

**LATE COMMENT LETTERS FOR NORTH RIVER FARMS
ENVIRONMENTAL IMPACT REPORT
Volume II, Responses to Comments**

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Late Comment Letters for North River Farms Environmental Impact Report

INTRODUCTION

The comment letters submitted and compiled in Volume I of this document are late letters that do not require a written response from the City of Oceanside (City). Under CEQA Guidelines Section 15105, the City was legally required to provide a 45-day public review period on the Draft EIR. In order to provide additional time, the City instead afforded 54 days for public review and comment, with the public comment period beginning on July 27, 2018 and ending on September 19, 2018. All comment letters received after expiration of the public review and comment period ending on September 19, 2018 are considered late comments.

A lead agency is required to consider comments on the Draft EIR and to prepare written responses if a comment is received within the public comment period. (Pub. Resources Code, §21091(d); CEQA Guidelines, §15088.) When a comment letter is received after the close of the public comment period, however, a lead agency does not have an obligation to respond. (Pub. Resources Code, §21091(d)(1); Pub. Resources Code, §21092.5(c).) Accordingly, the City is not required to provide a written response to late comment letters. (See, CEQA Guidelines, §15088(a).)

Nonetheless, for informational purposes, the following response is provided to these letters, without waiving the position that written responses to late comment letters are not required by law.

Furthermore, receipt of these comment letters are acknowledged. These comment letters and these responses thereto are part of the project's record of proceedings, and will be considered by the City of Oceanside's City Council when deciding whether to certify the North River Farms Planned Development (PD) Plan's (proposed project's) Final EIR and issue the requested discretionary approvals.

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L1 CALTRANS, JACOB ARMSTRONG

1. Revised and updated traffic analysis prepared in response to Caltrans' public review comment letter (Comment Letter A3) is provided in Appendix T8 of the Final EIR. The following numbered responses correspond to the numbered comments in the letter.
2. This comment states that queues exceeding the available storage already occurs under current conditions and that the project will add traffic to these queues. However, it should be noted that the project only increases traffic volumes on SR 76 by approximately 2%.

In addition, neither Caltrans, City of Oceanside, nor the San Diego Regional Traffic Engineers Council (SANTEC) guidelines contain criteria for determining at what point an increase in queue is considered significant. These guidelines do not exist as they do for delay and volume/capacity increases.

Finally, the analysis and case studies show that the proposed mitigation of providing adaptive signal controls would mitigate the 2% increase in traffic due to the project by providing a decrease in travel time exceeding the small (2%) increase in project traffic discussed above. Please refer to Response to Comment A3-12.

3. Please refer to Response to Comment A3-20 of the Final EIR. As explained in the response, additional analysis of the effectiveness of Adaptive Traffic Signal Controls (ATSC) on SR-76 to relieve traffic congestion has been conducted for those locations where proposed to mitigate identified significant impacts from the Project. The Synchro files and supporting documentation containing the "with adaptive" analysis are included in Appendix T8 of the Final EIR. LLG has researched several case studies where ATSC has been implemented. A summary of the ATSC Case Studies in Southern California is attached to this response. As shown, for locations within San Diego County, peak hour delay reductions ranged from 18% to 46%, and averaged around 32%. Peak hour travel time reductions ranged from 3% to 18%, averaging around 14%. LLG has simulated the effects for ATSC improvements at Intersection #16 (Rancho Del Oro Dr./ SR-76), Intersection #17 (Old Grove Rd./SR-76), and Intersection #18 (Frazee Rd./SR-76) within the Synchro program by increasing the ideal saturation flow rate by 10% for only the major street through movements along the adaptive corridor for modeling purposes, which provides a reasonable and conservative estimate of the positive effects of ATSC based on County case studies. The results, which are shown at Attachment C of Appendix T8 of the Final EIR, indicate that implementation of ATSC at these three intersections would fully mitigate the Project's significant impacts at these locations by reducing delay to pre-project or better conditions.

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4. This comment recommends the preparation of a “Corridor Study” be conditioned for approval of the proposed project. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

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L2 DIANE NYGAARD

The comment provides background information related to a separate project and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

The attached letter pertaining the Newland Sierra project is noted. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

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L3 CERF, LIVIA BEAUDIN

This comment addresses traffic, smart growth, greenhouse gas emissions, and air quality, General Plan consistency, agricultural resources, and infrastructure. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L4 CAMP PENDLETON, SAM JAMMAL

With respect to comments concerning potential traffic impacts, including the roadways mentioned in the letter, please refer to Section 4.17 of the Final EIR for relevant discussion and analysis. Specifically, Section 4.17.5 and Table 4.17-19 provides a brief summary of the potentially significant traffic impacts, proposed mitigation measures, and the resulting level of significance with implementation of mitigation measures. As discussed in Section 4.17 of the Final EIR, with the exception of impacts to the following two intersections and one roadway segment, traffic impacts would be reduced to less than significant: Vandegrift Boulevard/N. River Road; N. River Road/College Boulevard; College Boulevard, from N. River Road to Adams Street. Mitigation measures MM-TRA-1, MM-TRA-4, and MM-TRA-14 would partially mitigate impacts to these intersections and roadway segment; however, for reasons described in Table 4.17-19, there is no feasible mitigation to reduce these impacts to less than significant levels.

It is acknowledged that Camp Pendleton personnel may reside inland or in Riverside County and commute to work. Please note that the project would provide local housing opportunities within Oceanside, in closer proximity to Camp Pendleton, which could reduce the need for personnel (military and civilian) to commute to/from these further locations.

Lastly, concerning compliance with Section 1102 of the California Civil Code, following shall be included as a condition of approval of the project:

“In accordance with CA Civil Code Section 1102, the disclosure upon transfer of residential property shall acknowledge that the project is within two miles of Marine Corps Base Camp Pendleton and may be subject to noise generation as part of base operations.”

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L5 PHIL JOHNSTON (1)

Section 4.10, Hydrology and Water Quality, of the Draft EIR has been revised to reflect more recent available dam safety information for dams/reservoirs located upstream of the project site (Red Mountain Reservoir and Lake Henshaw) from the California Division of Safety of Dams (DSOD).

According to the City's General Plan Public Safety Element, the areas of the city that could be inundated from the Henshaw Dam include the areas surrounding the San Luis Rey River¹. Located approximately 29 miles east of the project area, this dam was built in 1923 and is owned by the Vista Irrigation District with a capacity of 203,581 acre feet, but action has since been taken to limit its capacity to 50,000 acre feet^{1,2}. The water level of Lake Henshaw varies, but averages about 11,600 acre feet over 12-months (City of Oceanside 2002).

General Plan Figure PS-10 illustrates the Henshaw Dam inundation area adjacent to the San Luis Rey River. The map assumes the Lake is at its 50,000 acre feet capacity, and that a flood of a 10-year magnitude will be taking place downstream. As stated in the General Plan, in the unlikely event of dam failure, flooding would be less severe than shown in Figure PS-10 if either of these conditions are not present.

Failure of Henshaw Dam is unlikely and is unlikely to expose people or structures to significant risk. As explained in the General Plan, "Henshaw dam is an earthfill dam that is not subject to the sudden catastrophic failure usually associated with concrete arch-type dams. Even if failure did occur, it would be of a slower, erosive type, resulting in less severe peak flows, allowing ample time for evacuation of downstream residents."¹

An updated inundation map for Lake Henshaw is not yet available or approved by the DSOD. However, based on the General Plan, it appears that the southern-most portion of the proposed site, which would be retained in agricultural use, may be located within the Henshaw Dam inundation area. Notably, the southern-most portion of the site is proposed for retention in agricultural uses. No updated or more detailed inundation map for Lake Henshaw is currently available or approved by DSOD.

DSOD inspects each dam on an annual basis to assess dam safety, performance, and potential issues. DSOD provides a condition rating from one of the following categories: Not Rated,

¹ City of Oceanside. 2002. City of Oceanside General Plan. Reformatted 2002.

² DSOD. 2018. Dams Within the Jurisdiction of the State of California. September 2018. <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Division-of-safety-of-dams/Files/Publications/Dams-Within-Jurisdiction-of-the-State-of-California-2018-Alphabetically-by-Dam-Name.pdf>.

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Unsatisfactory, Poor, Fair, and Satisfactory³. Per DSOD, the Lake Henshaw Dam has a condition assessment rating of “Satisfactory,” the highest condition rating achievable².

The project, as designed with proposed grading elevations and flood control improvements, would remove all housing and other structures outside of the 100-year flood hazard zone (see discussion above and Appendix L2). In addition, given the distance from the project site and earthfill construction of the dam, in the unlikely event of inundation, flows would likely be low, less severe, and allow ample time for evacuation of residents 29 miles downstream¹. Thus, given the distance of Lake Henshaw from the project site, low average water retained in the Lake, earthfill structure of Henshaw Dam, its “Satisfactory” condition rating from the DSOD, and design of the project to remove proposed housing outside of the 100-year flood hazard zone, the risk from flooding caused by dam inundation is not considered significant. Therefore, the proposed project would not expose people or structures to substantial hazards associated with the failure of a levee or dam. Impacts would be less than significant.

It should be noted that the commenter is not identified as an expert in, or has qualifications for, hydrology/hydrologic engineering or floodplain management. The comments regarding Saint Francis Dam and the hypothetical scenario are noted. Additionally, references provided in this response are attached to the end of this document.

³ DSOD. 2018a. Dam Rating Information. September 2018. <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Division-of-safety-of-dams/Files/Publications/DSOD-Dam-Rating-Information-and-FAQs.pdf>.

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L6 MRAZ, JASON

This comment addresses agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L7 COMBS, MONIQUE

This comment addresses traffic, open space, zoning changes, and flooding. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L8 OCHS, MARK

This comment addresses infrastructure, traffic, air quality, greenhouse gas emissions, edge effects associated with the San Luis Rey River corridor, agricultural resources, wildlife corridors, migratory birds, hazardous materials, evacuation, flooding, RHNA, water supply, utilities, public services, and affordable housing. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). Please refer to Response to Comment I165.

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L9 JOHNSTON, PHIL (2)

The majority of comments provided in this letter do not raise any issue with the adequacy of the environmental analysis EIR, rather they are editorial/administrative in nature. It should be noted that Appendix L2 consists of a Conditional Letter of Map Revision (CLOMR) Request that satisfies the requirements of the Federal Emergency Management Agency (FEMA). It is a technical engineering report related to flooding intended to be used by FEMA staff and those familiar with the CLOMR Request process. It is not an information document that requires translation of technical information into more easily understandable information for the general public; the EIR fulfills this translation by using Appendix L2 to support its conclusions. It should be noted that the commenter is not identified as an expert in, or has qualifications for, hydrology/hydrologic engineering or floodplain management.

Regarding comments on Section 6.0 of Appendix L2, the commenter incorrectly identifies the underlying white diagonal line pattern as “The Existing Floodway.” The legend of the annotated Flood Insurance Rate Map (FIRM) clearly identifies the floodway as the heavy blue shading, which would not be altered by the proposed project. Therefore, the conclusions and mapping of Appendix L2 are not contradictory, as claimed by the commenter. Further, it should be noted that there is not “Proposed Floodway” area. It is also be noted that Attachment 6 of Appendix L2 does contain work maps.

Regarding comments on Attachment 7, Annotated FIRMs, the commenter does not understand the purpose for the annotated FIRMs and incorrectly assumes their importance. These annotated FIRMs provided to indicate to FEMA how the revised mapping ties into the effective FIRM upstream and downstream of the project.

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L10 STADTLANDER, DOREEN

This comment addresses General Plan consistency, agricultural resources, density, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L11 JOHNSON, ROBERT

This comment addresses traffic, air quality, greenhouse gas emissions, density, noise, water supply, natural resources, public services, and utilities. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L12 SOUTH MORRO HILLS ASSOCIATION, LARRY BALMA

This comment addresses smart growth development, the Agrivision Plan, consistency with the General Plan, RHNA, traffic, agricultural resources, migration, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L13 DISHAROON, DALE & LUFFTUS, MARIA

This comment addresses traffic, transit, infrastructure, and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment includes a comment letter prepared by Preserve Calavera as an attachment. Please refer to Response to Comment O3, in the Response to Comments (Appendix T0, Vol. II).

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L14 JOHNSON, JOAN

This comment addresses wildfire risk and evacuation, agricultural resources, and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L15 JONTE, RACHEL

The comment addresses wildfire evacuation, traffic, agricultural resources, and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L16 PRESEVE CALAVERA, JOSH CHATTEN-BROWN

The EIR Adequately Analyzes Health Risks and Proposes Adoption of Mitigation which would Reduce Such Impacts to Less than Significant

The comment states that the Final EIR discloses that the *unmitigated* cancer risk posed by diesel-powered construction equipment is 28 in one million, over the 10 in one million threshold of significance. The comment then states that the as-mitigated cancer risk of 7.2 in a million (which is below the threshold of significance) assumes the use of Tier 3 and Tier 4 equipment without showing the assumptions correspond with equipment available at the time of construction. The comment further states “the Measure can reasonably be read to require no minimum Tier.” The comment also states that the Final EIR “deletes a mitigation measure that would allow the applicant to retrofit diesel equipment to meet the Tier requirements, without no (sic) explanation or evidence-based showing that the City considers such retrofitting to be infeasible.”

In response, first, for the reasons discussed below, mitigated construction-related toxic air contaminant emissions (including those from diesel particulate matter) were accurately estimated and determined to reduce cancer risk to less-than-significant levels.

As background, construction equipment assumptions are relevant to the EIR’s analysis of the Project’s construction-related emissions of toxic air contaminants, including diesel particulate matter emissions. The U.S. EPA has promulgated emissions standards for new, non-road diesel engines that serve to reduce pollutants from construction equipment. The Tier 4 Interim engine standards (as required by MM-AQ-1) include exhaust emission limits that serve to reduce diesel particulate matter. To meet stringent Tier 4 Interim emissions standards, equipment manufacturers typically use diesel particulate filters; selective catalytic reduction system that employ diesel particulate filters or combination diesel particulate filters and diesel oxidation catalysts; or other equivalent device to remove diesel particulate matter from the exhaust of a diesel engine. In January 2015, the final stage of the U.S. EPA’s Tier 4 off-road engine emissions standards became effective. New off-road equipment with Tier 4 engines became available as early as 2008 for smaller engines, with *all* new engines coming off the production lines being required to meet Tier 4 standards beginning in 2015.

It is anticipated that Tier 4 Interim equipment will be available as required by MM-AQ-1 based on the phased implementation timeline for the U.S. EPA’s engine standards described in the prior paragraph, as well as the applicable CARB regulations, which require turnover of old equipment by replacement and retrofits to meet fleet-based emission targets. More specifically, in July 2007, CARB adopted an Airborne Toxic Control Measure for in-use off-road diesel vehicles. (13 Cal. Code of Regs., § 2449, *et seq.*) This regulation requires that specific fleet average requirements be met for NO_x emissions and for particulate matter emissions. Where average requirements cannot

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be met, Best Available Control Technology (BACT) requirements apply.⁴ The regulation also includes several recordkeeping and reporting requirements.

Current emissions performance requirements mandate that large fleets submit annual reports from 2012 to 2023, medium fleets from 2016 to 2023, and small fleets from 2018 to 2028; the annual reports are required to show how the fleets are meeting their emission requirements.⁵ The implementation schedule is fully implemented by 2023 for large and medium fleets, and 2028 for small fleets.⁶ These final fleet average emission targets are equivalent to an average of Interim Tier 4 standard.⁷ Accordingly, it is anticipated that Tier 4 Interim engines meeting the requirements set forth in Mitigation Measure MM-AQ-1 will be available in the region at the time of Project construction.

Second, the City will enforce Mitigation Measure MM-AQ-1 to ensure older equipment is not used. MM-AQ-1 requires the Project applicant “shall ensure that all diesel-powered cranes, generator sets, trenchers, forklifts, rubber tired dozers, and tractors/loaders/backhoes are powered with CARB certified Tier 4 Interim engines, except where the project applicant establishes to the satisfaction of the City that Tier 4 Interim equipment is not available.” “All other diesel-powered construction equipment will be classified as Tier 3 or higher, at a minimum.” Further, in response to the comment, the mitigation measure MM-AQ-1 has been revised as follows:

Diesel Exhaust. To reduce the potential for health risks as a result of construction of the proposed project the applicant shall:

- A. Prior to the start of construction activities, the applicant or its designee shall ensure that all diesel-powered cranes, generator sets, trenchers, forklifts, rubber-tired dozers, and tractors/loaders/backhoes are powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines, except where the applicant establishes to the satisfaction of the City of Oceanside (City) that Tier 4 Interim equipment is not available.
- B. All other diesel-powered construction equipment will be classified as Tier 3 or higher, at a minimum, ~~except where the applicant establishes to the satisfaction of the City that Tier 3 equipment is not available.~~

⁴ See, *Frequently Asked Questions, In-Use Off-Road Diesel Vehicle Regulation, Fleet Average FAQ* (Revised August 2014), available at: <https://www.arb.ca.gov/msprog/ordiesel/faq/fleetaverage.pdf>.

⁵ See, *In-Use Off-Road Diesel-Fueled Vehicle Regulation, Overview* (Revised October 2016) https://www.arb.ca.gov/msprog/ordiesel/faq/overview_fact_sheet_dec_2010-final.pdf.

⁶ See, *Frequently Asked Questions, In-Use Off-Road Diesel Vehicle Regulation, Restrictions on Adding Vehicles* (Revised December 2015), available at: <https://www.arb.ca.gov/msprog/mailouts/msc1401/msc1401.pdf>.

⁷ See, *Frequently Asked Questions, In-Use Off-Road Diesel Vehicle Regulation, Off-Road Engine Tier Lifetime* (November 2014), available at: <https://www.arb.ca.gov/msprog/ordiesel/faq/tierlifefaq.pdf>.

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Before an exception to the engine tier requirements exemption may be granted considered by the City, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego region with fleets sufficiently sized to provide the types and quantities of equipment needed by the project were contacted and that the owners/operators determined that the requested equipment (~~Tier 3 or~~ Tier 4) could not be located within the region.

In the case that ~~neither~~ Tier 4 Interim ~~or~~ Tier 3 engines are not available, the City shall require the applicant to use Tier 3 the next highest engines tier for each the subject types of equipment that is available. As such, the City shall require the applicant to prioritize the use of higher engine tiers over lower engine tiers.

~~In the case where the applicant is unable to secure a piece of equipment that meets the Tier 4 Interim requirement, the applicant may upgrade another piece of equipment to compensate (from Tier 4 Interim to Tier 4 Final).~~ Engine tier requirements in accordance with this measure shall be incorporated on all construction plans.

For these reasons, mitigated emissions estimates were appropriate and accurate.

Third, it is not clear what language the comment is referencing concerning “retrofitting.” MM-AQ-1 did not previously reference “retrofits.” Requiring the applicant to retrofit construction equipment is not legally feasible or enforceable by the City, as the applicant is not the owner/operator of such equipment.⁸ Nonetheless, Project mitigation does not preclude the use of retrofits by construction fleet owners/operators to reduce PM emissions of certain older equipment to comply with fleet emission requirements.

Fourth, to the extent the comment suggests further mitigation is needed, “CEQA does not require the consideration of mitigation measures for insignificant impacts.” (*Santa Clarita Organization for Planning the Environment v. City of Santa Clarita* (2011) 197 Cal.App.4th 1042, 1058; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1391; Pub. Resources Code, §§21001, 21081; CEQA Guidelines, §15126.4 (a)(3).) Here, as noted in the comment, impacts will be reduced to less-than-significant levels with the incorporation of MM-AQ-1. No further mitigation is required to address these less-than-significant health risk effects.

⁸ In addition, note that it is generally not technologically feasible to retrofit older equipment over 75 horsepower to Tier 4 standards. Due to added diesel particulate filters and related equipment, Tier 4 engines can be up to 30 percent larger than previous engines; engine compartments generally do not have the extra room to accommodate the additional engine size. See, “Engine Repowers: The complicated business of putting a new diesel in an old machine,” July 11, 2017, available at: <https://www.equipmentworld.com/engine-repowers-the-complicated-business-of-putting-a-new-diesel-in-an-old-machine/>.

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The EIR Adequately Analyzes Impacts to/from Conventional EIR Pollutants and Considers Consistency with the San Diego Air Pollution Control District's (SDAPCD) Regional Air Quality Strategy (RAQS)

The comment addresses ozone and states, “the FEIR continues to avoid coming to grips with the failure of the San Diego APCD’s Regional Air Quality Strategy (“RAQS”) to show attainment of the federal air quality standards by applicable deadlines, or with state air quality standards....” The comment states the project could “minimally contribute to regional O₃ concentrations,” and that the EIR should discuss the RAQS’ progress towards attainment of federal and state ozone standards.

First, contrary to the comment, the Final EIR explains the current state of SDAPCD attainment with federal and state ambient air quality standards (AAQS). Please refer to, *e.g.*, Final EIR page 4.3-4, 4.3-11 through 4.3-12, and Tables 4.3-1 and 4.3-10, which explain that the County currently is designated as a nonattainment area for the 1-hour and 8-hour ozone California Ambient Air Quality Standards (CAAQS), as well as the coarse and fine particulate matter CAAQS. Further, the County is a designated nonattainment area for the 8-hour ozone National Ambient Air Quality Standards (NAAQS). As to ozone, which is highlighted in the comment, the 2016 Eight-Hour Ozone Attainment Plan for San Diego County indicates that local controls and state programs would allow the region to reach attainment of the federal 8-hour O₃ standard by 2018. In August 2018, San Diego County was designated as a nonattainment area with a classification of “Moderate” for the 2016 Eight-Hour Ozone NAAQS and an applicable attainment date of July 2021.

As explained in Responses to Comments O4-2 through O4-5, it is outside the scope of this Project EIR to evaluate County and SDAPCD regional attainment of air quality standards. “Instead, it is the responsibility of *the SDAPCD* to demonstrate how the County would achieve attainment of the federal ozone standard, *which is outlined in the RAQS.*” (Emphasis added.) The Project EIR summarizes the County attainment strategy. The commenter is further referred to the 2016 Eight-Hour Ozone Attainment Plan for information concerning the region’s current ozone designation status, emissions inventories and projections, and plans to reach attainment.⁹ Specifically, concerning Ozone Designation Status, page 2 of the 2016 Eight-Hour Ozone Attainment Plan summarizes the regional attainment designation:

The region’s air quality designations for the NAAQS (attainment, nonattainment, or unclassifiable) are established by federal regulation. [citation omitted] San Diego County was initially designated a Marginal nonattainment area for the 2008 eight-hour ozone NAAQS, effective July 20, 2012. Marginal areas were required to attain the 2008 eight-hour ozone NAAQS by July 20, 2015. Despite substantial air quality

⁹ The 2016 Eight-Hour Ozone Attainment Plan is available at the following link and incorporated by reference: <https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Air%20Quality%20Planning/8-Hr-O3%20Attain%20Plan-08%20Std.pdf>, accessed February 11, 2019.

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progress, the region did not meet this attainment deadline. Consequently, on June 3, 2016, the EPA reclassified San Diego County as a Moderate nonattainment area, [citation omitted] which requires the District to submit a SIP meeting Moderate area requirements, including a demonstration of attainment by July 20, 2018. This Attainment Plan addresses those requirements.

Page 17 of the 2016 Eight-Hour Ozone Attainment Plan explains ongoing improvements in air quality:

Over the past two decades, ozone air quality in San Diego County has improved significantly due to comprehensive control measures implemented to reduce pollution from mobile and stationary emission sources (see Section 1.3). Ongoing implementation of existing District, state, and federal regulations will provide additional reductions in ozone precursors for the foreseeable future (see Sections 2.1.4 and 3.4.4.8 for emission trends), and are a primary basis for this Attainment Plan. Currently adopted rules and regulations at the state and federal levels (Section 3.1.1), combined with local control measures (Section 3.1.2), are collectively referred to as “Emission Control Measures.”

Pages 33 through 53 demonstrate that attainment is likely to be achieved. The 2016 Eight-Hour Ozone Attainment Plan concludes, “[t]he results of the modeling and Weight of Evidence analyses, on balance, provide persuasive support to a conclusion that the Emission Control Measures defined in this Plan are sufficient to continue reducing ozone concentrations throughout San Diego County to the level of the 2008 eight-hour ozone NAAQS by the conclusion of the 2017 ozone season.” (*Id.* at p. 52.)

The Final EIR analyzes whether the project would conflict with or obstruct implementation of the applicable RAQS. The EIR concludes project impacts would be less than significant because the RAQS forecast growth / population projections for the project area would accommodate more growth (9,322 new residents) than the growth associated with the proposed project (1,971 residents). Therefore, “[b]ecause the growth forecasts and development assumptions upon which the SIP and RAQS are based would not be exceeded, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan, and impacts would be less than significant.” (Final EIR p. 4.3-23.) The project is accordingly consistent with SDAPCD’s strategy to achieve regional attainment with applicable federal and state air quality standards.

Second, the Final EIR evaluates whether the project would result in a significant impact based on the SDAPCD’s quantitative emissions thresholds for criteria air pollutants regulated by the AAQS, below which a pollutant emission source would not significantly impact ambient air quality. (Final EIR pp. 4.3-19 through 4.3-20, Table 4.3-4, pp. 4.3-23 through 4.3-29.) As shown, neither construction nor operational emissions would exceed the thresholds for VOC, NO_x, CO, SO_x,

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PM₁₀, or PM_{2.5}. (*Ibid.*) Project emissions of ozone precursors (VOC and NO_x) would also be *below* SDAPCD's quantitative emissions thresholds, and therefore less than significant.

Third, the Final EIR separately evaluates potential health impacts associated with localized, ozone concentrations. The EIR notes that “[c]onstruction and operation of the proposed project would not result in emissions that exceed SDAPCD's emission thresholds for any criteria air pollutants.” (Final EIR p. 4.3-37.) It concludes:

The holistic effect of a single project's emission of O₃ precursors is speculative due to the lack of quantitative methods to assess this impact. Nonetheless, the VOC and NO_x emissions associated with the proposed project construction could minimally contribute to regional O₃ concentrations and the associated health impacts. Due to the minimal contribution during construction and operation, as well as the existing good air quality in coastal San Diego areas, health impacts would be considered less than significant. (Final EIR p. 4.3-37 through 4.3-38 [emphasis added], see also Appendix D1, Air Quality Technical Report.)¹⁰

Thus it was determined the project would result in less than significant impacts to and from ozone emissions, having fully considered the potential effect in the Final EIR.

The comment suggests further analysis is required, citing *Sierra Club v. County of Fresno* 2018 WL 6729853 (*Fresno*). The *Fresno* case is inapposite. In *Fresno*, the project was estimated to emit criteria air pollutants at a level *7 to 10 times larger than the threshold of significance*, and thus have a *significant and unavoidable* adverse effect on air quality within a nonattainment basin. (*Id.* at p. 16, 20.) No consideration was given to the health implications of those criteria air pollutants; and, no health risk assessment for toxic air contaminants was prepared. (*Id.* at p. 20.) Thus, the court found the EIR inadequately disclosed health consequences related to the project's significant criteria air pollutant emissions. (*Id.* at p. 20-25.)

Of importance to this response, California air districts have based their thresholds of significance for CEQA purposes on the levels that scientific and factual data demonstrate that the air basin can accommodate without affecting the attainment date for the NAAQS or CAAQS. Since an AAQS is based on maximum pollutant levels in outdoor air that would not harm the public's health, and air district thresholds pertain to attainment of the AAQS, this means that the thresholds established by air districts are also protective of human health. Here, unlike the project at issue *Fresno* case, the project is estimated to emit criteria air pollutants (and specifically ozone and ozone precursors) at a level *below* the SDAPCD's thresholds of significance, and thus have a *less than significant* impact on air quality and corresponding health effects. (Final EIR pp. 4.3-19 through 4.3-20, Table 4.3-4, pp. 4.3-23 through 4.3-29.) The project also is not likely to impact SDAPCD's strategy to

¹⁰ See, e.g., <https://s3-us-west-1.amazonaws.com/ut-webassets/html/pollutionmaps/sd-me-i-toxic-map.html>.

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achieve attainment with applicable federal and state air quality standards for criteria air pollutants. (Final EIR p. 4.3-23.) And a health risk assessment for toxic air contaminants *was* prepared (refer to Appendix B of Appendix D1 of the EIR) and potential health impacts evaluated in the body of the EIR (Final EIR p. 4.3-30 through 4.3-38). Health risk impacts from toxic air contaminants were determined to be *less than significant* with mitigation.

As noted by the *Fresno* court, an EIR should focus on the significant effects of a project, not insignificant environmental changes:

Guidelines section 15126.2, subdivision (a) is instructive. It mandates that an EIR ‘identify and focus on the *significant* environmental effects of the proposed project . . . examin[ing] [] changes in the existing physical conditions in the affected area,’ that it identify and describe ‘[d]irect and indirect *significant* effects of the project on the environment,’ and that the discussion should include, among other things, ‘relevant specifics of . . . health and safety problems caused by the physical changes.’ It also suggests that a connection be drawn between the two segments of information presented in the EIR--potential project emissions and human health impacts. Such a connection would meet CEQA’s requirements.

(*Fresno*, p. 22 [emphasis added].) Further analysis is not warranted given the EIR’s determination, based on substantial evidence and analysis, that project air quality impacts from criteria air pollutants would be *less than significant*.

In any event, it is currently not scientifically feasible to estimate causation between the amount of air pollutants emitted and particular health consequences, as suggested by the comment. The amicus briefs submitted by South Coast Air Quality Management District and the San Joaquin Air Pollution Control District in the *Fresno* case evidence this current scientific infeasibility.¹¹ SCAQMD’s brief, for example, explains that it is currently infeasible to quantify the health impacts of ozone and predict the formation of ozone from precursors (NO_x and VOC) due to meteorological influences. (SCAQMD Amicus Brief, p. 11.) SCAQMD also notes “it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region.” (*Id.*) Thus, “SCAQMD staff does not currently know of a way to accurately

¹¹ See, *Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District*, available at <https://www.courts.ca.gov/documents/7-s219783-ac-san-joaquin-valley-unified-air-pollution-control-dist-041315.pdf> [explaining that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between a project’s air emissions and specific health impacts].

See also, *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and [Proposed] Brief of Amicus Curiae*, available at <https://www.courts.ca.gov/documents/9-s219783-ac-south-coast-air-quality-mgt-dist-041315.pdf>.

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quantify ozone-related health impacts caused by NO_x or VOC emissions from relatively small projects,” not of a “regional scale.” (*Id.* at p. 11-12.)

The Final EIR similarly addresses the scientific and technological infeasibility of correlating project air pollutant emissions related to ozone with health effects. The EIR explains that the “complex photochemistry” and interplay of solar radiation, terrain, wind speed, temperature, and other factors that make it infeasible to predict the formation of ozone, and therefore it is impossible to accurately quantify health risks from this project. (Final EIR p. 4.3-37 through 4.3-38, Appendix D1, p. 24.) The “holistic effect of a single project’s emission of O₃ precursors is speculative due to the lack of quantitative methods to assess this impact.” (Final EIR p. 4.3-37 through 4.3-38 [emphasis added].)

The EIR shows that the Project would Mitigate Greenhouse Gas Emissions to Net Zero using Effective and Verifiable Carbon Offsets as part of a Portfolio of Emission Reduction Strategies

The comment expresses concern about the reliance on the purchase of carbon offsets to achieve net zero GHG emissions for the project. The comment states: (1) carbon offsets are likely to be “bought in foreign countries and [be] of highly questionable enforceability”; (2) the City is delegating enforcement of mitigation to carbon offset registries, which it states may not achieve real, verifiable, and enforceable reductions; (3) no follow-up action is provided to ensure offsets are taking place; and (4) offsets are limited to those which are “financially competitive,” which term is undefined. The comment also states that CARB does not regulate carbon offset registries outside the Cap-and-Trade program, and limits offsets within the Cap-and-Trade program to 8% of emissions. The comment suggests CARB regulation and an 8% limitation is required for the project.

Purchase of Offsets will be Used as Part of a Portfolio of GHG Emissions Reductions Strategies to Achieve Net Zero GHG Reductions

The comment restates information in the EIR describing the various on-site measures that will be implemented with the project to reduce GHG emissions, including, e.g., solar panels, electric car charging stations in each residential garage and most commercial parking lots, low-albedo street paving materials, etc. Indeed, the on-site measures that will be implemented to reduce the project’s GHG emissions include, but are not limited to, the following:

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MM-GHG-1 Prior to the issuance of the first building permit, the following GHG emission reduction measures shall be implemented:

All residential buildings shall:

- Meet or exceed CALGreen Tier 1 requirements in place at the time of Building Permit issuance.
- Prior to the issuance of residential building permits, the applicant or its designee shall submit building plans illustrating compliance with the applicable design standards defined by the approved building code at the time of permit application.
- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system. Include a tankless water heating system, a whole house ceiling fan, and “Energy Star” appliances (stoves, dishwashers, and any other appliances typically included within the initial installation by the builder).
- Include an energy efficient air conditioning unit(s) that exceeds the seasonal energy efficiency ratio (SEER) by a minimum of two points at the time of building permit issuance.
- Include programmable thermostat timers.
- Include exterior outlets on all residential buildings to allow the use of electrically powered landscape equipment.
- All private residential garages shall include one electric vehicle charging station.
- Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application for each residence shall illustrate the exclusive utilization of low flow water fixtures such as low flow toilets, faucets, and showers.
- Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.

All non-residential buildings shall:

- Be pre-plumbed and structurally engineered for the installation of a complete solar energy system.
- Prior to the issuance of non-residential building permits, the applicant or its designee shall submit building plans illustrating that the proposed project’s non-residential land uses shall achieve an 8% greater building energy efficiency than

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required by the current State energy efficiency standards in Title 24, Part 6 of the California Code of Regulations.

- Use “Energy Star” rated (or greater) roofing materials.
- Prior to approval of Improvement Plans, the applicant shall verify the exclusive use of energy efficient lighting that meets or exceeds CalGreen Tier 1 requirements for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting. Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application shall show that the proposed project includes a complete solar water heating system.
- Include an energy efficient heating system and an air conditioning system that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance.
- Only use low flow water fixtures such as low flow toilets, faucets, and showers.
- Only use programmable thermostat timers.
- Prior to approval of Improvement Plans, the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting.
- Include pedestrian-friendly paths and cross walks in all parking lots.
- In all on-site, non-residential parking areas with ten or more spaces, electric vehicle charging stations shall be installed in a minimum of 12 percent of the parking spaces.
- Prior to the issuance of building permits, the Project applicant or its designee shall submit building plans illustrating that all outdoor pavement, including all parking lots and walkways, reflective coatings (albedo = 0.30 or better) or concrete.
- Maximize the amount of drought tolerant landscaping used. Turf should be limited to parks or other active use and/or high visibility areas. Low groundcover and native grasses shall be used as an alternative to turf. Any turf used shall be warm-season turf or shall have a plant species factor of 0.6 or lower.
- Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation areas.

Project mitigation prioritizes these and other on-site design features to reduce GHG emissions. (Refer to Mitigation Measures MM-GHG-1 through MM-GHG-3.) However, as noted by the comment, it is not anticipated that on-site measures alone would achieve sufficient GHG

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reductions to meet the applicant's net zero GHG commitment.¹² Accordingly, as discussed in the EIR, the necessary GHG reductions would be achieved through a combination of on- and off-site reduction strategies, including the purchase of carbon offsets.

The Use of Offsets is Consistent with CEQA and the Global Nature of Climate Change

CEQA and the science of climate change support the use of offsets to mitigate GHG emissions. Climate change is a global phenomenon. Unlike conventional air pollutant emissions, GHG emissions do not have a localized impact on air quality conditions, but rather disperse into the earth's atmosphere and increase the amount of heat retained. Thus, while greenhouse gas *emissions* are local, their climate change *impacts* are not. In fact, climate change impacts are so globally-dispersed that it is nearly impossible to calculate the *local* climate effects of *local* greenhouse gas emissions.

Scientists are not the only ones who understand the *global* – as opposed to *local* – character of climate change. The California Supreme Court understands this issue as well:

[B]ecause of the global scale of climate change, any one project's contribution is unlikely to be significant by itself ... [T]he global scope of climate change and the fact that carbon dioxide and other [GHG], once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are also global rather than local. For many air pollutants, the significance of their environmental impact may depend greatly on *where* they are emitted; for [GHG], it does not.

(*Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 219-220; emphasis in the original.)

The significance of GHG impacts does *not* depend on where the GHG is emitted. Thus, it logically follows that *mitigation* for such impacts also does not depend on – and need not take place – where the GHG is emitted.

The key is to address climate change and GHGs on a *global* level, and to accept the scientific fact that one metric ton of GHG emitted anywhere in the world has the same impact on global climate change as one metric ton of GHG emitted in Oceanside, California. Likewise, the *elimination* of one ton of GHG in anywhere in the world produces the same mitigation benefit *locally* as the elimination of one ton of GHG in Oceanside.

¹² The location of on- or off-site reductions will depend on the availability of GHG reduction measures at the time when the offsets are required to be purchased. Refer to mitigation measures MM-GHG-2 and MM-GHG-3.

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Purchase of Carbon Offsets as Mitigation for GHG Emissions is Permitted by CEQA, Widely Endorsed by the State, and has been Repeatedly Affirmed by the Courts

In acknowledgment of the global nature of climate change, the CEQA Guidelines do not impose geographic limits on GHG mitigation options. Instead, Section 15126.4(c)(3) provides that “[o]ff-site measures, including offsets that are not otherwise required,” can be used to mitigate a project’s GHG emissions. In promulgating the CEQA Guidelines for GHG mitigation, the California Natural Resources Agency (CNRA) and the Governor’s Office of Planning and Research (OPR) addressed the legitimacy of offsets as follows:¹³

The Initial Statement of Reasons...cites several sources discussing examples of offsets being used in a CEQA context. Further, the CARB Scoping Plan describes offsets as way to provide regulated entities a source of low-cost emission reductions, and ... encourage the spread of clean, efficient technology within and outside California. The Natural Resources Agency finds that the offset concept is consistent with the existing CEQA Guidelines’ definition of “mitigation,” which includes “[r]ectifying the impact by repairing, rehabilitating, or restoring the impacted environment” and “[c]ompensating for the impact by replacing or providing substitute resources or environments.”

Notably, the language endorsing the use of carbon offsets remains unchanged by the December 28, 2018 *Updates to the CEQA Guidelines* adopted by the Office of Planning and Research (OPR) and finally approved by the Office of Administrative Law.¹⁴ Accordingly, it is within the discretion of the City, acting as the lead agency for the proposed project, to select the portfolio of mitigation measures it finds are supported by substantial evidence and desirable. The CEQA Guidelines do not impose any mandatory hierarchy on allowable mitigation options (see CEQA Guidelines §15126.4(c)), and the California Natural Resources Agency specifically rejected requests from commenters to include such a hierarchy.

CARB has repeatedly expressed support for purchase of carbon credits as mitigation for project GHG emissions. In *California’s 2017 Climate Change Scoping Plan*, CARB stated it may be “appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits.”¹⁵ CARB has also determined that Assembly Bill (AB) 900 projects—which are designated “environmental leadership development projects” under CEQA and subject to judicial

¹³ North River Farms Final EIR Appendix T6, p. 47-48, 89 [California Natural Resources Agency, Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 (December 2009)]; CEQA Guidelines, §15126.4(c)(3).

¹⁴ Available at http://resources.ca.gov/ceqa/docs/2018_CEQA_FINAL_TEXT_122818.pdf.

¹⁵ Final EIR Appendix T5, *2017 Climate Change Scoping Plan*, page 102; see also Appendix B of the 2017 Scoping Plan, page 10.

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streamlining¹⁶—achieve the necessary quantity of GHG emissions reductions to mitigate to net-zero through committing to the purchase of carbon offset credits, without any locational mandate.¹⁷

For example, CARB determined in 2015 that the Qualcomm Stadium Reconstruction Project would not result in net additional GHG emissions. The project will mitigate its construction GHG emissions by securing “one-time carbon credits . . . through a voluntary carbon credits market from a voluntary carbon credit generator.” The project will mitigate its operational GHG emissions by securing “voluntary carbon credits for the net increase in operational emission on a net-present value basis,” and such credits will be purchased from “a verified GHG emissions credit broker.” The project is not reliant on any of its purchases coming from any particular broker, geographic source, or locational priority.

More recently, in December 2017 CARB determined that the 10 Van Ness Avenue Mixed-Use Project (State Clearinghouse #2017072018) will completely offset its GHG emissions by securing carbon offset credits from “a recognized and reputable carbon registry” and “continue to explore [other options] to the extent feasible, with the following order of preference: (1) project design feature/on-site reduction measures; (2) off-site local reductions; (3) off-site regional reductions; and (4) offset credits issued by a recognized and reputable carbon registry.”

As another example, CARB determined in June 2018 that the Hollywood Center Project (SCH # 2018051002) will not result in net additional GHG emissions. The Hollywood Center Project will offset its GHG emissions by securing a blend of one-time carbon offset credits and carbon offset credits on a net-present value basis. All credits will be purchased through “an accredited carbon registry” using the following prioritization: “(1) project design feature/on-site reduction measures; (2) off-site local reductions; (3) off-site regional reductions; and (4) offset credits issued by an accredited carbon registry, consistent with policy recommendations included in CARB’s Proposed 2017 Climate Change Scoping Plan Update.”

Thus, CARB has recognized that offsets from “recognized and reputable carbon registr[ies]” provide effective mitigation. Further, CARB has declined to impose rigid limits on the locational attributes of procured carbon offset credits. While more recent AB 900 projects have committed to a preference for local reduction opportunities, no quantitative mandates are associated with that preference, and the ultimate portfolio of procured carbon offset credits is subject to general feasibility principles. In other words, the projects do not guarantee the choice of a local offset over a more distant offset, and did not commit to any particular geographical source.

¹⁶ Pub. Resources Code, §§21178-21189.3

¹⁷ Additional information regarding the AB 900 projects is attached and available at <http://opr.ca.gov/ceqa/california-jobs.html>.

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Use of offsets protocols have also been upheld by the courts. For example, in *Our Children's Earth Foundation v. CARB* (2015) 234 Cal.App.4th 870, 880, the Court of Appeal recognized the validity of carbon offsets, stating:

[P]rotocols developed by the Climate Action Reserve (Reserve) employ a standards-based approach for ensuring additionality. The Reserve is a national nonprofit organization that (1) develops standards for evaluating, verifying and monitoring GHG emission inventories and reduction projects in North America; (2) issues offset credits for those projects; and (3) tracks offset credits over time “in a transparent, publicly-accessible system.” A primary goal of the Reserve is to establish conservative GHG accounting which will ensure that GHG emission reductions are “real, permanent, additional, verifiable, and enforceable by contract.” In formulating its standards-based protocols, the Reserve identifies types of emission reduction projects that are both subject to quantification and appropriate for assessment pursuant to performance-based additionality tests.

In *Our Children's Earth Foundation*, CARB's protocols, which it took almost verbatim from Climate Action Reserve's protocols, were challenged as violating AB 32 because they were alleged to not accurately ensure additionality as required by the act. The court sided with CARB, finding that CARB's protocols based on Climate Action Reserve's protocols are a “workable method of ensuring additionality with respect to offset credits.” (*Our Children's Earth Foundation* at p. 889.) CARB has since expanded its program to accept carbon offsets issued under American Carbon Registry and Verified Carbon Standard (now known as Verra) methodologies.¹⁸

Carbon offsets, where compliant with established protocols to ensure their environmental integrity, are thus broadly endorsed by the State as CEQA mitigation for GHG emissions and are not bound by geographic locale.¹⁹

The Standards Contained in the Project's GHG Mitigation Framework ensure the High Environmental Integrity and Enforceability of Carbon Offsets

The comment suggests that CARB regulation of offset registries is required in order for carbon offsets to effectively mitigate project GHG emissions. Not so.

The mitigation criteria and performance standards established in Mitigation Measures MM-GHG-2 and MM-GHG-3 ensure the high integrity and enforceability of carbon offsets secured for the project. The carbon offsets required by MM-GHG-2 and MM-GHG-3 will be purchased from

¹⁸ Again, refer to Topical Response GHG-3 of the North River Farms Project Final EIR for additional discussion.

¹⁹ See also, North River Farms Final EIR, Topical Response GHG-3, for further discussion concerning state support for the use of offsets.

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reputable climate registries utilizing recognized standards-based protocols; will be purchased prior to project generation of GHG emissions; and will be documented, monitored, and enforced by the City, as discussed below. Based on these standards, the City has determined that carbon offsets will provide effective mitigation for GHG emissions.

Environmental Integrity of Offsets purchased from a Reputable Climate Registry

Carbon offsets are issued by a climate registry that has undertaken the responsibility of certifying that the emissions reductions have occurred. Developers of offsets can demonstrate the environmental integrity of an offset project by complying with a climate registry's standards-based "protocol." A "protocol" is a method of measuring emission reductions. A standards-based protocol accomplishes that fundamental goal by establishing the baseline scenario for a given activity and then providing the project developer a specific, defined methodology to quantify and verify emissions reductions that occur over and above that baseline scenario.

Carbon offsets must meet certain standards; namely that offsets be real, permanent, quantifiable, verifiable, enforceable, and additional.²⁰ Offsets may only be issued for emissions reductions that are a result of complete emissions accounting. The emissions reductions must be permanent and not be reversed. The emissions reductions from an activity must be rigorously quantified. To receive offset credits, emission reductions must be well documented and transparent enough to be capable of objective review by a neutral, third party verifier. In order to be eligible to generate offsets from reputable programs, the implementation of the activity must represent the legally binding commitment of the offset project developer. And lastly, emission reductions must be "additional," meaning the offsets would not have occurred without the offset activity. These criteria ensure the environmental benefit of activities that generate carbon offsets.

Carbon offset registries measure compliance with approved protocols using rigorous, standardized review processes. As a general rule, when approving a GHG reduction project, the climate registry would require that the offset project meet the following steps to receive offsets: (1) listing or registration; (2) independent, qualified third-party confirmation of reduction or sequestration; (3) registry approval and issuance; (4) carbon offset retirement. These protocols and processes ensure that offsets issued by offset registries satisfy the environmental integrity criteria described above, as multiple jurisdictions implementing such programs have recognized. As discussed above,

²⁰ The climate registry offset programs have adopted slightly different versions of these standards to ensure the environmental benefit of activities that generate carbon offsets.

See, e.g., Climate Action Reserve, *Program Manual* (September 1, 2015), available at <http://www.climateactionreserve.org/how/program/program-manual/>;

American Carbon Registry, "The American Carbon Registry Standard" (July 2018) available at <https://americancarbonregistry.org/carbon-accounting/standards-methodologies/american-carbon-registry-standard/acr-standard-v5-1-july-2018.pdf>;

VCS, "VCS Program Guide" (June 21, 2017), available at http://verra.org/wp-content/uploads/2018/03/VCS_Program_Guide_v3.7.pdf;

See also, Health & Safety Code Section 38562(d)(1)-(2).

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CARB has recognized the accounting procedures ensure real, permanent, and additional GHG emission reductions.²¹

Each carbon offset represents a unit of GHG emissions reductions that can be bought, sold, and traded. Each offset is essentially a certification that a certain quantity of GHG emissions *has been* avoided, prevented, or sequestered. Examples of activities that generate offsets include reforestation to increase carbon sequestration and the capture and destruction of methane emissions from livestock.

Performance Standards detailed at MM-GHG-2 and MM-GHG-3 Ensure Sufficient Offsets will be purchased from Reputable Registries, Subject to Stringent Standards and Protocols

Mitigation Measures MM-GHG-2 and MM-GHG-3 require the project to purchase and retire carbon offsets “in a quantity sufficient to offset approximately 100% of the proposed project-generated GHG emissions” from both construction (including vegetation removal emissions) and operations (for a 30-year period) from reputable registries. Both mitigation measures define “carbon offset” to mean:

... an instrument issued by any of the following: (i) the Climate Action Reserve, the American Carbon Registry, and the Verra (formerly, Verified Carbon Standard), (ii) any registry approved by the California Air Resources Board to act as a registry under the State’s cap-and-trade program, or (iii) ...any other reputable registry or entity that issues carbon offsets. Prior to use of option (iii), it shall be demonstrated that the other reputable registry or entity follows accounting, quantification and monitoring protocols, as well as eligibility and procedural performance standards, that are comparable to those used by the registries identified in option (i)....

...any carbon offset used to reduce the proposed project’s GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required.”

CARB accepts carbon offsets issued under the Climate Action Reserve, American Carbon Registry and Verra methodologies.²² As discussed above, CARB has also generally accepted that offsets from “recognized and reputable carbon registr[ies]” provide effective mitigation. The State approved the *Newhall Ranch Greenhouse Gas Reduction Plan*²³ (see, particularly Section IX.B

²¹ See also, Cal. Code Regs., Tit. 17, Section 95990(c)(5).

²² See, e.g., Cal. Code Regs., Tit. 17, Section 95990(c)(5); <https://www.arb.ca.gov/cc/capandtrade/offsets/registries/registries.htm>

²³ Appendix 6 of the Final Additional Environmental Analysis for the Newhall project, available at <https://www.wildlife.ca.gov/regions/5/newhall>

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therein), in which CARB has determined the Climate Action Reserve, the American Carbon Registry and the Verra use accounting, quantification and monitoring protocols, and implement eligibility and procedural performance standards that achieve an acceptable degree of environmental integrity for the CEQA process. Further, the projects certified under AB 900 show that both CARB and the Governor of California have repeatedly approved the use of offsets to reduce GHG emissions.²⁴

The comment cites a European Commission study concerning the Clean Development Mechanism (CDM), suggesting offsets are not additional and overestimate benefits. Initially, the CDM is a program separate from Climate Action Reserve, the American Carbon Registry, or Verra. CDM was designed to allow industrialized countries to meet emission reduction targets under the Kyoto Protocol through trading credits related to emission-reduction projects in developing countries. As noted by the comment at pages 4-5, overestimates of carbon reductions in the CDM program were attributed to national-scale reduction commitments and motivations under international treaties, which do not apply to this project. The report also does not address the additionality of offsets issued pursuant to the Climate Action Reserve, the American Carbon Registry, or Verra.

In fact, the Sierra Club and other environmental organizations have historically *supported* Climate Action Reserve, stating, “[b]ecause of its commitment to strong environmental safeguards, rigorous accounting and verification requirements, consistent performance standards, and the use of open public processes, the Reserve has established a new standard for ensuring the integrity of GHG emission reduction projects. The high degree of credibility and transparency achieved by the Reserve is currently unmatched by any other registry.”²⁵ Offsets purchased from reputable registries, which implement stringent accounting, quantification and monitoring protocols, will provide effective mitigation for project GHG emissions.

CARB Regulation of Carbon Offsets is not required for Effective Mitigation

The comment suggests that CARB regulation of offset credits, as with the Cap-and-Trade program, is necessary for the purchase of carbon offsets to provide effective mitigation for the project. There is no such requirement in CEQA or any other law.

As background, the Cap-and-Trade program is an adopted statewide plan for reducing or mitigating GHG emissions from regulated industries, like oil refineries and power plants. The Cap-and-Trade requirement for regulated entities is a different regulatory scheme than applied to land

²⁴ This is not to suggest that CARB regulates these registries; rather, CARB recognizes that the methodologies utilized by these registries generally ensures the environmental integrity of the offsets they provide.

²⁵ See letter of support from numerous environmental organizations including Sierra Club, The Pacific Forest Trust, Environment California, Natural Resources Defense Council, The Wilderness Society, Union of Concerned Scientists, and Environment America (March 30, 2009), available at, http://www.climateactionreserve.org/wp-content/uploads/2009/04/climate_action_reserve_letter.pdf

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use development projects on the voluntary market. Notably, the eight percent restriction placed on the Cap-and-Trade program, mentioned by the commenter, is not relevant outside the regulated market. It also is noted that regulated industries under the Cap-and-Trade program are not required by that program to achieve a net zero GHG emissions; rather, such industries are subject to a declining cap of allowable emissions.

Unlike the Cap-and-Trade market, in the voluntary, open market, emission reduction credits are treated as a commodity with independent value which may be purchased and sold as a commodity on an exchange. The important distinction between a voluntary, open market and a cap-and-trade system is that the creation, buying, and selling of offsets is not restricted in an open market. An open GHG credit-based trading market does not have a cap, and participation is on a voluntary basis.

Participation in the Cap-and-Trade program and voluntary carbon market are both different from the mitigation proposed for the project. Here, carbon offset credits *must* be purchased from *certain reputable registries before* GHG emissions are generated and emitted from the project. Mitigation Measures MM-GHG-2 and MM-GHG-3 require the purchase and retirement of carbon offsets “in a quantity sufficient to offset approximately 100% of the proposed project-generated GHG emissions” from both construction (including vegetation removal emissions) and operations (for a 30-year period). Offsets must be additional (i.e., “not otherwise required”) and “represent the past reduction or sequestration of one metric ton of carbon dioxide....” (See Final EIR, MM-GHG-2, MM-GHG-3.) Compliance is *fully enforceable* by the Development Services Director ensuring the applicant has timely purchased sufficient offsets which are consistent with mitigation requirements. Thus mitigation is akin to development projects purchasing compensatory mitigation credits from “mitigation banks” or “programs,” a long-accepted practice for biological or agricultural impacts. The use of carbon offset credits are likewise well-established as appropriate mitigation for project-level GHG emissions. (See, e.g., AB 900 projects discussed above.)

CARB does not regulate the offset registries. However, CARB has “approved offset project registries” – including Climate Action Reserve, the American Carbon Registry, and Verra — to aid in the implementation of the Cap-and-Trade program, acknowledging the respectability of these programs and their protocols. Further, it has repeatedly recognized that offsets purchased from reputable registries, which are subject to complex and stringent protocols, are effective mitigation pursuant to CEQA.²⁶ Thus the City has determined that carbon offsets purchased from these reputable registries will provide effective mitigation.

²⁶ Additional information regarding the AB 900 projects is available at <http://opr.ca.gov/ceqa/california-jobs.html>.

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The Project's GHG Emissions will be Offset *before* GHGs are Generated by the Project, and are Fully Enforceable and Verifiable by the City

The comments suggests the City will need to monitor offset programs to ensure their future success and replace “failed offsets.” The comment states that the mitigation is inadequate because the City cannot require future replacement of “failed offsets.”

In response, temporally, the project's estimated GHG emissions will be offset *before* GHGs are generated or released as a result of the project. As presented in the Draft EIR circulated for public review, MM-GHG-2 previously required GHG emissions associated with each Site Plan be offset prior to issuance of a building permit associated with that site plan. MM-GHG-2 has since been revised at the applicant's request to further require that 100% of estimated operational emissions associated with project development for a 30-year project life be offset *prior to* the City's issuance of *the first building permit*. Thus, offsets would be purchased prior to issuance of the first building permit to reduce or sequester *all 30 years* of projected emissions (10,288 MT CO_{2e} × 30 years = 308,640 MT CO_{2e}). Thus, for example, if the first building permit is issued in 2025, MM-GHG-2 would require the project applicant to *immediately* offset all operational GHG emissions estimated to occur between 2025 and 2054 — equating to 308,640 MT CO_{2e}.

MM-GHG-2 requires tabulation of offsets to demonstrate that the offsets purchased will fully reduce the project's operational GHG emissions, and to provide the locational attributes of offsets pursuant to the measure's geographic priority provision. The requirements in MM-GHG-2 that proof be made to the satisfaction of the Development Services Director that these additional, verifiable reductions have occurred in sufficient quantity would ensure timely mitigation which is fully enforceable by the City.

MM-GHG-3 likewise requires that offsets sufficient to offset 100% of construction and vegetation removal emissions be purchased and retired *prior to* the City's issuance of the project *grading permit*. Again, all GHG emissions associated with construction would be offset prior to emission of GHGs, as enforceable by the City.

The carbon offset credits would be monitored and verified by a third party auditor. Each offset project has unique serial numbers. When offsets are purchased, those serial numbers are retired so that the offsets can no longer be purchased. The CARB-approved registries have software that creates a transparent record and accounting of carbon credits, which will be available to the City.

Contrary to the comment, there is no need for the Development Services Director to have special expertise, undertake ongoing monitoring offset projects, or seek to replace “failed offsets.” The reputable offset registries ensure and verify the environmental integrity of offsets. The Development Services Director must only ensure that the applicant has timely purchased and

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retired a sufficient quantity of offsets from these reputable registries, which are shown to meet stringent standards and protocol requirements, consistent with the established geographic priorities in Mitigation Measures MM-GHG-2 and MM-GHG-3. Because offsets are purchased *in advance*, representing the additional and “past reduction or sequestration” of GHGs, for the 30-year life of the project, there is no need for ongoing monitoring, as suggested in the comment. The offsets will have taken place.

Mitigation Measures MM-GHG-2 and MM-GHG-3 commit to a Preference for Local Reduction Opportunities

The comment states that the requirement to pursue local offset projects is limited to the extent such projects are financially competitive in the global offset market, and states financial competitiveness is undefined. In response, MM-GHG-2 has been refined as follows:

...

Eighth, all carbon offsets required to reduce the proposed project’s operational emissions shall be associated with reduction activities that are geographically prioritized according to the following locational attributes the project applicant or its designee shall demonstrate, to the satisfaction of the Development Services Director, the following geographic priorities for GHG reduction features, and GHG reduction projects and programs: (1) project design features/on-site reduction measures, (2) off site within the City, (3) off site within the County of San Diego, (4) off site within the state of California, and (5) off site within the United States, and (6) off site internationally. As listed, geographic priorities would focus first on local reduction features options (including projects and programs that would reduce GHG emissions) to ensure that reduction efforts achieved locally would provide cross-over, co-benefits related to other environmental resource areas, even though the co-benefits are not needed to mitigate impacts to these other environmental resource areas. air quality criteria pollutant reductions within the San Diego Air Basin and to aid in San Diego County jurisdictions’ efforts to meet their GHG reduction goals. The applicant or its designee shall first pursue carbon offsets projects and programs locally within the City consistent with this geographic priority strategy, to the extent such offset projects and programs are financially competitive in the global offset market.

The project applicant or its designee shall submit proof to the City that offsets are unavailable in a higher priority category before seeking offsets from the next lower priority category. The Development Services Director

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shall issue a written determination that offsets are unavailable in a higher priority geographic category before allowing the Project applicant or its designee to use offsets from the next lower priority category. In considering whether offsets are unavailable, the Development Services Director shall consider the feasibility factors as defined in CEQA Guidelines Section 15364 and information available at the time the first building permit request is submitted, including but not limited to:

- The availability of in-State emission reduction opportunities;
- The geographic attributes of carbon offsets that are listed for purchase and retirement;
- The temporal attributes of carbon offsets that are listed for purchase and retirement;
- The pricing attributes of carbon offsets that are listed for purchase and retirement; and/or,
- Any other information deemed relevant to the evaluation, such as periodicals and reports addressing the availability of carbon offsets.

MM-GHG-3 has been similarly modified. Note, however, that no law requires prioritization of offsets. The City decision to require local prioritization is a policy choice, not a legal requirement pursuant to federal, state, or local law.

The project thus demonstrates a committed preference for local reduction opportunities, and requires an evidentiary showing based on specified feasibility factors that prioritizes local emission reductions. However, no quantitative mandates are associated with that preference, and the ultimate portfolio of procured carbon offset credits will be subject to general feasibility principles.

It is acknowledged that co-benefits may result from GHG reduction efforts; the project prioritizes on-site and local reduction measures, which may result in such co-benefits. However, co-benefits are not needed to mitigate impacts in these other environmental resource areas.

Further, as explained in the *Evaluation of Greenhouse Gas Emissions Offset Availability within San Diego County*, December 2018 (Appendix U3 to the Final EIR), the current estimated offset demand is far greater than the available supply of offsets within San Diego County, including the City and other incorporated areas. Offsets that originate outside of the County are therefore currently necessary to meet the demand and reduce GHG emissions. Requiring the project to purchase offsets from entirely within the City or County is considered currently infeasible.

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Use of a 30-Year Project Life for Delineating Mitigation Measure MM-GHG-2's Mitigation Period is Well-Supported by Substantial Evidence and Currently Available Scientific and Evidentiary Information

The comment states that the assumption of a 30-year project life is not supported by substantial evidence, as the majority of housing in California is over 35-years old. The comment also states the justifications presented by the City are irrelevant because they are grounded in anecdotal evidence, as opposed to regulations or binding precedent.

CEQA Guidelines Section 15064.4(a) 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 greenhouse gas [GHG] emissions resulting from a project.” Section 15064.4(c) further provides that a lead agency, when deciding whether to assess the significance of the project’s emissions using a quantitative or qualitative approach, has the “discretion to select the model or methodology it considers most appropriate.”

As explained in the Final EIR, MM-GHG-2 requires the project applicant to purchase and retire carbon offsets in a quantity that is sufficient to reduce the project’s operational GHG emissions to net zero for a 30-year period. The City of Oceanside, as the lead agency, has determined that a 30-year project life is the appropriate methodology for delineating the extent of the project’s GHG emissions inventory for purposes of MM-GHG-2’s applicable mitigation period. In utilizing a 30-year life, the City has forecast all it reasonably can. As documented in the Final EIR at Appendix T0, Vol. II, Response to Comment O4-21 (pages T0-128 through T0-135), the 30-year project life presents the reasonable limits of scientific and evidentiary data for the project, given current modeling tools, the changing regulatory structure, the level of unknowns beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information.

To summarize, Response to Comment O4-21 cites the following as support for a 30-year project life:

- (1) CARB has approved the use of a 30-year project life when mitigating operational GHG emissions associated with land use development projects in furtherance of achieving a no net increase in GHG emissions levels. Specifically, CARB made this determination with respect to the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan (RMDP/SCP).²⁷

²⁷ See, Final EIR Appendices T11 and T12; See also, CDFW, *Final Additional Environmental Analysis for the Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan* (SCH No. 2000011025) (June 2017), Appendix 2 at pages 40-41 [mitigation for “30-year Project life”], and Appendix 6 at page 7 [emissions estimated over a 30-year project life], <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=145723>.

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- (2) CARB has approved the use of a 30-year project life when certifying AB 900 “leadership projects” (Public Resources Code Sections 21178 through 21189.3). To obtain certification as a “leadership project,” a project must, among other requirements, “not result in any net additional emission of [GHGs]....” (Pub. Resources Code, Section 21183(c).) To date, 16 applications have been submitted to CARB and the Governor for the certification of proposed leadership projects, all of which use a project life of 30 or fewer years when calculating GHG emissions reductions.²⁸
- (3) Guidance from the SCAQMD supports using a 30-year project life (or shorter) to analyze a project’s GHG emissions under CEQA.²⁹
- (4) The City and other lead agencies across California routinely consider GHG emissions inventory estimates that are presented on an annual basis, and quantified after applying a 30-year amortization period to construction emissions. See, for example, the Initial Study and Mitigated Negative Declaration for the Moody’s El Corazon Recycling Facility Relocation Project³⁰ and the City of Oceanside Pure Water Oceanside Mitigated Negative Declaration.³¹
- (5) Executive Order (EO) S-3-05 established 2050 as the target year for an 80 percent reduction in statewide GHG emissions below 1990 levels. The regulatory framework needed to achieve this target requires transforming the state’s transportation, energy, and industrial sectors. As such, the future GHG emission profiles for these sectors are not generally known. And, modeling emissions significantly beyond 2050 requires speculation about GHG emissions that are not knowable or known. The 30-year project life generally aligns with the 2050 horizon year established in EO S-3-05.

²⁸ See, <http://www.opr.ca.gov/ceqa/california-jobs.html>.

²⁹ SCAQMD, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group Meeting #6 (October 22, 2008), p. 4, [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-6/ghg-meeting-6-minutes.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-6/ghg-meeting-6-minutes.pdf), incorporated by reference.

See also ICF International Technical Memorandum, Appendix B, Summaries of Working Group Meetings, Figure B-3, Proposed Tiered Decision Tree Approach, at p. B-10 (Jul. 30, 2008) [“Offsets provided for 30-year project life, unless project life limited by permit, lease, or other legally binding conditions.”]

SCAQMD, Draft Guidance Document – Interim CEQA GHG Significance Threshold, Attachment E, pp. 3-16 (Oct. 2008), see also *id.*, Figure 3-1, p. 3-11 and Table 3-4, pp. 3-18. Attachment E of the Draft Guidance Document is available at [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf?sfvrsn=2) and is hereby incorporated by reference. Indeed, SCAQMD recognized that a shorter project life (i.e., less than 30 years) can be appropriate for use in modeling under certain circumstances. (See *id.*, Figure B-3, pp. B-10.)

³⁰ SCH No. 2018071017, July 2018. Available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=47710>.

³¹ SCH No.2018091044, September 2018. Available at <https://www.ci.oceanside.ca.us/civicax/filebank/blobdload.aspx?BlobID=48172>.

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It is acknowledged that the guidance provided in these agency decisions are not regulations binding on the City. However, each of these State, regulatory, and lead agencies — including, for example, CARB, South Coast Air Quality Management District, and the City of Oceanside — have utilized a 30-year project life to model and mitigate GHG emissions, recognizing that 30-years presents the reasonable limits of scientific and evidentiary data for such modeling. The 30-year project life also generally aligns with the 2050 horizon year established in EO S-3-05. Thus while not *binding regulations*, the determinations of these agencies provides relevant substantial evidence of the appropriate methodology for GHG modeling and mitigation.³²

In using the 30-year project life, the City recognizes that the residential and non-residential development facilitated by the project could continue to exist for more than 30 years. During and after the 30-year project life period, the project would be subject to a range of existing and future regulatory standards and policies applicable to the built environment. California is expected to implement numerous additional policies, regulations and programs to reduce statewide emissions to achieve the GHG reduction goals of SB 32 and EO S-3-05. Thus, the City has exercised its discretion to determine that a 30-year project life is reasonable and supported by substantial evidence.

In summary, and in accordance with the authority established by CEQA Guidelines Section 15064.4(a)(1), the choice of a 30-year project life is consistent with established modeling frameworks used in CEQA analysis and the available scientific and evidentiary information.³³

The comment further notes the FEIR amortizes GHG construction emissions over 30 years. Indeed, the project's total GHG construction emissions are estimated at 4,951 MT CO_{2e}, amortized at 165 MT CO_{2e} per year over 30 years. (FEIR p. 4.8-32.) The FEIR makes clear that inclusion of amortized GHG emissions data is standard industry practice, and neither the City, County, nor San Diego Air Pollution Control District have a construction-only significance threshold for GHG emissions. (FEIR p. 4.8-32, Appx. T0, p. T0-133.) Thus, construction emissions are amortized over the lifetime of the project and added to the operational emissions.

Conclusion

The comment provides a concluding statement and asserts the EIR must be revised and recirculated.

Contrary to the comment, recirculation is not required where, as here, new information is provided that merely clarifies or amplifies the previously circulated draft EIR. (*Laurel Heights II*, at pp. 1129-1130; *Vineyard Area Citizens for Reasonable Growth, Inc. v. City of Ranch Cordova* (2007)

³² The comment also expresses disagreement with the support provided for amortization of construction GHG emissions, stating again that a 30-year project life is unsupported. For the above reasons, ample support was provided for use of a 30-year project life. Further, it is noted that mitigation measure MM-GHG-3 requires 100 percent of GHG emissions from Project construction be offset *prior to* the City's issuance of the Project grading permit.

³³ See, Final EIR at Response to Comment O4-21 for additional explanation.

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40 Cal.4th 412, 447.) Recirculation is “intended to be an *exception* rather than the general rule.” (*Laurel Heights II*, at p. 1132 [emphasis added].) The modifications and clarifications provided in response to public comments are in line with the nature of the interactive CEQA process, and have been provided to further explain the environmental impacts of the project and mitigate its significant effects. (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 10.) No new significant environmental impacts are identified. Recirculation is accordingly not required. (*Id.*)

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L17 BUENA VISTA AUDOBON SOCIETY, JOAN HERSKOWITZ

The comment addresses General Plan consistency, greenhouse gas emissions, traffic, emergency evacuation, agricultural resources, biological resources and growth inducement. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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L18 CDFW, GAIL SEVRENS

The draft Oceanside Subarea Plan (SAP) does not allow for “new development” within the 100-foot buffer of the San Luis Rey River. The draft SAP defines development as, “The uses to which land shall be put, including construction of buildings and structures and all alterations of the land incidental thereto, excluding Agricultural Operations.” All “new development” associated with the proposed project (houses and associated facilities) will occur outside of the 100-foot buffer. The areas proposed for impact within the San Luis Rey River buffer are primarily existing roadway, disturbed areas adjacent to the road and areas of existing agriculture.

The installation of two underground pipelines within an existing agricultural area would not result in a change to the overall condition of the land. The outlets would have minimal impacts to the San Luis Rey River buffer and will be placed within disturbed areas to the extent feasible.

The proposed project is also required to make improvements to North River Road. According to the City’s Master Transportation Roadway Plan, segments of North River Road are proposed to be widened from two lanes to four lanes. There is no feasible way to widen the road without impacting areas within the 100-foot river buffer and the road was constructed within the buffer. The road is an existing condition and widening of the road, although it will result in impacts to native habitat, is not “new development”.

In addition, it is not possible to restore the 100-foot buffer between the proposed project and the San Luis Rey River with native habitat as this area is not owned by the project applicant. In accordance with the draft SAP, the slope along the road in the western portion of the site where minor impacts would occur to native habitats within the 100-foot buffer of the San Luis Rey River will be revegetated with native habitat. In addition, the buffer will be fully fenced to preclude trespass.

The comment regarding the recommendation the in-lieu fee program adoption is noted.

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L19 PRESERVE CALAVERA, DIANE NYGAARD

The following responses generally following the issue area headings provided in the comment letter. These responses reference specific responses to comments found in Appendix T0, Volume II of the Final EIR as appropriate. Contrary to the commenter's claim, the Final EIR provides adequate responses to public comment to satisfy CEQA.

Aesthetics

The commenter's opinion regarding the views of agricultural lands is noted. Potential impacts to views and vistas have been adequately addressed in the EIR, please refer to Section 4.1, Aesthetics, Response to Comment O3-9, and other responses related to aesthetics in Appendix T0 of the Final EIR.

Land Use

This comment reiterates previous comments regarding potential land use conflicts between residential and agricultural land uses. This issue has been thoroughly addressed by the Final EIR and Responses to Comments. Topical Response CU-1 does, in fact, address indirect effects on proposed residential land uses and surrounding existing agriculture. Section 4.9, Hazards and Hazardous Materials, addresses use of chemicals within agricultural lands adjacent to proposed residences. Mitigation measure MM-AQ-2 requires the implementation of an odor minimization plan during operation of the proposed project. The Final EIR and Responses to Comments thoroughly address potential conflicts between proposed residential uses and agricultural lands.

Transportation

Refer to Response to Comment O3-40. As stated in Section 3.3.6 and shown on Figure 3-11c, the proposed project would connect the existing sidewalk on the southern side of N. River Road, just west of Stallion Drive, to the project right-of-way (approximately 550 feet). This improvement is clearly shown on Figure 3-11c. Proposed sidewalks and bicycle lanes would connect to existing sidewalks and bicycle lanes west of the project site on N. River Road, allowing for connection from the project site to the San Luis Rey Transit Center. Refer to various sections of the Draft EIR for text describing such pedestrian and bicycle connections, including Sections 3.3.2 and 3.3.6, as well as Figures 3-6a, 3-6b, 3-7, 3-8, and 3-11c.

Further, NCTD does not currently provide service to the project site or to the areas to the east along N. River Road. NCTD indicated that future service may be expanded to the area (Appendix A). The proposed project includes east/west bus stop infrastructure along N. River Road within the project site to prepare for any future contemplated service by NCTD. The close proximity of this transit hub, plus extensive pedestrian and bicycle connections, and ridesharing, carpooling, and car sharing would provide residents and employees within the project site with simple and efficient transportation options.

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Incorporation of Transportation Demand Management (TDM) measures as mitigation is not required of the project under CEQA as there is no potentially significant impact identified that would require such mitigation. As discussed in Response to Comment A4-5, various TDM measures have been incorporated into the PD Plan, which would provide development requirements and guidelines for the project site if approved.

The commenter's opinion regarding access to public transit service and provision of a shuttle is noted. Please refer to Response to Comment Letter O3 and various other responses for information.

The proposed design of N. River Road along within the project site has been incorporated into the traffic analysis of the EIR. Evacuation and methods of evacuation have been thoroughly addressed in the Final EIR, please refer to Appendix T0, Volume II.

Biological Resources

Regarding compliance with the Oceanside Subarea Plan, please refer to formal comments provided by the California Department of Fish and Wildlife (Comment Letter A6 and Late Comment Letter L18).

The EIR does not ignore potential impacts to wildlife movement. As stated in 4.4, Biological Resources, the project site itself is not located within a movement corridor and does not facilitate movement of wildlife species because of its close proximity to other disturbed and developed sites. Thus, implementation of the proposed project would not directly impact wildlife movement.

The San Luis Rey River Valley is identified as a hardline preserve in the Oceanside Subarea Plan and the MHCP to allow for east-west wildlife movement. However, wildlife movement is constrained by existing residential housing and active agricultural lands. Large mammals, such as mule deer (*Odocoileus hemionus*) and mountain lion (*Puma concolor*), would not be expected to move through this area due to the limited native habitat present and urban surroundings. General wildlife movement could occur in the riparian corridor associated with the San Luis Rey River, which is present off site to the south of the project development boundary. The area has the potential to provide open space for raptors to forage and potentially nest, but due to the lack of habitat diversity and agricultural environment, only a limited number of synanthropic species would be expected to move through the project site. Therefore, the project site does not provide for considerable wildlife movement or serve as an important habitat linkage.

The Oceanside Subarea Plan evaluated corridors within the Oceanside subarea, which were used to supplement the MHCP's biological core and linkage area analysis (SANDAG 2003). The project site is not located within the Wildlife Corridor Planning Zone identified by the Oceanside Subarea Plan (City of Oceanside 2010). The proposed project would not affect the ability for wildlife movement that could occur within the San Luis Rey River to the south. Therefore, direct and indirect impacts would be less than significant.

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Hazardous Materials

Please refer to Response to Comment O3-47. The results of the 2014 soil sampling are summarized in Appendix I of the Draft and Final EIR and are summarized in Section 4.9, Hazards and Hazardous Materials. As stated in O3-47, previous soil sampling and analysis (performed in October 2014) concluded that potential chemical concentrations do not exceed thresholds that would adversely affect the public or the environment (refer to Section 4.9.1). As stated in the FEIR, Section 4.9, Hazards and Hazardous Materials, the soil sampling included 60 soil borings across the site and collecting discreet soil samples at depths of 0.5 and 2 feet for pesticides and arsenic, which are typically associated with agricultural uses. Nine additional borings were conducted to further evaluate pesticide impacts at the reported location of a former chemical storage building. Geocon Inc. compared the soil concentrations to the California Human Health Screening Levels (CHHSLs) for residential land uses. The detected concentrations in the soil samples did not exceed their respective CHHSLs for residential land uses. Arsenic was detected in the soil samples collected from the agricultural areas at concentrations exceeding the residential CHHSL. However, the arsenic concentrations were well below the California Department of Toxic Substance Control's regional background level for arsenic in Southern California soil. Therefore, it is not expected that soils would present substantial hazard to the public and environment during excavation. However, should suspect or stained soils be encountered during grading, additional testing and remediation in accordance with the County of San Diego Department of Environmental Health requirements would be performed. Therefore, impacts would be less than significant.

Fire Assessment

Please see Response to Comment O3-53. The prohibited (or undesirable) plant list included as Appendix D to Appendix J1 is a proposed list. The list is also not exhaustive. As stated in Section 6.3.1.1 of the FPP, fuel modification zones within the project would be subject to and consistent with the 2016 California Fire Code (adopted by OFD) for defensible spaces. Additionally, the discrepancy between "prohibited" and "undesirable" is noted. However, as stated previously and in Section 6.3.1.1 of the FPP, the list provided is a non-exhaustive and proposed list; OFD and the City reserve authority over plantings with the fuel modification zones.

Section 6.3 of the FPP describes vegetation maintenance and management guidelines that would occur as part of implementation of the proposed project.

Emergency Response Times

Refer to Appendix T7 of the Final EIR. As discussed in Appendix T7, because Station 5 can respond to a portion of the project site within 5 minutes travel time, which is substantially conforming to the National Fire Protection Association standards. Further, the project would

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provide sufficient fire flows, an extensive list of fire safety features, as well as a temporary fire station (refer to Topical Responses FR-1 through FR-5). The project would incrementally exceed the 5 minute response time goal. Therefore, the provision of a temporary fire station, as required by MM-PUB-1, would reduce impact to less than significant. In the time before the temporary fire station is provided, Station 5 would respond to the site.

Additionally, as discussed in Section 4.17 of the Final EIR, in order to ensure adequate access to the project site and surrounding land uses during construction, a Traffic Control Plan (TCP) would be prepared as required by the City prior to permit issuance of construction activity within the public right-of-way. The primary purpose of a TCP is to provide for the safe and efficient movement of motorists (including emergency vehicles), bicycles, and pedestrians through or around construction zones while protecting the workers, equipment, and construction areas. As such, emergency access would still be available into and through the project site during construction.

Water Quality and Public Health

As stated in Response to Comment O3-58, the proposed agricultural areas located along the southern boundary of the project site would remain as agriculture use; therefore, no changes from potential water quality impacts would occur from the existing condition. For all other proposed agriculture areas, such as community gardens, water quality requirements would be imposed as part of permit issuance. The proposed agricultural areas would not introduce any new sources of pollutants compared to the existing condition. As detailed in Section 4.10.4 of the Draft EIR, source control BMPs to be implemented include storm drain stenciling or signage; protection of trash storage areas from rainfall, run-on, runoff, and wind; and vegetative landscaping to control for erosion (Appendix K). All runoff flow within the project site would be transported through the proposed drainage system and contained and treated in on-site biofiltration basins. The biofiltration basins would treat runoff to the maximum extent practicable by capturing and detaining inflows for treatment, which would be achieved through filtration, sedimentation, sorption, biochemical processes, and vegetative uptake, prior to discharge into the San Luis Rey River.

Additionally, as discussed in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, agricultural operations could require the application of synthetic chemicals such as fertilizers, pesticides, and herbicides. As described in Section 4.3, Air Quality, the application of pesticides is regulated by Title 3, Division 6, of the California Code of Regulations. The California Code of Regulations has specified guidelines governing application of individual pesticides (4 CCR 6445 et seq.). The code also prohibits the application of synthetic chemicals when there is a reasonable possibility of contamination of persons not involved in the application process. The proposed project would also be required to comply with recent amendments to Title 3, Division 6, of the California Code of Regulations adopted by the California Department of Pesticide Regulation (DPR) in effect as of January 1, 2018. Normal use of fertilizers, pesticides, and herbicides could

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result in some off-site movement, which occurs with every application; however, the application of synthetic chemicals are regulated in order to minimize spray drift affecting nearby residents and/or employees on the project site. To control for drift, DPR requires numerous pesticide application standards (unless expressly authorized by a permit), including maximum application distance of 10 feet above the target, maximum wind velocity of 10 mph, application nozzles with a positive action valve, pressure requirements based on application method (aircraft or ground), flow rates, and application angle (4 CCR 6560 et seq.). Furthermore, the proposed project would implement natural growing methods and permaculture techniques, which would avoid the likelihood of exposure to the community and surrounding area. Therefore, impacts related to agricultural operations would be less than significant.

Fire Evacuation

As stated in Topical Response FR-1, the project is within an area statutorily designated a non-Very High Fire Hazard Severity Zone (VHFHSZ). Despite its location in non-VHFHSZ, the project cannot ignore the potential wildfire threat associated with unmaintained fuels in the area, including the San Luis Rey River and is required to analyze and provide for a level of planning, ignition resistant construction, access, water availability, fuel modification and construction materials and methods that have been developed specifically to allow safe development within these areas. The project meets and exceeds these requirements.

The project is not required, nor is it feasible to ensure that existing properties outside of the project site, are built to current code.

As stated in Topical Response FR-3, evacuation plans are not required by CEQA or City policies or regulations. For the residents of project and the surrounding area, it should also be noted that the primary focus of an evacuation plan is to identify evacuation routes and to prepare residents for an emergency event.

San Diego County fire and law enforcement agencies are responsible for conducting evacuations for the affected areas. Therefore, the project is not required to prepare an evacuation plan for the areas surrounding the project site.

As stated in Topical Response FR-3, the existing roadway capacity was analyzed in detail in the project Traffic Impact Analysis (TIA) (Appendix N to the Draft EIR), and summarized in Section 4.17, Traffic and Circulation, of the Draft EIR. Addition of project traffic to area roads was evaluated, including full build out of project and other existing and projected growth. Project effects were studied for road segments and intersections. Where significant impacts were identified, mitigation also was identified; including widening, signal upgrades, re-striping, payment into City programs, etc. Significant and unavoidable impacts were identified (refer to

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Table 4.17-19 of the Draft EIR), at the following intersections and roadway segments, as impacts would only be partially reduced: intersection of Vandegrift Boulevard/N. River Road, intersection of N. River Road/College Boulevard, and segment of College Boulevard from N. River Road to Adams Street. However, in the event of a properly coordinated evacuation, roadway level of service becomes irrelevant due to implementation of manual traffic control from emergency service providers.

The comment states that MM-PUB-1 is inadequate, but does not explain why this mitigation measure is inadequate. The commenter's opinion regarding evacuation plans is noted. Please refer to Response to Comment Letter O3 and various other responses for information.

Greenhouse Gas and Air Quality

Please refer to Responses to Comment Letter L16.

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L20 JOHNSTON, PHIL (3)

It should be noted that the commenter is not identified as an expert in, or has qualifications for, hydrology/hydrologic engineering or floodplain management. The commenter's reference to a "two-step process" is misguided, as no such process exists. Prior to this project being proposed, a Letter of Map Revision (LOMR) was duly processed through the City of Oceanside's floodplain administrator, and subsequently reviewed and approved by FEMA; this LOMR was based on the current conditions within the river and floodplain and is also based on better data and more accurate modeling than the prior outdated model. It is a common occurrence for FEMA floodplains to be remapped based on more accurate data and/or modeling. Using current and accurate mapping is, in fact, an important part of reducing flood risk and increasing public safety. In the process of studying the river and floodplain with more accurate data and modeling, revisions to the Floodway, 100-year Floodplain, and 500-year Floodplain were made. These revisions are part of the LOMR process – it is based on current, rather than future conditions. It does not follow, therefore, that the proposed project itself could have influenced this remapping.

The remaining comments are noted.

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L21 SMHA, CHARLES KROLIKOWSKI AND STEPHANIE TALAVERA

The EIR Reflects the City's Independent Review and Judgment

The comment states that an agency violates CEQA where it commits to a project before completing adequate CEQA review, citing the California Supreme Court case *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 130-132. The comment states the City has an independent duty to review and exercise its judgment over any EIR, and that ultimately the City is responsible for the preparation of an adequate EIR.

The citation to *Save Tara* is acknowledged, but inapplicable. In *Save Tara*, the issue was that a city determined to proceed with a proposed development *before* preparing and considering an EIR for the project. The court held the city violated CEQA, as an EIR must be prepared before a project is approved. (*Id.*) It is undisputed that the City of Oceanside caused an EIR to be prepared for the proposed project before considering the project for approval.

It is further acknowledged that the City must exercise its independent judgment over the EIR. Before using a Draft EIR prepared by another entity or through a third-party contractor, the City is required to subject the draft to its own review and analysis such that the Draft EIR circulated for public review reflects the City's independent judgment (Pub. Resources Code, §21082.1(c), CEQA Guidelines, §15084(e).) The City must also certify that the Final EIR reflects its independent judgment (Pub. Resources Code, §21082.1 (c), CEQA Guidelines, §15090(a)(3), *Friends of La Vina v. County of Los Angeles* (1991) 232 Cal.App.3d 1446, 1455).

The City has exercised its independent duty to review and exercise judgment over the EIR. The City has extensively reviewed the proposed project, the Draft EIR, and its analyses. Multiple iterations of technical reports and the preliminary draft EIR were "screen-checked" by the City and its staff, as well as the independent third-party reviewer HDR, Inc., to ensure the analyses contained therein are factual, accurate, applicable, and based on the City's independent review and judgment. The City also conducted multiple reviews of technical studies prior to public review. City staff provided comments, clarifications, additions, revisions, and updates that were then addressed by subsequent iterations. The City has further reviewed and edited, as necessary, the submitted working drafts of the EIR to reflect the City's own independent judgment, including reliance on City's experienced, technical personnel from various City departments. In addition to providing comments on the EIR and technical reports, City staff regularly met with the applicant and their consultants to clarify or explain comments and issues, and to resolve outstanding questions and/or issues as they arose.

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Further, the City's Development Services Department completed an independent evaluation of development applications for this project to ensure compliance with applicable City, State, and Federal laws, regulations, and ordinances. As such, City staff is not an advocate for or against the project, but acts in its independent regulatory capacity as the lead agency to review and independently evaluate the EIR and project.

City staff also thoroughly reviewed each iteration of the EIR and technical reports, and provided comments, revisions, additions, and clarifications to ensure the documents were consistent with applicable City requirements, CEQA, and the CEQA Guidelines. Reports were reviewed for technical adequacy and completeness of analysis (e.g., confirming that all relevant anticipated impacts and feasible mitigation and alternatives were addressed adequately). This standard of review is consistent with CEQA Guidelines section 15003(i) that provides that "CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure."

In addition to the extensive independent review of the EIR, the City has and will further consider public review and input during the public review process. This includes public/agency involvement and participation during the public EIR scoping meeting, the Notice of Preparation review period, and the public/agency review and comment period on the Draft EIR. All such comments received during the Draft EIR comment period were responded to in writing and included in the Final EIR for presentation to the Planning Commission and the City Council prior to noticed public hearings. The City also considered staff presentations regarding the EIR and project. The City exercised an extraordinary level of independence, objectivity, and thoroughness to ensure the Final EIR is a technically adequate environmental document that reflects the City's independent judgment.

Further, pursuant to Public Resources Code section 21082.1(c), prior to certification, the City is required to make findings that it has independently reviewed and analyzed the Draft EIR and its technical studies, and the Final EIR, including public comments, responses to comments, revised Draft EIR pages, and additional or revised technical studies; and find that both the Draft EIR and Final EIR reflect the City's independent judgment. If the City determines to certify the EIR after due review and independent analysis, it will make such findings prior to project approval.

The City has Expended Due Time and Consideration on the Project and its EIR

The comment states that the City "need not fear taking no action with respect to certification of the Final EIR, as the Permit Streamlining Act's¹ time limits do not apply to the Project application." The comment suggests that the City is "improperly rushing the project through without conducting a sufficient environmental review" for fear of non-compliance with the Act.

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There is no merit to the contention the project or its environmental review has been “rushed” without thorough review. To the contrary, the application for the project was filed and complete over two years ago, in August of 2016. A screening process followed in February and March 2017, after which environmental evaluation commenced. The thorough, iterative process, detailed above, included preparation of detailed environmental analyses, which were reviewed by the City and third-party reviewers.

The Draft EIR was circulated for public review in July 2018. The comment period was 54 days, a week longer than provided by law. All comments received during the Draft EIR comment period were responded to in writing, and included in the Final EIR. The public hearings before the Planning Commission on January 28, 2019, and upcoming hearing before the City Council, have been scheduled to occur more than *two years* after the initial application was submitted.

In sum, the project underwent lengthy, detailed, and iterative environmental review, notwithstanding the Legislature’s recognition that there is a “housing crisis in California and it is essential to reduce delays and restraints upon expeditiously completing housing projects” (Gov. Code, § 65009(a)(1)); and despite the directive that an EIR be certified within one year from the date the application is deemed complete. (Pub. Resources Code, § 21151.5.)

Recirculation of the EIR is not Required as no *Significant* New Information has been Added

The comment summarizes information in CEQA and the CEQA Guidelines regarding recirculation, as well as portions of the case, *Spring Valley Lake Association v. City of Victorville* (2016) 248 Cal.App.4th 91, 106-109. The comment states the project’s EIR “must be recirculated” for public review because the project’s density was *reduced*; a temporary fire station was added as a mitigation measure; and clarifications and additional supporting information was added to EIR’s appendices. The comment also states the EIR must be recirculated as “fundamentally inadequate.”

Recirculation is not required for the clarifying information and beneficial project changes cited in the comment. Recirculation is required “only when *significant* new information is added the EIR after public notice is given of the availability of the draft EIR for public review but before certification.” (Pub. Resources Code, §21092.1; CEQA Guidelines, §15088.5(a).) *Significant* new information is not *any* information. New information is “significant,” *only if* as a result of the additional information “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a *substantial* adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect[.]” (*Laurel Heights Improvement Assn. v. Regents of the Univ. of California* (1993) 6 Cal.4th 1112, 1129 (*Laurel Heights II*); accord, CEQA Guidelines, §15088.5 (a).) Recirculation is not mandated when the new information merely clarifies or amplifies the previously circulated draft EIR. (*Laurel Heights II*, at pp. 1129-1130; *Vineyard Area Citizens for Reasonable Growth, Inc. v. City of Ranch Cordova* (2007) 40 Cal.4th 412, 447.)

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“Recirculation was intended to be an *exception* rather than the general rule.” (*Laurel Heights II*, at p. 1132[emphasis added]) As explained in *County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 10:

“[T]he CEQA process itself [] contemplates revisions, to a greater or lesser degree, in any ‘project.’ That is, indeed, one of the major objectives of the CEQA process—to foster better (more environmentally sensitive) projects through revisions which are precipitated by the preparation of EIR’s. As *County of Inyo v. City of Los Angeles* (1984) 160 Cal. App. 3d 1178, 1185 [...] has stated, CEQA is an ‘interactive process of assessment of environmental impacts and responsive project modification which must be genuine.’ [] It is thus the very nature of CEQA that ‘projects’ will be ‘modified’ to protect the environment....

...If a project has been modified in response to the CEQA process, *the logical inference is that the ‘process works’ and the statute is being complied with.*”

(*Id.* [emphasis added].)

Here, the project has been modified through the CEQA process to further reduce and mitigate impacts identified in the EIR. Recirculation is not required for such revisions.

Recirculation of the EIR is not Required for the Added Mitigation Measure Requiring a Temporary Fire Station as no New, Significant Impacts will Result

The comment states that Mitigation Measure MM-PUB-1—which provides for provision onsite of a staffed, temporary fire station to ensure acceptable response times for emergency personnel at the site and to further benefit the surrounding area—is “significant new information” “withheld from public review.” The comment states the station would create new, significant effects to agriculture and forestry resources, utilities/water usage, energy, noise, geology/soils, greenhouse gas emissions, hazards/hazardous materials; hydrology/water quality; mineral resources; public services; and traffic and circulation.

An EIR is not required to analyze a new mitigation measure where it would reduce project impacts, absent a showing that new, significant effects would result. (*Western Placer Citizens for an Agric. & Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 169.) Nonetheless, the EIR provided a brief analysis of the added fire station mitigation measure, supported by substantial evidence, at Section 10. It concluded:

The introduction of a temporary fire station would not substantially alter the construction and operational characteristics of the proposed project such that new

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environmental effects to areas such as aesthetics, air quality, biological resources, energy, noise, traffic, and utilities, would occur. Therefore, the introduction of a temporary fire station would not result in new significant impacts.

The comment makes numerous unsupported assertions that the addition of MM-PUB-1 will result in new or significantly increased impacts, and states information was “withheld from review.” This is incorrect. Rather, in response to the CEQA process, the mitigation measure was added to reduce a significant environmental impact. Nonetheless, in response to this comment, further clarification and detail demonstrating the fire station will not result in new significant environmental effects is provided at Appendix T13 of the Final EIR.

As explained in the Final EIR at page 10-8, Topical Response FR-5: Emergency Response Standards, and Appendix T13, the Village Core has been identified as an appropriate and foreseeable location for development of the temporary fire station; however, the final location will be determined consistent with the North River Farms Planned Development (PD) Plan in coordination with the Oceanside Fire Department. The temporary fire station is therefore anticipated to be located within the “development footprint” of the project. Thus, the fire station would not impact the scope, size, or location of the area designated for agricultural uses or open space. Development off-site is considered unlikely and speculative, and would only occur if required by OFD. If required to be completed at an offsite location, the fire station would be subject to further review and approval by the City consistent with applicable laws, including CEQA.

The comment lists a number of “impacts” that it asserts, without factual support, “must be significant.” In response to the comment, and as explained in Appendix T13 of the Final EIR, the temporary fire station would not substantially alter the characteristics of the project, and no new significant or substantially increased significant environmental effect would occur. In responding to some of the commenter’s specific concerns, it is notable that the project is anticipated to increase calls within the Station 5 (and proposed Station 9) area by just 0.73 calls per day, for a total of just over 6 calls per day at these two Stations. In addition, over 70% of Oceanside Fire Department’s emergency calls are medical; and fire flows (i.e. water usage) at the project site would comply with code requirements regardless of where responders originate.

With those facts in mind, water usage would not increase due to the location of a temporary fire station onsite. Emergency use of water (and/or fire-retardant chemicals) would be similar irrespective of the nearest fire station location. Fire flows on- and off-site would remain the same.

As water usage would not significantly increase, the project would similarly not significantly impact agriculture/forestry, geology/soils, water supply, and mineral resources, in the ambiguous manner suggested in the comment.

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GHGs would be similar to the condition analyzed in the Draft EIR. This is because vehicle trips (and associated GHGs) were assumed for proposed land uses (e.g., residential or commercial) which would now be the site of the fire station. Vehicle miles traveled by emergency responders would be slightly reduced by the more proximate station.

Energy impacts would likewise not significantly increase. Again, the fire station site would replace planned development within the project, the energy use of which was analyzed in the Draft EIR. Energy consumption would not significantly increase.

The mitigation measure is proposed to *reduce* impacts to public services to less-than-significant levels. The provision of a fire station would have a *beneficial* impact to the area and not an adverse effect.

In sum, provision of a temporary fire station onsite would not result in a new significant or more severe impact on the environment. Recirculation of the EIR is not required for this project improvement.

Recirculation of the EIR is not Required for Modifications that were Provided to Clarify and Amplify Information in the Previously Circulated Draft EIR

As reasons to recirculate the EIR, the comment lists appendices that were subject to minor modification in the Final EIR, and new appendices that were provided to clarify information previously provided in the Draft EIR. The comment also states that a proposed Development Agreement and Zoning Ordinance Amendment were provided for the first time in the Final EIR, and on that basis the EIR must be recirculated.

As explained in the Final EIR, certain existing Draft EIR appendices “received minor revisions based on comments received during public review.” (Final EIR, p. 10-9.) Appendices were also added to the EIR to “support the responses to comments with additional information, and to further support the EIR analysis based on the comments received.” (*Id.*) In other words, the interactive CEQA process worked, and additional information and explanation were provided to address public concerns. The addition of explanatory information did not reveal any new *substantial* impact. (*Laurel Heights II*, 6 Cal.4th 1112, CEQA Guidelines, § 15088.5(b).) Recirculation is not required.

The comment is also incorrect that the Development Agreement and Zoning Ordinance Amendment are included in the Final EIR for the first time. Section 3.4, Discretionary Actions and Table 3-3, Required Actions and Approvals, of Draft EIR disclosed both of these discretionary actions within the description of the project. Further, the comment identifies no new significant or more severe impact on the environment that would result from these actions. Thus recirculation is not required.

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The Draft and Final EIRs Provide a Good Faith, Reasonable Analysis of the Project and its Potential Environmental Impacts

The comment states the Draft EIR and Final EIR inaccurately describe project density, wrongly assume future approval of project entitlements, and fail to evaluate project impacts relative to applicable general, regional, and specific plans. The comment states that, for these reasons, the Draft EIR was “fundamentally inadequate” and “conclusory in nature” such that meaningful public review and comment were precluded, and recirculation is required.

The comment is incorrect and the EIR is accurate and adequate, as explained below.

The Project Description is Adequate and Consistent, and a Maximum of 656 Homes are Proposed

An EIR is required to describe the main features of a project, not every detail or particular. Indeed, it should not supply extensive detail beyond that needed for evaluation and review of the environmental impact. (CEQA Guidelines, §15124; *Citizens for Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal. App. 4th 1036, 1053 [project description may allow flexibility in final design if sufficient to analyze environmental impacts]; *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 533 [EIR for large development describing project area and showing it on a map did not violate requirements because additional details not necessary to conduct environmental review].)

The Draft and Final EIR provide a detailed explanation of the project (*see*, Chapter 3, Project Description), including maps depicting the project area and extent of development. Further, both the Draft and Final EIR describe the maximum number of units allowed to be developed, the overall project density, and the proposed densities within the various planning areas of the PD Plan.

The maximum number of units proposed with the project has been modified in response to public comments, consistent with the CEQA process. To summarize, in August 2016, the project application proposed development of 680 to 985 dwelling units at the 176.6-acre project site. This would equate to an overall density of 3.84 to 5.57. Through the General Plan Amendment screening process and extensive public outreach, the applicant modified its initial application to reduce the maximum allowed number of homes.

At the time the Draft EIR was prepared, the project limited development to a maximum 689 homes, which equates to an overall density of approximately 4 dwelling units per gross acre. (Draft EIR, page 3-3.) While required to develop consistent with the maximum unit count and PD Plan, the ultimate density and buildout of the site would be determined by future development plans and subject additional discretionary review. (Draft EIR, Chapter 3, Project Description.) The proposed density range within the various proposed Planning Areas was provided at Table 3-2 of the Draft EIR and Table 4-1 of the PD Plan. The PD Plan (incorporated at EIR Appendix B) provided further

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explanation concerning allowed residential densities, building types, and development standards for the various planning areas subject to the maximum unit count.

The project applicant has determined to further scale-down the project through the Draft EIR comment and response process. The maximum number of homes has been reduced from 687 to 656 homes. This equates to a reduced overall density of approximately 3.7 dwelling units per gross acre. The proposed density ranges and unit counts within the various proposed Planning Areas have been updated at Table 3-2 of the Final EIR and Table 4-1 of the PD Plan (see also, page ES-2, fn. 1). Further, the reduced numbers have been reflected in Table 1: General Plan and Zoning Designations, of the Planning Commission Staff Report.

If approved, the project will be conditioned to limit development to a maximum 656 homes. The *reduction* in number of homes will not result in new, significant environmental effects compared to the greater number of units analyzed in the Draft EIR. All Project Design Features and Mitigation Measures would still apply to the project, as modified. Section 3.3 of the Final EIR accordingly explains that the analysis of 689 residential units presents a conservative analysis.

The comment asserts the overall project unit count and density is likely to be greater than evaluated in the EIR. This is incorrect. The project will be limited to a maximum 656 homes, which is *reduced* from the number initially evaluated in the Draft EIR. The reduced scope of the project in response to public input is *consistent* with the CEQA process and does not require the Draft EIR be recirculated.

The EIR Evaluates Project Impacts Against Proper Baseline Conditions

The comment states the EIR wrongly assumes future approval of project entitlements as the existing condition “baseline” for purposes of evaluating consistency with land use plans and ordinances. As background, the baseline “‘normally’ consists of ‘the physical environmental conditions in the vicinity of the project, as they exist at the time . . . environmental analysis is commenced’ (Cal. Code Regs., tit. 14, § 15125, subd. (a).)” (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 315-316.) The purpose of an EIR is to provide information about reasonably foreseeable project effects from the baseline conditions. (Pub. Resources Code, § 21061.)

As required by CEQA, the EIR evaluates the impact of the project—which includes the various requested entitlements—on the environment. First, the Environmental Setting of the project is discussed at Section 2 of the EIR, and within the Existing Conditions and Regulatory Setting sections of each subsequent EIR chapter. From there, an analysis of potential project effects is provided in the Impacts Analysis section of each EIR chapter.

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The comment quotes from Section 4.1, Aesthetics, to assert that the EIR treats project approval as the environmental baseline or “existing condition.” A full reading of the quoted section shows this to be incorrect, as the existing condition is discussed prior to evaluating the impact of project approval:

The project site is currently zoned Agricultural (A) with a Scenic Park (SP) overlay on the south side of N. River Road. The proposed project includes a Zoning Ordinance Amendment to change the existing zoning to Planned Development. With the future approval and adoption of the rezone from A and A (SP) to PD, the proposed project would not conflict with applicable land use plans or ordinances as it relates to scenic resources (refer to Section 4.11, Land Use and Planning). (Final EIR, p. 4.1-15[emphasis added].)

Accordingly, the EIR disclosed the existing zoning “baseline.” The EIR then analyzed the effect of the project’s proposed Amendment, if approved, in terms of consistency with applicable land use plans. Such analysis is consistent with CEQA.

The EIR Evaluates Project Consistency with Applicable General, Regional, and Specific Plans

The comment states that recirculation is needed as the EIR does not consider consistency with applicable general, regional, and specific plans. The commenter is referred to Section 4.11, Land Use and Planning, which is dedicated to the analysis of project consistency with the General Plan and applicable regional plans. In addition, consistency with applicable plans is evaluated, where appropriate, in other sections of the EIR. Please see, for example, the discussion of project consistency with Draft Oceanside Subarea Plan at Section 4.4.4 of the EIR.

The comment states the project is inconsistent with General Plan policies concerning conservation of agricultural resources. Please refer to, for example, Final EIR Table 4.11-2 at page 4.11-78 through 4.11-81 for a discussion of project consistency with the City’s General Plan policies related to agriculture. In addition, if the City determines to approve the project, it will make specific findings concerning General Plan consistency.

The Responses to Comments Provided Good Faith, Reasoned Responses to Significant Environmental Issues Raised

The comment states that comments received on the Draft EIR did not receive meaningful responses. The comment states there is a likelihood the project will be developed denser and with more units than evaluated in the EIR. The comment also states the project would be growth inducing.

The Final EIR Appendix T0, Volume 2, provides 562 pages of responses to comments. The responses include 64 pages of detailed Topical Responses, which address a number of substantive environmental comments received by the City. Individual responses followed, providing good

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faith responses to all substantive environmental comments. The City provided detailed written responses to the attached “Enclosure 1,” consisting of comments from South Morro Hills Association dated September 17, 2018. The commenter is referred to Appendix T0, Volume 2 of the Final EIR, Responses O6-1 through O6-27 (p. T0-151 through T0-157).

Concerning the comment the project is vague as to unit limits and density of development proposed, please see the above responses. The project would be limited to a maximum 656 homes.

Lastly, as noted in the quoted portion of the comment, the EIR “concluded the project would be considered growth inducing,” and discussed why further speculation concerning growth inducing impacts is not feasible at this time. (*See* CEQA Guidelines, §§15064(d)(3) and 15145.) Additional information concerning growth inducing impacts is found in Sections 6.1 and 4.14 of the Final EIR.

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L22 HAMMERSCHMIDT, ARLEEN

This comment addresses wildfire evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L23 HANSON, DIANE

This comment addresses zone changes, flood zone issues, density, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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L24 ELAINE (1)

This comment addresses wildfire risk. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L25 ELAINE (2)

This comment addresses wildfire risk. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L26 ELAINE (3)

This comment addresses wildfire risk. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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L27 ORTON, ELIZABETH

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L28 MORIN, ERIN

The comment addresses the General Plan update and the Climate Action Plan. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L29 HILL, JOE

The comment addresses density bonuses, agricultural resources, park land, air quality, greenhouse gas emissions, carbon offsets, traffic, the Climate Action Plan, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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Late Comment Letters for North River Farms Environmental Impact Report

L30 KEN

The comment addresses traffic and wildfire. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L31 DAVIES, LESLIE & SMITH, JOLENE

The comment addresses smart growth development, greenhouse gas emissions, air quality, traffic, wildlife and wildlife habitat, wildfires, and infrastructure funding. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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Late Comment Letters for North River Farms Environmental Impact Report

L32 TAYLOR, MICHELE

The comment addresses high density development, zoning changes, traffic, public services, and conflicts with the Agritourism Plan. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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Late Comment Letters for North River Farms Environmental Impact Report

L33 NADINE

This comment addresses wildfire risk and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L34 KADAH, SHEILA

This comment addresses increased taxes, infrastructure, fire station, agricultural resources, smart growth, and zoning changes. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

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Late Comment Letters for North River Farms Environmental Impact Report

L35 DUBOIS, STEVE

The comment addresses traffic, evacuations, conflicts with the Agritourism Plan, growth inducement, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). Regarding low-income housing, the project would provide minimum affordable housing within the City equivalent to 10 percent of project unit count, through either: (1) reservation of 10 percent of housing units onsite for affordable housing; (2) payment of the established in-lieu fee; or (3) development of affordable housing offsite. The commenter states that low-income housing is associated with gang violence, drugs, and crime; however, does not provide any evidence to substantiate this claim. Therefore, the project will comply with the City's requirements for affordable housing.

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Late Comment Letters for North River Farms Environmental Impact Report

L36 LETTERS OF SUPPORT

The letters of support for the project are noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L37 JOHNSTON, PHIL (4)

Please refer to response to Comment Letter L37. The commenter has provided similar comments regarding dam inundation during a public hearing regarding the proposed project in front of City of Oceanside Planning Commission on January 28, 2019. It should be noted that the commenter is not identified as an expert in, or has qualifications for, hydrology/hydrologic engineering or floodplain management. While the commenter states that dam inundation data from the California Office of Emergency Services was provided, the exact source or referenced published document is not given. Dam inundation mapping is under the purview of the DSOD; no updated or more detailed inundation map for Lake Henshaw is currently available or approved by DSOD. Additionally, as conceded by the commenter, the attached images are not exact. Given this, the comments provided regarding dam inundation hazard are speculative and unsupported.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L38 ENGLESON, ALLEGRA

The comment addresses agricultural resources, aesthetics, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L39 KRUEGER, CHARLES AND DOROTHY

The comment addresses traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L40 LAPPORTE, CYNTHIA

The comment addresses traffic, evacuation, agricultural resources, and noise. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L41 ALWARDT, DELLA

The comment addresses density, infrastructure, traffic, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L42 DEVINY, DEREK

This comment generally addresses traffic, air quality, greenhouse gas emissions, density, noise, water supply, natural resources, flooding, wildfire, public services, and utilities. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Additionally, it is acknowledged that this comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required because the comment does not raise an environmental issue.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L43 HILL, JOE

This comment generally addresses traffic, air quality, greenhouse gas emissions, and smart growth. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). Please also refer to Responses to Comment Letter L16.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L44 SPANSKI, LINDA

This comment addresses traffic and wildfire evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L45 PERARO, ROSA

This comment addresses traffic and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L46 SERENA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L47 DUBOIS, STEVE (4)

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L48 HOWE, WILLIAM (4)

The comment states that the project would cost the citizens of Oceanside and the sales tax from the commercial space and the transient occupancy tax from the hotel will not materialize. This comment is speculative and no evidence is provided supporting the commenter's claim. This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L49 JOFFE, DARON

The commenter has requested to rescind prior comments. However, prior public comments have already been entered into the public record and are included as such.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L50 DUBOIS, STEVE

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L51 DUBOIS, STEVE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L52 PISTOLE, APRIL

The comment addresses agricultural resources, fire, hazards, land use, aesthetics, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L53 HILL, JOE AND KAY

The comment addresses land use, traffic, and greenhouse gas emissions. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L54 BURTON, RICHARD

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L55 RIGG, ALICE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L56 SIMONS, ANITA

The comment addresses land use, flooding, fire, traffic, and air quality. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L57 NELSON, BOB

The comment addresses land use, flooding, fire, traffic, and air quality. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

This comment also raises issues regarding the Melrose Drive project, which is separate and not related to the proposed project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L58 CEFOLA, ELAINE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L59 GAMMAN, EVAN

The comment addresses land use, agricultural resources, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L60 HAWTHRON, HENRY AND TERRY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L61 WHITE, JANET

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L62 BIVIN, S JOAN

The comment addresses land use, flooding, and fire. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L63 BOCKMAN, JOAN

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L64 WILLIAMS, JODI

The comment addresses land use, agricultural resources, traffic, flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L65 HILL, JOE AND KAY

This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L66 SMITH, JOLENE

The comment addresses land use and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L67 BALMA, LARRY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L68 HAMILTON, LISA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L69 HIGBEE, LISA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L70 BALMA, LOUISE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L71 OBRITE, PHIL

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L72 BURTON, RICHARD

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L73 KADAH, SHEILA

The comment addresses land use, agricultural resources, fire, evacuation, air quality, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L74 DUBOIS, STEVE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L75 JOHNSTON, PHIL

This comment addresses floodplain issues. Please refer to Section 4.10, Hydrology and Water Quality, of the Final EIR. Refer also to Response to Comments L5, L9, L20, and L37, which were also submitted by this commenter and address similar issues.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L76 MARTINEK, DENNIS

The comment addresses land use, growth, population and housing, agricultural resources, traffic, flooding, and greenhouse gas emissions. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L77 ORAHOOD, DON

The comment addresses land use, traffic, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L78 SAUNDERS, JOAN

The comment addresses land use and utilities. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L79 SAUNDERS, JOAN

The comment addresses land use, traffic, and utilities. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L80 WILLIAMS, JODI

The comment addresses land use, growth, population and housing, traffic, agricultural resources, flooding, and fire hazards. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L81 BALMA, LARRY

The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L82 KELSY, LINDA

The comment addresses land use, water supply, air quality, traffic, fire hazards, evacuation, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L83 DEE, LISA

The comment addresses noise, traffic, evacuation, agricultural resources, water supply, and public services. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L84 RIVERA, LOUISE

The comment expresses the opinion of the commenter. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L85 PERARO, ROSA AND FABIO

The comment addresses land use, population and housing, traffic, evacuation, and flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L86 PERARO, ROSA AND FABIO

The comment addresses land use, agricultural resources, population and housing, traffic, evacuation, and flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L87 DUBOIS, STEVE

The comment addresses water supply, utilities, transportation and traffic, public services, air quality, and noise. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L88 DISAHROON, DALE AND LOFFUTS MARIA

The comment addresses growth, land use, traffic, and public services. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L89 JOHNSON, JOAN

The comment addresses fire hazard and emergency evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L90 MILLER, JULIA

The comment addresses agricultural resources, land use, growth, traffic, emergency evacuation, flooding, utilities, and public services. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L91 CARBONE, KATHI

The comment addresses traffic, emergency evacuation, fire hazard, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L92 HAAS, TERRY

The comment addresses growth, land use, agricultural resources, population and housing, flooding, visual resources, and cumulative impacts. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L93 SIMONS, ANITA

The comment addresses cumulative impacts, hazards, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L94 SKJARSTAD, ERIC AND HUI, JULIE

The comment addresses traffic, population and housing, agricultural resources, cumulative impacts, growth, land use, flooding, and visual resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L95 LATASA, FRED

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L96 HAWTHRON, GUS

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L97 JOHNSTON, KAREN

The comment addresses fire hazard and evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L98 NIELSEN, KAREN

The comment addresses traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L99 BALMA, LARRY

This comment is primarily in response to additional project conditions proposed by the project applicant and concerns of timing, feasibility, and assurances; it should be noted that these conditions are proposed beyond the requirements of the Final EIR, with exception to traffic improvements. The comment addresses land use, agricultural resources, traffic, and greenhouse gas emissions. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L100 MARIA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L101 LIEBES, SUSAN

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L102 MITCHELL, TINA

The comment addresses land use, growth, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L103 NIELSEN, MARTIN

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L104 OCHS, MARK

The comment addresses several issue areas. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L105 SCOTT, NADINE

This comment is primarily in response to additional project conditions proposed by the project applicant and concerns of timing, feasibility, and assurances; it should be noted that these conditions are proposed beyond the requirements of the Final EIR, with exception to traffic improvements. The comment addresses land use, agricultural resources, traffic, greenhouse gas emissions, and flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L106 MARIANO, PAMELA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L107 HERNANDEZ, ALICIA AND JOHN

The comment addresses fire hazard, emergency evacuation, traffic, and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L108 REDER, BARRY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L109 WEBER, BILL

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L110 OSLUND, BRAD

The comment addresses traffic and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L111 WOLSHON, BRIAN

The comment addresses fire hazard and evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. Specifically, Topical Responses FR-1 through FR-5 discuss fire hazard, safety, and evacuation.

As discussed in Topical Response FR-1, which discusses general fire safety and the potential for fire hazard, the project is within an area statutorily designated a non-Very High Fire Hazard Severity Zone (VHFHSZ). Despite its location in non-VHFHSZ, the project cannot ignore the potential wildfire threat associated with unmaintained fuels in the area, including the San Luis Rey River and is required to analyze and provide for a level of planning, ignition resistant construction, access, water availability, fuel modification and construction materials and methods that have been developed specifically to allow safe development within these areas. The project meets and exceeds these requirements. The Draft EIR evaluated the fire hazard of the area and its potential effect on the project as well as the potential increased hazard that may result from the proposed project. An FPP was prepared for the project to assess the potential impacts resulting from wildland fire hazards and identify the measures necessary to adequately mitigate those impacts. As part of the assessment, it considered the fire risk presented by the site including property location and topography, geology (soils and slopes), combustible vegetation (fuel types), climatic conditions, fire history and the proposed land use and configuration. As a result of the findings of the fire modeling, project design features were incorporated into the project, including fuel modification zones, use of ignition resistant building materials, and other mitigation provisions in order to reduce the risk of fire hazard.

The fire safety project design elements render the project as defensible, more able to withstand fire, and improvements to N. River Road would provide for increased traffic flow and reversible lanes during an emergency evacuation. In addition, the conversion of fuels to the project's managed landscapes modifies fire behavior in the area and in some instances, may provide additional buffer to adjacent homeowners, decreasing immediate exposure to fires moving from the east. Taking all of the above into consideration, the project would not decrease area safety.

Additionally, since the time of the January 2019 Planning Commission hearing, the project's traffic improvements have been revised to include additional mitigation to add capacity and improve traffic circulation in the immediate roadway network (refer to mitigation measure MM-TRA-1 and MM-TRA-4 of the Final EIR). Such additional improvements would increase roadway capacity during events such as an emergency evacuation.

Regarding the title of the Evacuation Plan, the term "conceptual" was utilized to indicate that it is based on assumptions derived from likely evacuation scenarios. The conceptual title is also used to

Late Comment Letters for North River Farms Environmental Impact Report

recognize that there are many possible scenarios during an evacuation event that may occur and that it is not possible to operationally plan for each scenario. Rather, evacuation concepts which are commonly used during all types of evacuations are presented and discussion regarding how they would be generally incorporated during a wildfire evacuation is provided. An operational evacuation plan, as suggested in the comment, is a pre-plan that is commonly prepared by emergency management personnel and may be an informal plan or a formal pre-plan. The Conceptual Evacuation Plan prepared for North River Farms exceeds requirements (there are no regulations, policies, or other requirements that an evacuation plan is prepared for new developments) and provides for an aware residential population as well as provides important information for emergency management personnel that can be integrated into their preplans.

The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

L112 HERSKOWITZ, JOAN

The comment addresses agricultural resources, land use, traffic, and greenhouse gas emissions. It should be noted that the project would not result in significant and unavoidable impacts to agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also includes a previous comment letter provided and responded to in the Final EIR. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L113 KELLY, CRISTEN

The comment addresses land use, fire hazard and safety, flooding, traffic, and public services. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L114 KELLY, CRISTEN

The comment addresses growth, land use, population and housing, agricultural resources, flooding, and visual resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). It should be noted that the EIR has yet to be certified by the decision-makers; as such, revisions to the Draft EIR to be incorporated into the Final EIR have occurred to respond to public and City comments and concerns. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L115 KELLY, CRISTEN

The comment addresses traffic, public services, noise, and air quality. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L116 MASTRO, DEBBIE

The comment addresses growth, population and housing, fire hazard, and evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L117 COLE, DIANA

The comment addresses cumulative impacts, safety, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L118 LOCKHART, DIANE

The comment addresses traffic, air quality, and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L119 DOVEATT, DON AND DEANNA

The comment addresses traffic, emergency evacuation, land use, agricultural resources, flooding, population and housing, and public services and utilities. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L120 CEFOLA, ELAINE

The comment addresses land use and housing. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L121 OSBORNE, ELIZABETH

The comment addresses land use, traffic, aesthetics, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L122 RYAN, GAIL

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L123 KNOSP, GLENN

The comment addresses traffic and safety. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L124 KNOSP, ROXANNA

The comment addresses traffic, noise, air quality, and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L125 HECZKO, JAMES

The comment addresses traffic, public services, land use, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L126 GILLIGAN, JANE

The comment addresses cumulative impacts, safety, agricultural resources, fire hazard, and evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L127 MARSHALL, JANE

The comment addresses land use, greenhouse gas emissions, flooding, and safety. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L128 WHITE, JANE

The comment addresses land use, open space, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L129 MCDONALD, JAROM

The comment addresses land use, traffic, agricultural resources, greenhouse gas emissions, aesthetics and visual resources, public services and utilities, fire hazards, emergency evacuation, and cumulative impacts. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L130 GRAFFIUS, JEAN

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L131 HILL, JOE

The comment addresses land use, agricultural resources, traffic, and greenhouse gas emissions. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment is primarily in response to additional project conditions proposed by the project applicant and concerns of timing, feasibility, and assurances. This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L132 SMITH, JOLENE

The comment addresses land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L133 FLINN, LAURA

The comment addresses land use, population and housing, agricultural resources, traffic, flooding, safety, and aesthetics. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L134 SPANSKI, LINDA

The comment addresses land use, fire hazard, traffic, air quality, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L135 BEAUDIN, LISA

The comment addresses traffic, growth, land use, agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L136 REESE, MARY ELLEN

The comment addresses land use, agricultural resources, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L137 KELLY, MARY KATHRYN

The comment addresses fire hazards, traffic, air quality, and noise. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L138 GAMBLE, MEGAN

The comment addresses land use, agricultural resources, and visual resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L139 TAYLOR, MICHELE

The comment addresses public utilities and services, land use, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L140 COMBS, MONIQUE

The comment addresses land use, agricultural resources, open space, growth, traffic, and flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L141 SUBLETTE, NANCY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L142 DECINO, PAIGE

The comment addresses land use, greenhouse gas emissions, emergency access, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L143 JOHNSTON, PHIL

This comment addresses floodplain issues. Please refer to Section 4.10, Hydrology and Water Quality, of the Final EIR. Refer also to Response to Comments L5, L9, L20, and L37, which were also submitted by this commenter and address similar issues.

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Late Comment Letters for North River Farms Environmental Impact Report

L144 JOHNSTON, PHIL

This comment addresses floodplain issues. Please refer to Section 4.10, Hydrology and Water Quality, of the Final EIR. Refer also to Response to Comments L5, L9, L20, and L37, which were also submitted by this commenter and address similar issues.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L145 KOGAN, PHIL

The comment addresses land use, growth, public services, agricultural resources, population and housing, traffic, flooding, aesthetics, and safety. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L146 BURTON, RICHARD

The comment addresses land use, growth, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L147 SINCLAIR, RICHARD

The comment addresses growth and cumulative impacts. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L148 HAAS, TERRY AND SANDRA

The comment addresses land use, agricultural resources, fire hazards, evacuation, traffic, aesthetics, air quality, and greenhouse gas emissions. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L149 ZELASKO, SANDRA

The comment addresses land use, agricultural resources, air quality, fire hazards, utilities and public services, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L150 COBAS, SUSAN

This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L151 SACK, URSULA

The comment addresses land use, flooding, fire hazard, traffic, evacuation, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L152 LOFTUS, WILLIAM

The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L153 HAMMERSCHMIDT, ALREEN

The comment addresses land use and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L154 GILMORE, BRENDA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L155 SETTLE, ROBERT

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L156 MOLLER, DAVID AND ALLA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L157 TALAVERA, STEPHANIE

The May 6, 2019 letter submitted by South Morro Hills Association repeats many of the comments it previously submitted in its September 17, 2018 and January 29, 2019 letter. The commenter is accordingly referred to responses to those letters addressing comments previously raised. Specifically, the following issues have been previously responded to in full: the City's independent review and judgment related to the EIR; the Project description, density, and cap of 656 residential units; evaluation of consistency with the General Plan and applicable regional or specific plans; assumption of correct baseline as opposed to a "post-development baseline"; good faith response to comments in the Final EIR; and use of forecasting while avoiding undue speculation regarding growth inducement.

Further responses are provided below to comments unique to the letter dated May 6, 2019.

1. The Project is Consistent with the City's General Plan

The comment states the project is inconsistent with the City's General Plan, alleging several bases for such inconsistency including conversion of agricultural land, and inconsistency with the City's alleged "anti-sprawl policies." To the contrary, the Final EIR explains the reasons that the project is, and should be found to be, consistent with the policies alluded to in the comment.

Further, "[b]ecause policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes." (*San Francisco Tomorrow v. City and County of San Francisco* (2014) 229 Cal.App.4th 498, 515-518.) A project is considered consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan. It does not require a precise match between a project and each general plan policy. (*see, Corona-Norco Unified Sch. Dist. v. City of Corona* (2001) 13 Cal.App.4th 1577; *Sequoyah Hills Homeowners Ass'n v. City of Oakland* (1993) 23 Cal.App.4th 704.) The Final EIR and record before the City show the Project is consistent with the General Plan and each of its objectives.

First, the comment states the project is inconsistent with the General Plan "aim[] to focus development in existing urbanized areas." The comment cites no specific policy, goal, or other portion of the General Plan; thus no specific response can be provided. The comment is also unsupported. As explained in the EIR, "[t]he project site would be located in a transitional area between the agricultural and farming uses associated with South Morro Hills and a more urbanized area to the west." (Final EIR, Table 4.11-2.) As further described at pages 4.2-1 through 4.2-2 of the Final EIR:

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The project site is surrounded by a variety of land uses. Directly west of the property are institutional uses including two churches and Melba Bishop Park. There are also existing residential homes and a plan for 1-acre estate homes. To the northwest lies the Morro Hills Master Planned Community (Arrowood) containing approximately 1,135 homes and a golf course. Directly north of the project site is a large commercial dog training and boarding facility. To the northeast lies the Paradise Falls wedding and event venue. At the northeast corner of the project site are some greenhouse and nursery agriculture operations (east of Wilshire Road).

Immediately adjacent to the project site on the south and southeast are some isolated agricultural fields (tomatoes) and the San Luis Rey River. South of the San Luis Rey River are two other isolated pockets of agriculture (tomatoes). These agricultural areas south of the San Luis Rey River border existing residential subdivisions.

Within approximately 0.5 miles of the proposed a Walmart Supercenter, the Mission Marketplace large commercial center, State Route (SR) 76, a Home Depot, and the Mission Vista High School campus. Also within this range are many large residential subdivisions with hundreds of homes each to the west, south, and east.

The project is also proximate to the San Luis Rey Transit Center located south of N. River Road between Vandegrift Boulevard and Waterview Way, located just about half a mile to the east of this Transit Center. Figure 2-2, Project Site and Surroundings, provides an acute visual of the project location relative to existing urbanized areas. Thus, contrary to the comment, the project would focus development in this existing urbanized area.

Second, the comment states that project inconsistency with the General Plan is “evidenced by the fact the project is not located in a ‘Smart Growth area’ in accordance with the County’s Regional Smart Growth Concept Map” and is inconsistent with policies directing “higher density” development towards infill areas and along transit corridors. Again, no specific policy is cited, so a specific response cannot be provided.

Nevertheless, as background, the project’s Final EIR explains that SANDAG’s Smart Growth Concept Map was created as part of its Regional Comprehensive Plan adopted in 2004, and updated May 2016. (Final EIR p. 4.14-5) The map is intended to illustrate the location of existing, planned, and potential smart growth areas. (*Id.*)

About a half a mile from the project site is the center of a smart growth site identified as OC-8. (*Id.*) OC-8 is a potential community center site identified as the San Luis Rey Transit Center and North River Village mixed-use project, which conceptually includes 106 condominium units, approximately 13,700 square feet of commercial retail space within 26 commercial condominium

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units, and the NCTD San Luis Rey Bus Transit Center (SANDAG 2016b). (*Id.*) There is no boundary to this identified potential smart growth location.

The San Luis Rey Transit Center is identified as having Existing High-Frequency Local Bus (Route 303) and Planned Rapid Service (Routes 474 and 477 to be phased in by 2050). Smart planning connects these regional transit opportunities with pedestrian and bicycle systems.

The project would be developed proximate to this transit center and identified smart growth site. The project has proposed road widening to include on-street Class II bicycle facilities, sidewalk connections, and an electric bike share program to improve the “last mile connectivity” to the transit center. In addition, NCTD has expressed an interest in bus service to the east of the project site. To facilitate future service, the project has included bus stop locations on both sides of North River Road. The project is thus consistent with development near smart growth areas.

The commenter is further referred to the consistency analyses provided at Table 4.11-3, Consistency with the SANDAG RCP Smart Growth Principles, and Table 4.11-2, City of Oceanside General Plan Consistency Evaluation. As shown, the project is consistent with the policies enumerated in the City’s General Plan and SANDAG RCP.

Third, the comment states that the project is inconsistent with General Plan policies to preserve agricultural activities, including those articulated in Section 2.5 of the Land Use Element of the City’s General Plan. As background, Objective 2.5 of the General Plan seeks to “identify, conserve and enhance Oceanside’s agricultural areas.” The Final EIR, Table 4.11-2, at pages 4.11-78 through 4.11-81, explains the reasons why the project would be consistent with conserving and enhancing agricultural areas, as well as assuring land use compatibility with agricultural lands (See Policy 2.5C) through Project design and the adoption of mitigation. Since the EIR was prepared, the project has been further modified to better preserve agricultural uses.

Project features, mitigation measures, and conditions consistent with Objective 2.5 and subsequent General Plan policies include:

- Project incorporation of agricultural and agritourism features, such as a community garden, market garden, production agriculture, a vineyard, orchards, a farm hub, a hotel farm, and an ecology center, which would benefit the future residents and the surrounding community.
- Mix of commercial and lodging uses suitable to support agritourism, such as a boutique hotel, maker spaces, retail shops, and collaborative workspaces. The project will also provide activities such as farmers markets, hands-on experiences at the Farm, as well as incubating small- scale farms and farmer-related business.
- Preservation of 31.6 acres of agricultural land use on-site in perpetuity.

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- Preservation of an additional 42 acres of land within one mile of the project site, including not less than 20 acres of the adjacent Bree Property, in perpetual open space/ agricultural use.
- Purchase of mitigation credits for conservation of an additional 176.64 acres of agricultural land within the City, if the City has an adopted agricultural mitigation program; or alternatively within the County of San Diego through its PACE program (MM-AGR-1).
- Inclusion of buffers to assure land use compatibility with agricultural production. The southern portion of the project site would be surrounded by agricultural land and open space. Production agriculture would thus be placed along the southern boundaries of the project site. Similarly, an edge buffer would be provided between the residential communities of the North Village and Hilltop Village and the surrounding agricultural and residential land uses. Notably, no commercial agricultural operations abut the residential areas proposed at the project site.
- Orchards, orchard intercropping, market gardens, and a vineyard would be placed between N. River Road and the proposed residential land uses. This would buffer the proposed residences from the existing roadway and would also serve as transitional landscape to the South Morro Hills region of the City

In sum, the project will permanently preserve a total 250.24 acres of agricultural land, including at least 73.6 acres on or immediately proximate to the project site, *consistent* with the City's objective to conserve agricultural areas. The incorporation of agricultural and agritourism features into the Project, including retail, lodging, farming, gathering spaces, and agricultural activities will serve to further enhance agritourism in the area. All these aspects show the project is consistent with the referenced General Plan objective.

2. Recirculation of the EIR is not Required as no *Significant* New Information has been Added

While the letter repeats comments previously submitted that the project's EIR "must be recirculated" for public review; the comment has been revised to assert recirculation is required for additional project changes that would reduce environmental impacts, and for clarifying and supporting information provided within the EIR's appendices.

Recirculation is not required for the clarifying information, added mitigation, and beneficial project changes cited in the comment. The commenter is generally referred to responses to its January 29, 2019 letter for details concerning CEQA's recirculation provisions. To summarize, recirculation is **only** required when *significant* new information is added the EIR, *i.e.*, "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a *substantial* adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect[]." (Pub. Resources Code, §21092.1; CEQA Guidelines, §15088.5(a), *Laurel Heights Improvement Assn. v. Regents of the Univ. of California* (1993) 6 Cal.4th 1112, 1129 (*Laurel Heights II*.) Recirculation

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is not required when the new information merely clarifies or amplifies the previously circulated draft EIR; or when a revisions achieve a better (more environmentally sensitive) outcome in accordance the CEQA process. (*Laurel Heights II*, at pp. 1129-1130; *Vineyard Area Citizens for Reasonable Growth, Inc. v. City of Ranch Cordova* (2007) 40 Cal.4th 412, 447, *County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 10.)

First, the comment states recirculation is required for the *withdrawal* of the request to amend the Circulation Element of the General Plan to reclassify North River Road from Stallion Drive to Sleeping Indian Road from a Four-Lane Major Road to a Four-Lane Secondary Collector. In other words, the Circulation Element of the General Plan would remain the same. The comment makes no suggestion of how making *no change* to the General Plan in this regard would have any impact on the environment, let alone a significant impact requiring that the EIR be recirculated.

Notably, the project proposal to amend the Circulation Element was never required for its proposed transportation improvements. To the contrary, the project proposes, and has always proposed, to construct two lanes along the project frontage, with enhanced parkway, on-street bicycle facilities, etc. Analysis of circulation along this segment of North River Road shows acceptable levels of service with the proposed Project improvements to two lanes. The decision to not amend the Circulation Element would thus have no physical impact, in addition to not amending the General Plan.

Second, the comment implies that beneficial traffic measures proposed by the applicant to widen and provide additional capacity on the College Boulevard Bridge, and to improve circulation at the Vandegrift Blvd/ North River Road and North River Road/ College Boulevard intersections, require the EIR be recirculated. The comment notes these roads may be used as evacuation routes, and implies some adverse effect to evacuation. These unsupported assertions do not evince new or significantly increased impacts.

To the contrary, related to evacuation, Appendix T13 specifically states, “the additional capacity provided by the [College Boulevard] bridge improvements would provide a significant *beneficial* impact by providing additional roadway capacity.” (Final EIR, Appendix T13, p. 7 [emphasis added].) The bridge modification would add two lanes of capacity (10,000 ADT capacity), which would accommodate additional evacuation by citizens and inbound response by emergency vehicles. (*Id.*, see also, Final EIR Appendix J2, Evacuation Plan.) Improving circulation at the Vandegrift Blvd/ North River Road and North River Road/ College Boulevard intersections would likewise *improve* evacuation by reducing traffic impacts and congestion at these intersections. The commenter is referred to Appendices T13 and T14, which evaluate the identified improvements and conclude, based on substantial evidence, that they would not result in any new or more severe impact

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on the environment compared to that evaluated in the EIR.³⁴ Recirculation is not required for the *beneficial effect* of these transportation improvements.³⁵

Third, as additional reasons argued to recirculate the EIR, the comment lists new appendices that were provided to clarify information previously provided in the Draft EIR or provide reference documents.

The response to the January 29, 2019 letter explains why recirculation is not required for such minor revisions or additional clarification to address public concerns. The comment newly identifies appendices T13 through T15, and H1, as reasons the EIR should be recirculated. However, as before, the additional information does not reveal any new *significant* impact. (*Laurel Heights II*, 6 Cal.4th 1112, CEQA Guidelines, § 15088.5(b).) Instead, these appendices provide additional explanatory information, address additional mitigation and beneficial improvements, and further respond to comments received consistent with the CEQA process. Recirculation is not required.

3. Density and Total Dwelling Units have been Clearly Established and Disclosed in the EIR.

The comment states that comments received on the Draft EIR did not receive meaningful responses, and particularly identifies “density” or the number of dwelling units proposed by the project as not being clear. While the commenter is referred to responses to its January 29, 2019 letter, further clarification is provided below.

³⁴ Note that an EIR is not required to analyze a new mitigation measure where it would reduce project impacts, absent a showing that new, significant effects would result. (*Western Placer Citizens for an Agric. & Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 169.) Nonetheless, in the interest of public disclosure, the EIR provided a brief analysis of the improvements to College Bridge and the Vandegrift Blvd/ North River Rd. intersection, as well as the provision of on-site fire station. (Final EIR, Appendices T13 and T14.) These analyses show the proposed improvements would have beneficial, as opposed to adverse, environmental impacts.

³⁵ The comment also cites a CALFIRE report titled “Community Wildfire Prevention & Mitigation Report” to suggest new evaluation of fire hazards under a “new methodology” identified by CALFIRE is required. No such evaluation is required by CEQA or pursuant to the report, the recommendations of which are misrepresented by the comment. The CALFIRE report evaluated and focused on necessary actions to reduce risk to life and property within “California’s most vulnerable communities.” In an effort to identify “priority projects” for the “most vulnerable communities,” CALFIRE developed a methodology to assess relative vulnerability and *then applied that methodology* to assess communities statewide. CALFIRE’s review identified 35 priority projects to help reduce public safety risk for over 200 “most vulnerable” communities—*none* of the 35 priority projects are in the Project vicinity. (See, Community Wildfire Prevention & Mitigation Report, Feb. 22, 2019, <http://www.fire.ca.gov/downloads/45-Day%20Report-FINAL.pdf>, and CAL FIRE Priority Fuel Reduction Project List http://calfire.ca.gov/fire_prevention/downloads/FuelReductionProjectList.pdf.) The report also recommended broader solutions for *state government* to consider next; none of which would apply to this development project. In short, the CALFIRE report is here inapplicable.

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The project has, through the CEQA and public review process, been reduced from the 689 residential units identified and evaluated in the Draft EIR to 656 total residential units (3.7 dwelling units per acre). The proposed density ranges and unit counts within the various proposed Planning Areas have been updated at Table 3-2 of the Final EIR and Table 4-1 of the PD Plan (see also, page ES-2, fn. 1).

It is notable that the applicant for the project is now proposing to preserve an additional 42 acres of land within one mile of the project site, including not less than 20 acres of the adjacent Bree Property, in perpetual open space/ agricultural use. While proposed as a Project condition, it is notable that, for practical purposes, this further reduces the overall density of development (dwelling units per acre), by permanently preserving a substantial swath of South Morro Hills in agricultural uses.

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L158 ROTH, BILL

The comment addresses land use, growth, traffic, greenhouse gas emissions, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L159 LITTLE, CHUCK

The comment addresses land use and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L160 BALCH, COLLEEN

The comment addresses public services, public utilities and infrastructure, and emergency evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L161 FISCHER, BILL

The comment addresses agricultural resources, land use, fire hazard and evacuation, public utilities and infrastructure, hazards, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L162 FISCHER, BILL

The comment addresses public services, public utilities and infrastructure, and emergency evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L163 CALVETTI, GABE

The comment addresses land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L164 DOTEN, JANET

The comment addresses agricultural resources, fire hazard, and evacuation. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L165 CHICK, JEANNE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L166 JP

The comment addresses land use, traffic, water supply, and energy. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L167 BUSWELL, JUSTIN

The comment addresses flooding, fire hazard, evacuation, traffic, and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L168 JOHNSTON, KAREN

The comment addresses traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). Please note that the Final EIR published by the City consists of the Draft EIR as revised in strikeout/underline format in order for the public and decision makers to discern what has been revised since public review. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L169 BENDER, KEVIN

The comment addresses agricultural resources, fire hazard and evacuation, traffic, land use, air quality, greenhouse gas emissions, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L170 PASSIN, LISA

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L171 DALE, ELIZABETH AND ANDREW

The comment addresses fire hazard, evacuation, traffic, and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L172 KORST, MARY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L173 SULLIVAN, MELISSA

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L174 MARTIN, MICHAEL

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L175 HUGHES, PATTE

The comment addresses agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L176 JONTE, RACHEL

The comment addresses land use, fire evacuation, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L177 FRANCIS, RICHARD

The comment addresses traffic and housing. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L178 GLEISBERG, ROBERT

The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L179 HAGGERTY, SALLY

The comment addresses land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L180 SERENA

The comment addresses growth and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L181 DUBOIS, STEVE

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L182 COOKE, TIM

The comment addresses agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L183 MOLLER, DAVID AND ALLA

The comment addresses agricultural resources and land use. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L184 JIMENEZ, MATHEW AND CAROL

The comment addresses land use, agricultural resources, housing, and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L185 HOGUE, CHERYL

The comment addresses water, traffic, aesthetics, and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L186 PRESTON, COLETTE

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L187 MCLOUGHLIN, JOSEPH AND DIANA

The comment addresses traffic, fire hazard, evacuation, and safety. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L188 FITZJARRELL, ED

The comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L189 MILLER-POKLETAR, FAYE

The comment addresses land use, fire evacuation, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L190 NARTE, GINO

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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L191 SALKIN, KAREN

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

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Late Comment Letters for North River Farms Environmental Impact Report

L192 BALLEW-HASKETT, KENICHI AND JEFFERY

The comment addresses traffic and agricultural resources. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L193 EARLEY, BILL

The comment addresses land use, growth, traffic, flooding, and public utilities. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L194 VOSBURG, PEGGY

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L195 SCHWARZE, SHANNA

The comment addresses land use, agricultural resources, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L196 KORNBACHER, SUSAN

The comment addresses safety, traffic, air quality, evacuation, agricultural resources, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L197 LETTERS OF SUPPORT

The letters of support for the project are noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L198 KORNIT, LAWRENCE AND LAUREN AND LUEDTKE, DALE

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L199 DISHAROON, DALE AND LOFFTUS, MARIA

The comment addresses traffic, evacuation, and growth. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). The comment also expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L200 HECZKO, JULIA

This comment addresses agricultural resources, traffic, smart growth, population and housing, and flooding. These issues were addressed in the Final EIR, Response to Comments (Appendix T0, Vol. II), as well as responses to late letters (refer above). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L201 LATASA, FRED

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L202 BALMA, LARRY

This comment addresses density, agricultural resources, traffic, GHG emissions, and infrastructure. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment also addresses the General Plan update and the Climate Action Plan. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L203 DOVEATT, DON

This comment addresses traffic, evacuation, agricultural resources, flooding, growth, and infrastructure. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L204 HECZKO, JAMES

This comment addresses traffic, public services, and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment also raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L205 MCLOUGHLIN, JOSEPH AND DIANA

This comment addresses traffic and wildfire evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L206 BALLEW-HASKETT, KENICHI

This comment addresses traffic, infrastructure, and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L207 VOSBURG, PEGGY

This comment addresses density and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L208 KORNACHER, SUSAN

This comment addresses density, traffic, air quality, evacuations, floodplains, and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L209 JARVIS, ANN

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L210 DAVIES, LESLIE

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L211 LOWE, MARGOT

This comment addresses GHG emissions, traffic, infrastructure, public services, agricultural resources, evacuation, and floodplains. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L212 DUBOIS, STEVE

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L213 DUNBECK, DAVID

This comment addresses density, aesthetics, and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L214 BURLEW, JIM

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L215 MIKHAIL, MOUSHIRA

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L216 BALMA, LARRY

This comment addresses floodplain issues. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L217 SATCHER, CAROL

This comment addresses traffic and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L218 EVANS, STEVEN

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L219 BURTON, RICHARD

This comment addresses cumulative impacts and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L220 COLE, MIKE AND DIANA

This comment addresses cumulative impacts and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L221 THURMAN, PATRICK

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L222 HANSON, DIANE

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L223 EARLEY, BILL

This comment addresses agricultural resources, floodplains, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L224 GILMAN, MARY

This comment addresses agricultural resources, and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L225 FERNANDES, RACHEL MICHELLE

This comment addresses agricultural resources, traffic, air quality, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L226 FRIENDS OF LOMA ALTA CREEK

This comment addresses agricultural resources, General Plan consistency, density, smart growth, floodplains, and water quality. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L227 MONTEROS, ROSALIND

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L228 HERNANDEZ, STEVE

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L229 DE ARMAS, ANGELA

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L230 AFALAVA, DEANNE

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L231 AFALAVA, DEE

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L232 MURPHY, LYNN

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L233 AFALAVA, ROBERT

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L234 RICHARDSON, ROBIN

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L235 AFALAVA, SAIGE

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L236 GLEASON, GIGI

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L237 HALLSTROM, LUAWANNA

The letter of support for the project is noted.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L238 HOWE, WILLIAM

This comment addresses agricultural resources, General Plan consistency, density, traffic, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L239 HOWE, WILLIAM

This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L240 KNOSP, GLENN

This comment addresses air quality, traffic, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L241 CARBONE, KATHRYN

The comment expresses the opinion of the commenters. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L242 CONSER, KATY

This comment addresses smart growth and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L243 BALMA, LOUISE RAVERA

This comment addresses the Agrivision Plan. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L244 SCHWARZE, SHANNA

This comment addresses traffic, General Plan consistency, agricultural resources, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II).

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L245 LOCKHART, DIANE

This comment addresses traffic, GHG emissions, and air quality. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L246 MARSHALL, JANE

This comment addresses agricultural resources, evacuation, General Plan update and the Climate Action Plan, GHG emissions, smart growth, and infrastructure. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L247 MCDONALD, JASON

This comment addresses traffic and growth. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L248 KELSEY, LINDA

This comment addresses GHG emissions, density, water resources, air pollution, traffic, evacuation, and agricultural resources. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L249 MCCANN, TERRY

This comment addresses traffic and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L250 MILLER, ANDREW

This comment addresses agricultural resources, density, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L251 EYRE, DANA, AND DAVID, AND LAKE, MARSHA

This comment addresses agricultural resources, density, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L252 HAMILTON, DAVID

This comment addresses traffic, evacuation, public services, infrastructure, noise, and air quality. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L253 MASTRO, DEBBIE

This comment addresses agricultural resources, smart growth, evacuation, floodplains, and General Plan consistency. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L254 WHITE, JANET

This comment addresses traffic, air pollution, and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L255 BLACKBURN, JEANETTE

This comment addresses traffic and public services. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L256 JOHNSON, JOAN

This comment addresses agricultural resources, General Plan consistency, evacuation, and the General Plan update. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L257 NADINE

This comment addresses evacuation, and GHG emissions. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L258 WILSON, RON AND JUDI

This comment addresses General Plan consistency, the General Plan update, traffic, air quality, and GHG emissions. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L259 PERARO, ROSA

This comment addresses agricultural resources and flooding. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L260 ZELASKO, SANDY

This comment addresses agricultural resources, density, traffic, air quality, GHG emissions, flooding, and wildfire. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L261 FERRER, SUSIE

This comment addresses agricultural resources and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L262 LUEBE, SYDNE

This comment addresses agricultural resources, GHG emissions, smart growth, aesthetics, population and housing, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L263 BROWN, ALLISON

This comment addresses General Plan consistency, wildfire, and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L264 BROWN, ALLISON

This comment addresses wildfire and density. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L265 BROWN, ALLISON

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L266 PETERSON, ANDREA

This comment addresses floodplains, agricultural resources, evacuation, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L267 FISCHER, WILLIAM

This comment addresses agricultural resources, evacuation, and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L268 HERSKOWITZ, JOAN

This comment addresses agricultural resources, traffic, growth inducement, and GHG emissions. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L269 SKJARSTAD, ERIC

This comment addresses agricultural resources, traffic, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L270 MCCREERY, JEANIE

This comment addresses agricultural resources, traffic, and air quality. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L271 BOCKMAN, JOAN

This comment addresses agricultural resources and growth inducement. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L272 MONASTERIO, JORGE

This comment addresses agricultural resources, traffic, density, and infrastructure. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L273 OCHS, MARK

This comment addresses agricultural resources, General Plan consistency, GHG emissions, traffic, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L274 REESE, MARY ELLEN

This comment addresses wildfire, smart growth, and evacuation. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L275 BALMA, LARRY

This comment addresses agricultural resources, infrastructure, and the General Plan update. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). This comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L276 COOKE, TIM

This comment addresses smart growth and traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L277 NELSON, BOB

This comment addresses density, traffic, agricultural resources, flooding, and hazardous materials. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L278 PERRY, JULIE

This comment addresses density and hazardous materials. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L279 WALKER, KEVIN

The comment expresses the opinion of the commenter. The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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Late Comment Letters for North River Farms Environmental Impact Report

L280 ROBINSON, SHANNON

This comment addresses traffic. These issues were addressed in the Final EIR and Response to Comments (Appendix T0, Vol. II). The comment will be included as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

Late Comment Letters for North River Farms Environmental Impact Report

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