



## MEMORANDUM

**DATE:** October 26, 2023

**To:** Jamie Jones and Ian McCarville, Kirk Consulting

**FROM:** Cara Cunningham, Associate

**SUBJECT:** Response to SLO County APCD Comments

LSA has reviewed comments from Ashley Goldlist, Air Quality Specialist, of the San Luis Obispo County Air Pollution Control District (SLO County APCD) on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Covelop Project prepared by the City of Paso Robles. LSA prepared the Air Quality and Greenhouse Gas Analysis for the proposed project dated April 2023 (Attachment 7 of the Draft IS/MND). The findings from the report were used as the basis for the findings in the Draft IS/MND.

### GENERAL COMMENTS

The comment letter identifies applicable SLO County APCD rules and permit requirements. This comment is noted; the proposed project would comply with all applicable rules and permit requirements.

### AIR QUALITY COMMENTS

#### Construction Phase

The comment letter states that the SLO County APCD evaluated the construction impacts associated with the proposed project using the latest version of the California Emission Estimator Model (CalEEMod) and claims that the modeling results indicate that construction of the proposed project would likely exceed thresholds. In addition, the comment letter states that SLO County APCD was able to model ROG plus NOx emissions below the Quarterly Tier 2 threshold of 6.3 tons of ozone precursors/quarter and that SLO County APCD's results were close to the results identified in the Air Quality and Greenhouse Gas Analysis when a "Use Low VOC paint" mitigation measure was included. As such, the SLO County APCD recommends the inclusion of a mitigation that the project's construction phase would either use low VOC paints (50 g of VOC per liter or lower) or source prefabricated/painted project materials and lists various other mitigation measures for construction equipment.

As described on page 35 of the Air Quality and Greenhouse Gas Analysis, the latest version of CalEEMod was used to calculate emissions from on-site construction equipment and emissions from worker and vehicle trips to the site (provided as Appendix A to the Air Quality and Greenhouse Gas

Analysis). Construction of Buildings 1–4 is anticipated to begin in summer 2024 and occur for 12 to 16 months, and construction of Building 5 would commence in summer 2026 and would occur for 12 to 16 months. This analysis also assumes the use of Tier 2 construction equipment. All other construction details are not yet known; therefore, default assumptions (e.g., construction worker and truck trips and fleet activities) from CalEEMod were used. Based on the results of CalEEMod (shown in Table J of the Air Quality and Greenhouse Gas Analysis), construction emissions associated with the project would be below the significance thresholds set by the SLO County APCD and would result in a less than significant impact on regional air quality. As such, identification and analysis of mitigation measures suggested in the comment letter is not required.

### Operational Phase

The comment letter states that based on operational phase emission estimates using the most recent CalEEMod computer model, the operational phase would likely be less than the SLO County APCD's significance thresholds. This comment is noted.

### GREENHOUSE GAS COMMENTS

The comment letter states that the Air Quality and Greenhouse Gas Analysis incorrectly amortized the operational emissions of 1,875 metric tons (MT) carbon dioxide equivalent (CO<sub>2</sub>e) per year, instead of the overall construction emissions of 1,124 MT CO<sub>2</sub>e over the four years of construction. The commenter is correct that the construction emissions presented in the Air Quality and Greenhouse Gas Analysis were overstated and should be a total of 1,124.4 MT CO<sub>2</sub>e, and when amortized over a 25-year period, would be 45.0 MT CO<sub>2</sub>e per year.

Additionally, the comment letter states that the total operational emissions of 1,184.1 MT CO<sub>2</sub>e (including the operational emissions of 1,131 MT CO<sub>2</sub>e and amortized construction emissions of 45.0 MT CO<sub>2</sub>e) would exceed the SLO County APCD's potential interim GHG threshold of 690 metric tons of CO<sub>2</sub>e emissions per year. The commenter also asserts that when the project was remodeled using the Central Coast Community Energy (CCCE) as the energy supplier, the result was 720 MT CO<sub>2</sub>e and that when implementing additional mitigation measures identified in the comment letter, GHG emissions would be below the 690 metric tons of CO<sub>2</sub>e per year.

First, at the time the Air Quality and Greenhouse Gas Analysis was prepared, the SLO County APCD did not have updated GHG thresholds. As discussed on page 39 of the Air Quality and Greenhouse Gas Analysis, the threshold of 4.9 metric tons of CO<sub>2</sub>e per year service population were applicable to residential and commercial projects. These thresholds were based on a gap analysis and were used in CEQA evaluations for projects to demonstrate their consistency with the State's 2020 GHG emission reduction goal from Assembly Bill (AB) 32 and the California Air Resources Board's (CARB's) 2008 Climate Change Scoping Plan. In 2015, the California Supreme Court issued an opinion in the Center for Biological Diversity vs. California Department of Fish and Wildlife (Newhall Ranch) which determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. As such, the SLO County APCD did not recommend the use of these thresholds in CEQA Evaluations. However, as discussed on page 39 of the Air Quality and Greenhouse Gas Analysis, since the SLO County APCD had yet to publish a quantified GHG efficiency threshold for the 2030 target, for informational purposes, the proposed project was compared to

the numerical screening threshold of 1,150 metric tons of CO<sub>2</sub>e per year and the efficiency target of 4.9 metric tons of CO<sub>2</sub>e per year per service population. In addition, the proposed project was analyzed for consistency with the City's Climate Action Plan (CAP) and the 2022 Scoping Plan. As demonstrated on pages 47 through 49 of the Air Quality and Greenhouse Gas Analysis, the proposed project would comply with the City's CAP and existing State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32, the AB 32 Scoping Plan, Executive Order B-30-15, Senate Bill 32, and AB 197. As such, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

Further, the SLO County APCD has since released an updated CEQA Air Quality Handbook<sup>1</sup> which includes scaled GHG thresholds by year for projects that would be developed prior to 2030. The analysis for this project assumes that it would be operational by 2028, therefore, the 2028 threshold would be appropriate for use in the evaluation of this project. The applicable threshold should be 740 MT CO<sub>2</sub>e for operational year 2028, as identified in Table 2 (page 3-12) and Table 1-1 (pages 4-36 and 4-37) of the SLO APCD's CEQA Air Quality Handbook. As such, if CCCE is incorporated as a project feature, the SLO APCD's estimated GHG emissions of 720 MT CO<sub>2</sub>e would be below the updated GHG thresholds. The Project Applicant has agreed to incorporate CCCE as a project feature; therefore, GHG impacts would remain less than significant and the identification and analysis of additional mitigation measures suggested in the comment letter is not required.

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<sup>1</sup> SLO County APCD, 2023. *CEQA Air Quality Handbook*. Website: [https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA%20Handbook%202023\\_Final.pdf](https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA%20Handbook%202023_Final.pdf) (accessed October 2023).

# Attachment 6