sup></b>	<b>20,195.9</b>
<b>Emissions per service population (6,725) per year</b>	<b>3.0</b>
<i>2025 Efficiency Threshold (MT CO<sub>2</sub>e/service population/year)</i>	<i>3.5</i>
<b>Exceed Threshold?</b>	<b>No</b>

Source: HELIX 2021b

<sup>1</sup> Totals may not sum due to rounding.

MT = metric ton; CO<sub>2</sub>e = carbon dioxide equivalent

As a result, the DSEIR concludes:

“As shown, the Project’s operational GHG emissions would be approximately 3.0 MT CO<sub>2</sub>e per service population per year, which would be below the 2025 City threshold of 3.5 MT CO<sub>2</sub>e per service population per year. The Project, by achieving the City’s threshold, would not conflict with the goals of the City’s CAP and may be seen to achieving its fair share of the state’s reduction target. Therefore, the Project would not generate GHG emissions that may have a significant impact on the environment, and the impact would be less than significant” (p. 5.1-13).

However, the DSEIR’s GHG analysis, as well as the subsequent less-than-significant impact conclusion, is incorrect for four reasons.

- (1) The DSEIR’s quantitative GHG analysis relies upon an incorrect and unsubstantiated air model;
- (2) The DSEIR relies upon an incorrect service population;
- (3) The DSEIR fails to indicate a potentially significant GHG impact; and
- (4) The DSEIR fails to demonstrate consistency with the City’s CAP.

J-48

J-47 (cont.)

are dominate in the summer months and northeast winds are dominate in the late fall and early winter months.<sup>15</sup> In addition, AERSCREEN does not consider the direction from the project site to receptors relative to the wind, all receptors are assumed to be downwind.

J-48 This comment provides some summary information on the project and a conclusory statement. No response is required. See responses J-49 to J-52 for additional information.

<sup>15</sup> Iowa Environmental Mesonet. 2021. Oceanside Municipal Airport Windrose Plot. [https://mesonet.agron.iastate.edu/sites/windrose.phtml?station=OKB&network=CA\\_ASOS](https://mesonet.agron.iastate.edu/sites/windrose.phtml?station=OKB&network=CA_ASOS).

J-49

*1) Incorrect and Unsubstantiated Quantitative Analysis of Emissions*

As previously stated, the DSEIR estimated that the Project would generate net annual GHG emissions of 20,195.9 MT CO<sub>2</sub>e/year (p. 5.1-13, Table 5.1-4). However, the quantitative GHG analysis provided in the DSEIR is unsubstantiated. As previously discussed, when we reviewed the Project's CalEEMod output files, provided in AQ & GHG Technical Report as Appendix I to the DSEIR, we found that several of the values inputted into the model are not consistent with information disclosed in the DSEIR. As a result, the model underestimates the Project's emissions, and the quantitative GHG analysis provided in the DSEIR should not be relied upon to determine Project significance. An EIR should be prepared that sets forth an accurate quantitative analysis of emissions to adequately assess the potential GHG impacts that construction and operation of the proposed Project may have on the surrounding environment.

J-50

*2) Reliance Upon an Incorrect Service Population*

As discussed above, the DSEIR concluded that the Project would result in a service population efficiency value of 3.0 MT CO<sub>2</sub>e/SP/year, based on a service population of 6,725 people (p. 5.1-13, Table 5.1-4). Specifically, the DSEIR states:

“The service population would be 2,036 residents plus 4,689 employees and visitors/customers for a total of 6,725” (p. 5.1-13).

However, the DSEIR's quantitative GHG analysis is unsubstantiated, as it relies upon an incorrect service population. According to CAPCOA's CEQA & Climate Change report, service population is defined as “the sum of the number of residents and the number of jobs supported by the project.”<sup>30</sup> Thus, the DSEIR's inclusion of customers and visitors in the Project's service population estimate is incorrect and results in a gross overestimation. Rather, the DSEIR indicates:

“The Project would construct up to 700 residential units, a 300-room hotel, and up to 126,000 SF of commercial space that would introduce approximately 2,036 residents and 298 employees to the site” (p. 4.4-7).

Thus, the DSEIR should have estimated a service population of 2,334 people.<sup>31</sup> As such, the DSEIR's service population is overestimated, and the DSEIR's quantitative GHG analysis should not be relied upon.

J-51

*3) Failure to Identify a Potentially Significant Impact*

When utilizing a correct service population value and applying the City's 2025 Efficiency Threshold of 3.5 MT CO<sub>2</sub>e/SP/year, as well as the County's bright-line threshold of 900 MT CO<sub>2</sub>e/year, the DSEIR's incorrect and unsubstantiated air model indicates a potentially significant GHG impact (see excerpt below).<sup>32</sup> As previously stated, the DSEIR estimates that the Project would generate net annual GHG

<sup>30</sup> CAPCOA (Jan. 2008) CEQA & Climate Change, p. 71-72, <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>.

<sup>31</sup> Calculated: 298 employees + 2,036 residents = 2,334 service population.

<sup>32</sup> “RECOMMENDED APPROACH TO ADDRESSING CLIMATE CHANGE IN CEQA DOCUMENTS.” County of San Diego Planning & Development Services, January 2015, available at:

J-49

The assessment of GHG emissions was adequately and appropriately evaluated, as disclosed in the Draft SEIR that demonstrates that the project would result in less than significant impacts related to GHGs. All project-specific assumptions were documented and substantiated within the Draft SEIR, unlike the flawed methodology proposed by the commenter, as detailed in previous responses including J-47.

J-50

As described on page 53 of the Air Quality and Greenhouse Gas Emissions Technical Report (Appendix J of the Draft SEIR), the City of Oceanside Planning Division Policy Directive 2018-01 (CEQA GHG Impact Analysis Thresholds of Significance) defines service population for the purposes of greenhouse gas emissions project impact analysis where the City is the lead agency:

*In the context of development projects, “service population” is generally defined as the sum total of those who live, work, and/or visit the project site in the course of a year. Fundamentally, “service population” includes those who travel to and from the project site and utilize on-site resources that result in GHG emissions. For certain project with unique attributes, it may be necessary to develop a project-specific definition of “service population.”*

For a development project in the jurisdiction of the City of Oceanside which includes a resort hotel, visitors/customers for the project would clearly be categorized as “those who travel to and from the project site and utilize on-site resources that result in GHG emissions.” Therefore, the SEIR correctly calculated and applied the service population in determining the significance of the project's GHG emissions. No further response is warranted.

J-51

The assessment of GHG emissions was adequately and appropriately evaluated, as disclosed in the Draft SEIR that demonstrates that the project would result in less than significant impacts related to GHGs. Unlike the flawed opinions and methodology relied on in the comment, all project-specific assumptions were documented and substantiated within the Draft SEIR, as detailed in previous responses including J-47.

J-51  
cont.

emissions of 20,195.9 MT CO<sub>2</sub>e/year (p. 5.1-13, Table 5.1-4). Furthermore, as described above, we estimate a service population would be 2,334 people. Dividing the Project’s GHG emissions, as estimated by the DSEIR, by a service population value of 2,334 people, we find that the Project would emit approximately 8.65 MT CO<sub>2</sub>e/SP/year (see table below).<sup>33</sup>

Greenhouse Gas Emissions	
Source	DSEIR Model
Total Annual Emissions (MT CO <sub>2</sub> e/year)	20,195.9
Bright-line Threshold	900
Service Population	2,334
Service Population Efficiency (MT CO <sub>2</sub> e/SP/year)	8.65
2025 Efficiency Threshold	3.50
Exceed?	Yes

As demonstrated above, when we compare the Project’s net annual GHG emission and service population efficiency value to the County’s bright-line threshold of 900 MT CO<sub>2</sub>e/year and the City’s 2025 Efficiency Threshold of 3.5 MT CO<sub>2</sub>e/SP/year, we find that the Project would result in a significant GHG impact not previously identified or addressed by the DSEIR. Therefore, a project-level EIR should be prepared for the Project, and mitigation should be implemented where necessary, per CEQA Guidelines.

4) *Failure to Demonstrate Consistency with the City’s CAP*

As previously discussed, the DSEIR claims that the Project would be compliant with the City’s Climate Action Plan (“CAP”). Specifically, according to the DSEIR:

“The City CAP also requires that projects located within a Smart Growth Opportunity Area (SGOA) must develop uses consistent with the land use designation (commercial) and include elements consistent with the character of the SGOA type. The Project is consistent with these requirements, and therefore supports the CAP and its sustainability goals. Also consistent with the CAP, the Project would:

- Provide connection(s) for recycled water integration into the City’s recycled water network when available (thereby transferring Project gray water into the City treatment system and minimizing on-site future use of potable water by allowing receipt of recycled rather than potable water for irrigation, etc.);
- Offset of 50 percent of Project forecasted energy demand (a minimum of 5,000 kW) through photovoltaic panels or other renewable sources;

<https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/Sweetwater-Place/PDS2014-TM-5588-Greenhouse-Gas-Guidance-2015.pdf>, p. 2.

<sup>33</sup> Calculated: (308.26 MT CO<sub>2</sub>e/year) / (60 service population) = (5.1 MT CO<sub>2</sub>e/SP/year).

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As disclosed in the Draft SEIR, by achieving the stated efficiency threshold, the project would not conflict with the goals of the City’s CAP. The project applicant has also committed to implementing measures consistent with the City CAP checklist through a combination of project design features listed in the MMRP.

COMMENTS

RESPONSES

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cont.

- Prewire six percent of Project parking spaces and provide fully operable electric vehicle charging stations for 50 percent of that number;
- Provide preferential parking spaces (12 percent of the parking spaces) for clean air vehicles; and
- Incorporate shade trees (as additionally described under the Landscaping discussion)” (p. 2-10).

As demonstrated above, the DSEIR concludes that the Project would be consistent with the City’s CAP, including requirements regarding smart growth, alternative-fueled vehicle infrastructure, alternative-fueled vehicle parking, transportation demand management, recycled water, and tree canopy.<sup>34</sup> However, simply stating how the Project would be consistent with the City’s CAP is insufficient, as the DSEIR should have incorporated such sustainable design elements as formal mitigation measures. According to the Association of Environmental Professionals’ (“AEP”) *CEQA Portal Topic Paper* on mitigation measures:

“While not ‘mitigation’, a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact.”<sup>35</sup>

As you can see in the excerpts above, design features that are not formally included as mitigation measures may be eliminated from the Project’s design altogether. Thus, as the sustainability features are not formally included as mitigation measures in the DSEIR, we cannot guarantee that they would be implemented, monitored, and enforced on the Project site. As such, the Project’s consistency with the City’s CAP is unsubstantiated, and the DSEIR’s GHG analysis should not be relied upon to determine Project significance.

**Feasible Mitigation Measures under SCAG’s RTP/SCS Available to Reduce Emissions**

Our analysis demonstrates that the Project would result in a potentially significant air quality, health risk, and GHG impacts that must be mitigated. We recommend that the DSEIR implement all product design features (“PDFs”), such as incorporating recycled water, implementing photovoltaic panels to offset 50% of the Project’s energy demand, and including EV charging stations, as formal mitigation measures. As a result, we could guarantee that these measures would be implemented, monitored, and enforced on the Project site.

<sup>34</sup> “Oceanside Climate Action Plan” City of Oceanside, January 2019, available at: <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?blobid=48919>, p. 4-20 – 4-21; Table 19 Project Review Checklist.

<sup>35</sup> “CEQA Portal Topic Paper Mitigation Measures.” AEP, February 2020, available at: <https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf>, p. 6.

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As disclosed in the SEIR, project impacts would be less than significant; therefore, none of the measures identified in the comment are required. See also response J-52 for additional information about the project’s project design features.

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cont.

Furthermore, in an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project. Therefore, to reduce the Project’s emissions, we recommend consideration of SCAG’s 2020 RTP/SCS PEIR’s Air Quality Project Level Mitigation Measures (“PMM-AQ-1”) and Greenhouse Gas Project Level Mitigation Measures (“PMM-GHG-1”), as described below:<sup>36</sup>

<b>SCAG RTP/SCS 2020-2045</b>	
<b>Air Quality Project Level Mitigation Measures – PMM-AQ-1:</b>	
In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the <i>State CEQA Guidelines</i> , a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:	
a)	Minimize land disturbance.
b)	Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
c)	Cover trucks when hauling dirt.
d)	Stabilize the surface of dirt piles if not removed immediately.
e)	Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
f)	Minimize unnecessary vehicular and machinery activities.
g)	Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
h)	Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
j)	Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
k)	Ensure that all construction equipment is properly tuned and maintained.
l)	Minimize idling time to 5 minutes—saves fuel and reduces emissions.
m)	Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
n)	Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

<sup>36</sup> “4.0 Mitigation Measures.” Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: [https://scag.ca.gov/sites/main/files/file\\_attachments/fpeir\\_connectsocial\\_addendum\\_4\\_mitigationmeasures.pdf?1606004420](https://scag.ca.gov/sites/main/files/file_attachments/fpeir_connectsocial_addendum_4_mitigationmeasures.pdf?1606004420), p. 4.0-2 – 4.0-10; 4.0-19 – 4.0-23; See also: “Certified Final Connect SoCal Program Environmental Impact Report.” Southern California Association of Governments (SCAG), May 2020, available at: <https://scag.ca.gov/peir>.

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cont.

- o) Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- p) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
- q) Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds.
- u) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).
- y) Projects that will introduce sensitive receptors within 500 feet of freeways and other sources should consider installing high efficiency of enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.
- z) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.
- aa) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.
- bb) The following criteria related to diesel emissions shall be implemented on by individual project sponsors as appropriate and feasible [...] <sup>37</sup>
- cc) Project should exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code). <sup>37</sup>

**Greenhouse Gas Project Level Mitigation Measures – PMM-GHG-1**

In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Integrate green building measures consistent with CALGreen (California Building Code Title 24), local building codes and other applicable laws, into project design including
  - i. Use energy efficient materials in building design, construction, rehabilitation, and retrofit.
  - ii. Install energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems.
  - iii. Reduce lighting, heating, and cooling needs by taking advantage of light-colored roofs, trees for shade, and sunlight.
  - iv. Incorporate passive environmental control systems that account for the characteristics of the natural environment.
  - v. Use high-efficiency lighting and cooking devices.
  - vi. Incorporate passive solar design.

<sup>37</sup> See more for specifics: “4.0 Mitigation Measures.” Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: [https://scag.ca.gov/sites/main/files/file-attachments/fpeir\\_connectsocial\\_addendum\\_4\\_mitigationmeasures.pdf?1606004420](https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocial_addendum_4_mitigationmeasures.pdf?1606004420), p. 4.0-2 – 4.0-10; 4.0-19 – 4.0-23.

COMMENTS

RESPONSES

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cont.

<ul style="list-style-type: none"> <li>vii. Use high-reflectivity building materials and multiple glazing.</li> <li>viii. Prohibit gas-powered landscape maintenance equipment.</li> <li>ix. Install electric vehicle charging stations.</li> <li>x. Reduce wood burning stoves or fireplaces.</li> <li>xi. Provide bike lanes accessibility and parking at residential developments.</li> </ul>
<p>b) Reduce emissions resulting from projects through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.</p>
<p>c) Include off-site measures to mitigate a project's emissions.</p>
<p>d) Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. Use energy and fuel-efficient vehicles and equipment;</li> <li>ii. Deployment of zero- and/or near zero emission technologies;</li> <li>iii. Use lighting systems that are energy efficient, such as LED technology;</li> <li>iv. Use the minimum feasible amount of GHG-emitting construction materials;</li> <li>v. Use cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production;</li> <li>vi. Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse;</li> <li>vii. Incorporate design measures to reduce energy consumption and increase use of renewable energy;</li> <li>viii. Incorporate design measures to reduce water consumption;</li> <li>ix. Use lighter-colored pavement where feasible;</li> <li>x. Recycle construction debris to maximum extent feasible;</li> <li>xi. Plant shade trees in or near construction projects where feasible; and</li> <li>xii. Solicit bids that include concepts listed above.</li> </ul>
<p>e) Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to the following:</p> <ul style="list-style-type: none"> <li>i. Promote transit-active transportation coordinated strategies;</li> <li>ii. Increase bicycle carrying capacity on transit and rail vehicles;</li> <li>iii. Improve or increase access to transit;</li> <li>iv. Increase access to common goods and services, such as groceries, schools, and day care;</li> <li>v. Incorporate affordable housing into the project;</li> <li>vi. Incorporate the neighborhood electric vehicle network;</li> <li>vii. Orient the project toward transit, bicycle and pedestrian facilities;</li> <li>viii. Improve pedestrian or bicycle networks, or transit service;</li> <li>ix. Provide traffic calming measures;</li> <li>x. Provide bicycle parking;</li> <li>xi. Limit or eliminate park supply;</li> <li>xii. Unbundle parking costs;</li> <li>xiii. Provide parking cash-out programs;</li> <li>xiv. Implement or provide access to commute reduction program;</li> </ul>
<p>f) Incorporate bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; and planning for and building local bicycle projects that connect with the regional network;</p>

COMMENTS

RESPONSES

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cont.

g) Improving transit access to rail and bus routes by incentives for construction and transit facilities within developments, and/or providing dedicated shuttle service to transit stations; and
h) Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs including but not limited to measures that: <ul style="list-style-type: none"> <li>i. Provide car-sharing, bike sharing, and ride-sharing programs;</li> <li>ii. Provide transit passes;</li> <li>iii. Shift single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services;</li> <li>iv. Provide incentives or subsidies that increase that use of modes other than single-occupancy vehicle;</li> <li>v. Provide on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms;</li> <li>vi. Provide employee transportation coordinators at employment sites;</li> <li>vii. Provide a guaranteed ride home service to users of non-auto modes.</li> </ul>
i) Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles;
j) Land use siting and design measures that reduce GHG emissions, including: <ul style="list-style-type: none"> <li>i. Developing on infill and brownfields sites;</li> <li>ii. Building compact and mixed-use developments near transit;</li> <li>iii. Retaining on-site mature trees and vegetation, and planting new canopy trees;</li> <li>iv. Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and</li> <li>v. Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.</li> </ul>
l) Require at least five percent of all vehicle parking spaces include electric vehicle charging stations, or at a minimum, require the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in.
m) Encourage telecommuting and alternative work schedules, such as: <ul style="list-style-type: none"> <li>i. Staggered starting times</li> <li>ii. Flexible schedules</li> <li>iii. Compressed work weeks</li> </ul>
n) Implement commute trip reduction marketing, such as: <ul style="list-style-type: none"> <li>i. New employee orientation of trip reduction and alternative mode options</li> <li>ii. Event promotions</li> <li>iii. Publications</li> </ul>
o) Implement preferential parking permit program
p) Implement school pool and bus programs
q) Price workplace parking, such as: <ul style="list-style-type: none"> <li>i. Explicitly charging for parking for its employees;</li> <li>ii. Implementing above market rate pricing;</li> <li>iii. Validating parking only for invited guests;</li> <li>iv. Not providing employee parking and transportation allowances; and</li> <li>v. Educating employees about available alternatives.</li> </ul>

COMMENTS

RESPONSES

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cont.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. A project-level EIR should be prepared to include all feasible mitigation measures, as well as include an updated air quality, health risk, and GHG analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Disclaimer

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SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

- Attachment A: CalEEMod Output Files
- Attachment B: Health Risk Calculations
- Attachment C: AERSCREEN Output Files
- Attachment D: Matt Hagemann CV
- Attachment E: Paul E. Rosenfeld CV

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Comments noted. These statements address the work done by the commenter and the "limited discovery" relied on by the author in offering opinions and conclusions. The comment does not address the Draft SEIR, and as such, require no further response.

**Ocean KAMP Project  
San Diego County, Annual**

**1.0 Project Characteristics**

**1.1 Land Usage**

Land Uses	Size	Metric	Lot Coverage	Floor Surface Area	Population
Other Asphalt Surfaces	19.75	Acre	19.75	860,310.00	0
Parking Lot	9.40	Acre	9.40	409,464.00	0
City Park	9.94	Acre	9.94	432,568.40	0
Hotel	300.00	Room	4.32	486,000.00	0
Recreational Swimming Pool	203.50	1000sqft	4.87	203,000.00	0
Condo/Townhouse	700.00	Dwelling Unit	27.40	700,000.00	2036
Strip Mall	126.40	1000sqft	1.52	126,400.00	0

**1.2 Other Project Characteristics**

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	40
Climate Zone	13			Operational Year	2024
Utility Company	San Diego Gas & Electric				
CO2 Intensity (lb/MWhr)	720.49	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

**1.3 User Entered Comments & Non-Default Data**

COMMENTS

RESPONSES

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The remainder of this comment letter consists of modeling information used by the commenter and resumes for Matthew F. Hagemann, P.G., C.Hg., and Paul Rosenfeld, Ph.D. As appropriate, the modeling results are addressed in the above comments. The resumes provide information regarding Mr. Hagemann and Dr. Rosenfeld, which are noted. No further response is required.

Project Characteristics - Consistent with DSEIR's model.  
 Land Use - See SWAPE comment regarding Hotel land use  
 Construction Phase - See SWAPE comment on "Unsubstantiated Changes to Individual Construction Phase Lengths"  
 Off-road Equipment - Consistent with DSEIR's model.  
 Off-road Equipment - Consistent with DSEIR's model.  
 Off-road Equipment - Consistent with DSEIR's model.  
 Off-road Equipment - Consistent with DSEIR's model.  
 Off-road Equipment - Consistent with DSEIR's model.  
 Trips and VMT - Consistent with DSEIR's model.  
 Grading - Consistent with DSEIR's model.  
 Architectural Coating - See SWAPE comment on "Unsubstantiated Reductions to Architectural and Area Coating Emission Factors"  
 Vehicle Trips - Consistent with DSEIR's model.  
 Road Dust - Consistent with DSEIR's model  
 Woodstoves - Consistent with DSEIR's model.  
 Area Coating - See SWAPE comment on "Unsubstantiated Reductions to Architectural and Area Coating Emission Factors"  
 Energy Use - Electricity values consistent with the DSEIR's model. See SWAP comment regarding natural gas energy values.  
 Water And Wastewater - Consistent with DSEIR's model.  
 Solid Waste - Consistent with DSEIR's model.  
 Construction Off-road Equipment Mitigation - See SWAPE comment on "Incorrect Application of Construction-related Mitigation Measures"  
 Energy Mitigation - See SWAPE comment on "Incorrect Application of Operational Mitigation Measures"  
 Vehicle Emission Factors - The DSEIR fails to provide a table of the EMFAC2014 input parameters, so we can't include them.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	110.00	31.00
tblConstructionPhase	NumDays	1,560.00	441.00

tblConstructionPhase	NumDays	155.00	44.00
tblConstructionPhase	NumDays	110.00	31.00
tblEnergyUse	LightingElect	4.50	0.00
tblEnergyUse	LightingElect	6.22	0.00
tblEnergyUse	NT24E	3.67	0.00
tblEnergyUse	NT24E	3.16	0.00
tblEnergyUse	T24E	4.73	28.06
tblEnergyUse	T24E	3.18	0.00
tblFireplaces	NumberGas	385.00	0.00
tblFireplaces	NumberNoFireplace	70.00	100.00
tblFireplaces	NumberWood	245.00	0.00
tblGrading	MaterialExported	0.00	300,000.00
tblLandUse	LandUseSquareFeet	435,600.00	466,100.00
tblLandUse	LotAcreage	10.00	4.32
tblLandUse	LotAcreage	43.75	27.40
tblLandUse	LotAcreage	2.90	1.52
tblLandUse	Population	2,002.00	2,036.00
tblRoadDust	RoadPercentPave	100	98.7
tblSolidWaste	SolidWasteGenerationRate	0.85	0.00
tblSolidWaste	SolidWasteGenerationRate	322.00	3,852.00
tblSolidWaste	SolidWasteGenerationRate	164.25	947.00
tblSolidWaste	SolidWasteGenerationRate	1,159.95	0.00
tblSolidWaste	SolidWasteGenerationRate	132.72	0.00
tblTripsAnoVMT	HaulingTripNumber	0.00	5,900.00
tblTripsAnoVMT	VendorTripNumber	0.00	10.00
tblVehicleTrips	CC_TL	7.30	7.80
tblVehicleTrips	CC_TL	7.30	7.80

tbVehicleTrips	CC_TL	7.30	5.20
tbVehicleTrips	CC_TTP	61.60	100.00
tbVehicleTrips	CC_TTP	48.00	100.00
tbVehicleTrips	CC_TTP	64.40	100.00
tbVehicleTrips	CNW_TTP	19.00	0.00
tbVehicleTrips	CNW_TTP	19.00	0.00
tbVehicleTrips	CNW_TTP	19.00	0.00
tbVehicleTrips	CW_TTP	19.40	0.00
tbVehicleTrips	CW_TTP	33.00	0.00
tbVehicleTrips	CW_TTP	16.60	0.00
tbVehicleTrips	DV_TP	11.00	0.00
tbVehicleTrips	DV_TP	38.00	0.00
tbVehicleTrips	DV_TP	39.40	0.00
tbVehicleTrips	DV_TP	40.00	0.00
tbVehicleTrips	HO_TTP	39.60	0.00
tbVehicleTrips	HS_TTP	18.80	0.00
tbVehicleTrips	HW_TL	10.80	4.40
tbVehicleTrips	HW_TTP	41.60	100.00
tbVehicleTrips	PE_TP	3.00	0.00
tbVehicleTrips	PE_TP	4.00	0.00
tbVehicleTrips	PE_TP	9.00	0.00
tbVehicleTrips	PE_TP	15.00	0.00
tbVehicleTrips	PR_TP	86.00	100.00
tbVehicleTrips	PR_TP	58.00	100.00
tbVehicleTrips	PR_TP	52.00	100.00
tbVehicleTrips	PR_TP	45.00	100.00
tbVehicleTrips	ST_TR	22.75	0.00

tblVehicleTrips	ST_TR	5.67	8.14
tblVehicleTrips	ST_TR	9.10	2.26
tblVehicleTrips	ST_TR	42.04	45.97
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	SU_TR	4.84	8.14
tblVehicleTrips	SU_TR	13.60	2.26
tblVehicleTrips	SU_TR	20.43	45.97
tblVehicleTrips	WD_TR	1.89	0.00
tblVehicleTrips	WD_TR	5.51	8.00
tblVehicleTrips	WD_TR	6.17	10.00
tblVehicleTrips	WD_TR	33.82	1.77
tblVehicleTrips	WD_TR	44.32	79.75
tblWater	IndoorWaterUseRate	45,607,817.94	35,770,000.00
tblWater	IndoorWaterUseRate	7,610,031.00	10,960,000.00
tblWater	IndoorWaterUseRate	12,035,629.81	5,475,000.00
tblWater	IndoorWaterUseRate	9,362,766.72	3,759,500.00
tblWater	OutdoorWaterUseRate	11,843,324.62	0.00
tblWater	OutdoorWaterUseRate	26,752,754.79	15,330,000.00
tblWater	OutdoorWaterUseRate	845,559.00	2,190,000.00
tblWater	OutdoorWaterUseRate	7,376,676.34	3,650,000.00
tblWater	OutdoorWaterUseRate	5,735,469.92	3,195,575.00
tblWoodstoves	NumberCatalytic	35.00	0.00
tblWoodstoves	NumberNoncatalytic	35.00	0.00

2.0 Emissions Summary

Ocean KAMP Project - San Diego County, Annual

**2.1 Overall Construction  
Unmitigated Construction**

Year	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bic-CO2	NBic-CO2	Total CO2	CH4	N2O	CO2e
2021	0.5901	8.7542	4.5790	0.0283	1.0843	0.1111	1.2054	0.3223	0.1036	0.4259	0.0000	2,536.038	2,536.038	0.2522	0.0000	2,542.342
2022	1.0687	8.8419	8.4438	0.0363	2.0359	0.1282	2.1641	0.5507	0.1206	0.6713	0.0000	3,303.042	3,303.042	0.2285	0.0000	3,306.753
2023	18.8884	3.8868	3.8904	0.0174	0.8522	0.0559	1.0080	0.2576	0.0523	0.3099	0.0000	1,639.934	1,639.934	0.1210	0.0000	1,642.960
Maximum	18.8884	8.7542	8.4438	0.0363	2.0359	0.1282	2.1641	0.5507	0.1206	0.6713	0.0000	3,303.042	3,303.042	0.2522	0.0000	3,308.753

**Mitigated Construction**

Year	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bic-CO2	NBic-CO2	Total CO2	CH4	N2O	CO2e
2021	0.5901	8.7542	4.5790	0.0283	1.0843	0.1111	1.2054	0.3223	0.1036	0.4259	0.0000	2,536.037	2,536.037	0.2522	0.0000	2,542.342
2022	1.0687	8.8419	8.4438	0.0363	2.0359	0.1282	2.1641	0.5507	0.1206	0.6713	0.0000	3,303.042	3,303.042	0.2285	0.0000	3,306.753
2023	18.8884	3.8868	3.8904	0.0174	0.8522	0.0559	1.0080	0.2576	0.0523	0.3099	0.0000	1,639.934	1,639.934	0.1210	0.0000	1,642.960
Maximum	18.8884	8.7542	8.4438	0.0363	2.0359	0.1282	2.1641	0.5507	0.1206	0.6713	0.0000	3,303.042	3,303.042	0.2522	0.0000	3,308.753

ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quarter	Start Date	End Date	Maximum Mitigated ROG + NOx (tons/quarter)												
1	7-1-2021	9-30-2021	6.6308												
2	10-1-2021	12-31-2021	2.6428												
3	1-1-2022	3-31-2022	2.4072												
4	4-1-2022	6-30-2022	2.4018												
5	7-1-2022	9-30-2022	2.4280												
6	10-1-2022	12-31-2022	2.4607												
7	1-1-2023	3-31-2023	2.0121												
8	4-1-2023	6-30-2023	1.8427												
9	7-1-2023	9-30-2023	18.6413												
		Highest	18.6413												

**2.2 Overall Operational  
Unmitigated Operational**

Category	ton/yr										MT/yr					CO <sub>2e</sub>
	ROG	NOx	CO	SO <sub>2</sub>	Fugitive PM10	Estimat PM10	PM10 Total	Fugitive PM2.5	Estimat PM2.5	PM2.5 Total	Bio-CO <sub>2</sub>	NBio-CO <sub>2</sub>	Total CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	
Area	7,2179	0.0569	6,2015	2.7000e-04		0.0289	0.0289		0.0289	0.0289	0.0000	8,5021	8,5021	8.1800e-03	0.0000	8,7068
Energy	0.2088	1.8986	1,3774	0.0114		0.1443	0.1443		0.1443	0.1443	0.0000	7,720,988	7,720,988	0.2672	0.0850	7,752,068
Mobile	3,7834	14.8758	40,3306	0.1442	179,5718	0.1117	178,6834	20,0445	0.1039	20,1484	0.0000	12,867,33	12,867,33	0.6760	0.0000	12,984,23
New						0.0000	0.0000		0.0000	0.0000	974,1536	974,1536	57,5708	0.0000	0.0000	2,142,424
Visitor						0.0000	0.0000		0.0000	0.0000	17,7516	326,5751	344,3269	1.8364	0.0458	403,8773
<b>Total</b>	<b>11,2200</b>	<b>16,8084</b>	<b>46,9125</b>	<b>0.1518</b>	<b>179,5718</b>	<b>0.2847</b>	<b>178,8465</b>	<b>20,0445</b>	<b>0.2770</b>	<b>20,3215</b>	<b>991,0054</b>	<b>21,022,50</b>	<b>22,014,41</b>	<b>60,3386</b>	<b>0.1307</b>	<b>21,562,23</b>
																<b>89</b>

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2.2 Overall Operational Mitigated Operational

Category	tons/yr											MT/yr					CO2e
	ROG	NOx	CO	SO2	PM10 Fugitive	PM10 Exhaust	PM10 Total	PM2.5 Fugitive	PM2.5 Exhaust	PM2.5 Total	Bio-CO2	MBio-CO2	Total CO2	CH4	N2O	CO2e	
Area	7.2178	0.0598	5.2015	2.7000e-004	0.0288	0.0288	0.0288	0.0288	0.0288	0.0288	0.0000	8.6021	8.6021	8.1800e-003	0.0000	0.0000	8.7086
Energy	0.2086	1.8866	1.3774	0.0114	0.1443	0.1443	0.1443	0.1443	0.1443	0.1443	0.0000	7.720.098	7.720.098	0.2572	0.0850	0.0000	7.752.069
Mobile	3.7934	14.8798	40.3336	0.1402	179.5718	0.1117	179.6834	20.0445	0.1039	20.1484	0.0000	12.867.33	12.867.33	0.6760	0.0000	0.0000	12.864.23
Waste					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	974.1636	974.1636	57.5708	0.0000	0.0000	0.0000	2.14.423
Water					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	17.7518	326.5751	344.3269	1.8364	0.0456	0.0000	403.9773
<b>Total</b>	<b>11.2200</b>	<b>16.8084</b>	<b>46.9125</b>	<b>0.1518</b>	<b>179.5718</b>	<b>0.2847</b>	<b>179.8565</b>	<b>20.0445</b>	<b>0.2770</b>	<b>20.3215</b>	<b>991.9854</b>	<b>21,022.50</b>	<b>22,014.41</b>	<b>60.3588</b>	<b>0.1307</b>	<b>0.0000</b>	<b>23,562.33</b>
<b>Percent Reduction</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	7/1/2021	9/31/2021	5	44	
2	Underground Utilities	Trenching	9/1/2021	9/23/2021	5	17	
3	Building Construction	Building Construction	9/24/2021	6/27/2023	5	441	
4	Paving	Paving	6/23/2023	7/17/2023	5	31	
5	Architectural Coating	Architectural Coating	7/18/2023	9/29/2023	5	31	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 110

Acres of Paving: 29.15

Residential Indoor: 1,417,500; Residential Outdoor: 472,500; Non-Residential Indoor: 918,750; Non-Residential Outdoor: 306,250; Striped Parking Area: 76,186 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Excavators	2	8.00	156	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Off-Highway Trucks	2	8.00	402	0.38
Grading	Rubber-Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Underground Utilities	Excavators	1	8.00	156	0.38
Underground Utilities	Skid Steer Loaders	1	8.00	65	0.37
Underground Utilities	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Formills	3	8.00	88	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.36
Architectural Coating	Air Compressors	1	6.00	78	0.48

**Trips and VMT**