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LLP

Andrea K. Leisy
aleisy@rmmenvirolaw.com

November 14, 2018

VIA ELECTRONIC & U.S. MAIL
EIR627@ocair.com

Lea Choum
3160 Airway Avenue
Costa Mesa, CA 92626

Re: General Aviation Improvement Program - Draft Programmatic Environmental Impact Report (SCH No. 2017031072)

Dear Ms. Choum:

We submit the following comments on behalf of our client, the City of Newport Beach (City) regarding the above referenced General Aviation Improvement Project (GAIP or Project) and related Draft Environmental Impact Report (DEIR), including Alternative 1, which is analyzed at an equal level of detail. The City understands that, although certain types of general aviation operations are anticipated to increase under the GAIP (private jets), no new significant adverse noise, air quality or traffic impacts were identified as a direct result of the Proposed Project or Alternative 1. (See DEIR, pp. 2-9, 4.2-19.)

Overall, the proposed Project appears poised to significantly increase the number of private jet operations, which will impact the quality of life of the residents of the City. Prior to moving forward with the Project, we request that the County of Orange ("County") conduct additional analysis of these effects on City residents.

I. Noise Analysis

The aircraft related noise modeling in the DEIR reflects a new assumption that, by 2026, 40% of the Boeing 737 and Airbus A320 aircraft utilizing the Airport will include the newer Boeing 737-MAX and Airbus A320-NEO with substantially quieter engines. This is different from the 2026 fleet mix assumptions used to prepare the 2014 Settlement Agreement Amendment EIR and influences the future plus project (and Alternative 1) cumulative noise modeling.

In support of the assumption, the DEIR includes two website links to current commercial orders placed with Boeing and Airbus. The order summaries appear to be nationwide and therefore not specific to California or the carriers at the Airport. (See DEIR, p. 4-7; App. H, pp. 67, 87, fns. 4, 5; see also DEIR, p. 4.6-48, fn. 15.) As set forth in the DEIR, it is unclear whether, and how, the carriers at the Airport will be ensured to acquire and use the newer engine aircrafts, at the Airport, within the next 8

years to realize the 40% assumption. This assumption appears overly optimistic, which will result in the DEIR understating the overall noise impacts in the 2026 cumulative scenario and, possibly, noise related to future general aviation operations. Overall, these assumptions are not properly explained, are unsupportable and understate the potential impacts of the Project. Hence, we request a more thorough analysis of these issues and the impacts associated with a different fleet mix.

II. Flight Patterns

The DEIR states that there will not be a change in existing flight patterns (DEIR, p. 4-6; App. H, pp. 68, 87), but does not set forth the current flight patterns, which are the basis for much of the analysis in the DEIR. Also, it is unclear that the assumption there will not be a change in existing flight patterns is true for both commercial and general aviation aircraft. The City requests that the County explain in detail the flight patterns being flown by private jets and the basis for the assumption that business jets and other general aviation aircraft will also be directed to continue using existing flight patterns.

Please also clarify the general aviation flight pattern assumptions used for the proposed Project and Alternative 1 scenarios, and the baseline information regarding general aviation flight patterns that the EIR consultants relied on. While there is some general discussion about general aviation planes turning sooner than commercial aircraft while over the Upper Newport Bay, there is not much discussion in the DEIR about existing GA flight patterns.

Also, please identify whether the SoCal Metroplex project has impacted the flight patterns for GA aircraft and, if so, how.

In addition, the City understands that the same existing runway would be used for general aviation operations (Runway 20L) under the proposed Project and Alternative 1; however, it is unclear if flight patterns would change, or not, due to the increased number of Full Service and Limited Service Fixed Based Operations (FBOs) or the General Aviation Facility, depending on where they are located within the Airport. (See Exhibit 3-1 [proposed Project includes two Full Service FBOs on the west and east sides of the Airport and one Limited Service FBO]; see also Exhibit 3-4 [Alternative 1 includes three Full Service FBOs (on the west, northeast and southeast) and one Limited Service FBO; the western FBO (off Airway Ave) would be new (as opposed to the existing FBOs).] Additional clarification on this point is essential to understanding the potential impacts associate with the Project.

III. Sensitive Receptors

The DEIR explains that the changes in the size of the noise contours as a result of Proposed Project and Alternative 1 is "nominal." Increasing, for example, the total contour area between 65 and 70 CNEL by 0.01 square mile (.6%), and the area

exceeding 70 CNEL by .01 square mile (7%) over Baseline 2016 conditions. (DEIR, pp. 4.6-21, -45, 7.7-28.) However, the DEIR does not adequately disclose the precise changes associated with this impact. To be adequate, the DEIR should disclose the addresses or streets and intersections as well as the specific locations where the noise contours are expected to change due to the proposed Project.

Also, the DEIR states that no additional schools, hospitals, or places of worship would be included within the 65 CNEL or greater contour. (DEIR, pp. 4.6-22, -45.) This conclusion appears to be inconsistent with the Technical Noise Analysis in Appendix H, p. 77 (Table 19), however, which identifies one additional school and two additional places of worship within the 65-70 CNEL contours for the Future (2026) Proposed Project and Alternative 1 scenarios. Please clarify and identify where, if any, the new sensitive receptors (one additional school and two additional places of worship) are located, assuming Table 19 of the appendix is correct.

IV. Health Risk Analysis

The DEIR includes a detailed discussion of the health risk assessment (HRA) prepared for the Settlement Agreement EIR (EIR 617), a different project, and compares the emissions anticipated to occur under the proposed Settlement Agreement Amendment to the GAIP Proposed Project and Alternative 1. The HRA prepared for the Settlement Agreement Amendment (EIR 617), however, did not anticipate the different GAIP emissions anticipated under the Proposed Project and Alternative 1, including increased emissions from the increased number of GA jet aircraft.

Under CEQA, rather than compare the relatively small amount of emissions anticipated to occur under the GAIP Proposed Project/Alternative 1 to the amount of emissions anticipated in EIR 617 for increased commercial carrier operations, the DEIR should have identified the agency approved methodologies for considering the potential health risks of a project, and considered whether the additional amount of emissions anticipated to occur under the GAIP Proposed Project and Alternative 1 would cause a direct or cumulatively considerable potential health risk.

Although there is a forecasted decrease in GA piston-powered aircraft assumed in the DEIR, there is also an assumed increase in turbine engine and jet aircraft operations, particularly over time, which must be considered as "additive" to the SA Amendment operations and other foreseeable related projects. Not, as the DEIR does, engage in a "de minimis" type comparison. (See *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 120.) This is especially important when, as recognized by the DEIR, the existing levels of TAC-related cancer causing emissions in the air basin are already cumulatively considerable and significant. (DEIR, p. 4.2-31 [discussing the 2015 MATES-IV Report released by SCAQMD]; see *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692.)

Also, as identified by KB Environmental Sciences, Inc., EIR 627 appears not to: (i) address the significant impact found to on-site airport workers in EIR 617; or (ii) consider the dispersion of GA aircraft emissions and the potential effects from such emissions to sensitive receptors. (See Attachment A [Peer Review by Mr. Kenney, KB Environmental Sciences, Inc.].)

The HRA prepared for EIR 617, for example, estimates that on-site airport workers could experience an increased incidence of non-cancer effects under the short-term exposures. By comparison, EIR 627 seems to conclude that non-cancer risks to airport workers are not expected. The HRA prepared for EIR 617 also did not include dispersion modeling of GA aircraft emissions, much less GA emissions as contemplated under the GAIP Project or Alternative 1. Please provide substantial evidence supporting the findings and conclusions in the EIR 617 on these issues.

Lastly, EIR 627 appears to assume that the most intensive activities will occur in the southwestern-most area of the Airport. The analysis of health risks does not consider the variances in distances and directions between the new proposed sources of emissions (GA jet aircraft and cars) to the sensitive residential receptors in that area. Please clarify.

V. Haul Routes

The DEIR does not consider what haul routes would be used during construction of the GAIP, although a substantial number of vehicle miles traveled (VMT) are identified. (DEIR, p. 6-7, Tables 6-2 and 6-3.) Although the DEIR is a programmatic document in nature, the proposed Project and Alternative 1 identify where the Full Service and Limited Service FBOs will be located. The document should therefore include an analysis of the haul routes likely to be used for demolition, excavation, construction and/or expansion of GAIP facilities throughout the various construction phases of the Project (or Alternative 1). Please also clarify if any routes would travel through the City of Newport Beach.

VI. Fuel Types

Lastly, the City has heard from several constituents that there is a desire, on behalf of the smaller general aviation community, for the County to offer lead free/lead reduced/ alternative fuel as a part of the Project to reduce or eliminate lead emissions.

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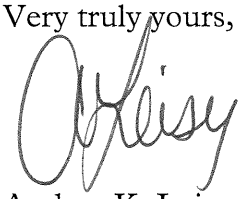
Thank you in advance for your consideration of the City's comments. Please provide me with a copy of all public notices issued in connection with the Project, including the Notice of Availability of the Final EIR. Please also contact me if you have any questions.

Very truly yours,



Andrea K. Leisy

Encl.
Cc: Aaron Harp

ATTACHMENT A

John Wayne Airport Environmental Impact Report (EIR), Health Risk Assessment (HRA): Peer Review

Prepared for:
City of Newport Beach

Prepared by:
KB Environmental Sciences, Inc.

November 12, 2018

Executive Summary

A *Draft Program Environmental Impact Report* (EIR 627) has been prepared for the proposed General Aviation (GA) Improvement Program (GAIP) at John Wayne Airport (JWA or "the Airport"). Previously, a separate EIR (EIR 617) was also prepared and certified, in 2014, for purposes of amending the Settlement Agreement governing commercial operations at JWA, referred to as the "Settlement Agreement (SA) Amendment EIR".

The objective of this Peer Review is to determine whether or not the reliance on the Health Risk Assessment (HRA) prepared and adopted for the SA 617 EIR is appropriate for the GAIP EIR 627 analysis.

The HRA prepared for the SA Amendment (EIR 617) was conducted in accordance with the California Air Resources Board (CARB) *Air Toxics Hot Spots Program Risk Assessment Guidelines* and consistent with guidance documents issued by the U.S. Environmental Protection Agency (EPA) and the California Environmental Protection Agency ("CalEP). The principal aim is to estimate the potential changes in human cancer and non-cancer risks attributable to exposures of Toxic Air Contaminates (TAC) associated with proposed projects.

The outcomes of the respective analyses in the EIRs are summarized as follows:

- **EIR 617 HRA:** The HRA for EIR 617 concludes that there will be no significant increase in the incidence of cancer and long- or short-term non-cancer effects for all receptors in the vicinity of the airport including nearby residential communities, sensitive land uses and areas on the airport where the general public and airport workers have access. However, it is estimated that on-airport workers could experience an increased incidence of non-cancer effects under short-term exposures to TACs.
- **EIR 627:** EIR 627 concludes that the emissions from the GAIP are less than the EIR 617 project, so it assumes that the health impacts are also less. From this it is concluded that the GAIP would not cause any significant risk to human health among those that work at the Airport or reside nearby (including any "sensitive receptors").

Based upon the findings of this Peer Review, the following observations are considered "Key" in terms of determining whether or not the application of the HRA for the 617 EIR is appropriate for EIR 627. The underlined information signifies the "bottom-line" conclusions and recommendations.

- **General Aviation (GA) Aircraft:** The EIR 617 air emissions inventory includes emissions from GA aircraft but the dispersion modeling does not. This is because GA operations do not change under the EIR 617. Therefore, the EIR 617 HRA did not involve GA operations. Clarification and further justification for this approach should be provided.
- **Aircraft Fleet Mix & Flight Paths:** Although not reported in EIR 627, the assumed reduction in propeller-driven GA aircraft operations and increased turbo-prop and jet operations seems to be assuming that there will be a lesser amount of TACs under EIR 627. Also the flight paths are not clearly defined which could result in a concentration of emissions. These findings should be substantiated as reported upon in the EIR 627.
- **Health Risk Assessment:** There was no HRA conducted for EIR 627 and the health risks are extrapolated from the EIR 617 HRA. The permissibility of applying the EIR 617 HRA to EIR 627

under the California Environmental Quality Act (CEQA) should be reconsidered because the use of the HRA in this way may not be appropriate due to the different nature of the projects.

- **Health Risks:** In contrast to the Significant Non-Cancer Health Risks estimated for on-airport workers for the EIR 617 HRA, it is unclear and unsubstantiated why these same risks to airport workers are Less-than-Significant under EIR 627. This conclusion needs to be explained and justified.

Based on these findings of this Peer Review, the underlined recommendations calling for clarifications and additional are considered necessary before fully determining whether or not the results from the EIR 617 HRA are applicable to EIR 627.

Table of Contents

I. Introduction & Objective

A *Draft Program Environmental Impact Report* (referred to as DPEIR 627 or the "GA Project EIR") has been prepared for the proposed John Wayne Airport (JWA or "the Airport") General Aviation (GA) Improvement Program (GAIP).[1] The GAIP comprises a series of projects planned for the airport's GA facilities (e.g., aprons, hangars and other buildings) and the expected decrease in GA piston-powered aircraft and increase in turbo-powered and jet aircraft. Previously, a separate EIR (EIR 617) was also prepared for JWA and is referred to as the "Settlement Agreement (SA) Amendment EIR".[2] The SA EIR addressed the expected increase in passengers and commercial aircraft operations at the Airport.

Prepared in accordance with the California Environmental Quality Act (CEQA), both the GA and the SA EIRs evaluated the potential impacts (or risks) to human health. Conducted in the form of a Health Risk Assessment (HRA), the analyses prepared for EIR 617 focused on the effects of the increase in commercial flights proposed as part of the SA Amendment on nearby communities, particularly "sensitive" land-uses and airport workers. In comparison, the analysis of health risk impacts for the GA EIR (EIR 627) was based on a comparison to the SA HRA (EIR 617).

The objective of this Peer Review is to determine whether or not the application of the HRA for the SA EIR is appropriate for EIR 627. In other words, "can the findings from the SA HRA also be used to evaluate the health risks of the GAIP"?

This review was accomplished by assessing the methodology, assumptions and outcomes of the SA HRA in conjunction with comparisons to the GAIP in terms of the generation of Toxic Air Contaminants (TAC). Notably, this evaluation was based on information and data contained in the GA and SA EIRs and no additional HRA or other technical analyses were performed.

II. EIR 627 Approach

As discussed above, the approach taken in the GAIP EIR was to use the SA HRA as a "screening mechanism." In particular, the TAC emissions[3] associated with the SA project were compared with those of the GAIP. Insofar as the emissions from the GAIP are less than the SA project, EIR 627 estimated that the health impacts are also less. From this it is concluded that the GAIP would not cause any significant risk to human health among those that work at the Airport or reside nearby (including any "sensitive receptors").

III. EIR Projects & Actions

Briefly described, the projects and actions planned for JWA and evaluated in EIRs 617 and 627 are as follows:

- **General Aviation Improvement Program (EIR 627):** An assortment of facilities and other improvements (e.g., Fixed Based Operator (s) and GA Terminal; airplane hangars, aprons and fuel systems; on-site roadways and vehicle parking lots) under differing development alternatives.

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[1] John Wayne Airport General Aviation Improvement Program (GAIP) - *Draft Program Environmental Impact Report* 627, prepared for the County of Orange, September 2018.

[2] U.S. District Court, Central District of California, County of Orange vs. Air California vs. City of Newport Beach vs. County of Orange County Board of Supervisors. Oct. 15, 2014.

[3] The majority of TACs are fractional components of Volatile Organic Compounds - VOCs (also known as Hazardous Air Pollutants – HAPs) and particulate matter (PM). Therefore, it is generally assumed VOCs and PM serve as a corresponding measure of TACs.

These projects are planned in conjunction with the forecasted decrease in GA piston-powered aircraft and increase turbine engine and jet aircraft operations.

- **Settlement Agreement (SA) Amendment (EIR 617):** The forecasted increase in passengers and commercial air-carrier operations through 2026. The project did not propose any improvements to the Airport.

Full descriptions for the GAIP and SA projects are provided in the individual EIRs, including (but not limited to) the analysis years, airport activity levels, the Preferred Project and alternatives evaluated and impact mitigation measures. Complete copies of the 2014 HRA is also included in EIR 617.

IV. HRA Methodologies, Terms & Assumptions

The SA HRA[4] was conducted in accordance with the California Air Resources Board (CARB) *Air Toxics Hot Spots Program Risk Assessment Guidelines*[5] and consistent with guidance documents issued by the U.S. Environmental Protection Agency (EPA) and the California Environmental Protection Agency ("CalEP). The principal aim of the analysis is to estimate the potential changes in human cancer and non-cancer risks attributable to exposures of TAC associated with the proposed action.

Several HRA-related terms and concepts considered relevant to this Peer Review are described as follows (listed in alphabetical order):

Common Terms & Concepts

- **Air Quality Models:** The Emissions Dispersion Modeling System (EDMS) developed by the Federal Aviation Administration (FAA) was used for the SA EIR air quality analysis and the new Aviation Environmental Design Tool (AEDT) was used for the GA EIR.
- **Exposure Conditions:** For residents and other sensitive receptors - continuous exposure for 24 hours/day, 350 days/year and over a 70-year lifetime. For on-site workers - exposures of 8 hours/day, 245 working days/year over a 40-year working lifetime. In both cases, these risk criteria represent "worst-case" conditions.[6]
- **Risk Assessment (HRA):** An evaluation of the change(s) in the incidences on cancer and non-cancer due to long- or short-term exposures to environmental contaminants. Effects and conditions that could contribute to increased health risks but are not accounted for in the HRA (e.g., pre-existing health conditions, non-airport sources of emissions).
- **Significance Thresholds:** Numerical thresholds above which cancer and non-cancer risks are considered significant:
  - Maximum Incremental Cancer Risk ≥ 10 in 1 million,
  - Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million), and
  - Non-Carcinogenic (Chronic/Acute) Hazard Index ≥ 1.0.[7]

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[4] John Wayne Airport Settlement Agreement Amendment - *Air Quality Technical Report*, prepared for Orange County, April 2014.

[5] Air Toxics Hot Spots Program Risk Assessment Guidelines, Technical Support Document for Exposure Assessment and Stochastic Analysis, California Air Resources Board, Office of Environmental Health Hazard Assessment (OEHHA).

[6] "Worst-case" conditions represent time-periods, pollutant concentrations, toxicity characteristics, meteorology and other factors that are considered extreme and occur simultaneously. While possible, these circumstances are highly unlikely.

[7] Non-carcinogenic impacts are those to the respiratory system including inflammation and bronchial irritation, impacts to the nervous system, immune system, reproductive system, the kidneys, and the eyes.

- **Sensitive Receptors:** The places that could be affected by emissions associated with the Airport included residential communities; schools, day care centers, nursing homes and hospitals; and parks and athletic facilities located up to 1,000 meters (0.6 miles) away.
- **Sources of Emissions:** Air emissions included commercial and GA aircraft, auxiliary power units (APUs), ground support equipment (GSE) and on-site motor vehicles. For the EIR 617 HRA, the focus was on TACs from commercial aircraft.
- **Toxic Air Contaminates (TAC):** The vast majority of TACs (also referred to as Chemicals of Potential Concern - CPOC) are hydrocarbon-based compounds (e.g., formaldehyde benzene, naphthalene) and particulate matter (PM).[8] Notably lead (Pb), a component of leaded avgas, is not included among TACs analyzed in a HRA.[9]

Important Assumptions

There are also a number of assumptions pertaining to the SA and GA EIRs that are considered important to this Peer Review. These, and the reasons for their importance, are briefly stated below:

- **Aircraft Operations & Fleet Mix:** The EIR analyses are based in large part on current and future-year estimates of airport and project-related activity levels reported in the EIRs 617 and 627. The types of aircraft using the Airport (e.g., B737, Cessna 160, etc.), and aircraft activity levels under the two projects affect the amounts of TACs produced. Also, the flight paths which are not disclosed, impact the concentration of emissions.
- **Concurrent Projects & Actions:** It is assumed that the planned SA and GA projects are both implemented on schedule and the emissions are additive. Again, aircraft activity levels and aircraft types affect the amounts of TACs produced.
- **HRA Methodology:** For accuracy, consistency and acceptability an HRA is conducted following established guidelines from local, state and federal agencies (see above). Variances and exclusions can result in different outcomes.
- **HRA Applicability:** A HRA was not prepared for EIR 627 and rather relies upon the EIR 617 HRA results. EIR 627 therefore assumes that the EIR 617 HRA results are applicable.

Most notably, this Peer Review analyzes the HRA for EIR 617 relied on in EIR 627 because that is the only analysis available.

V. Summary of HRA Results

As discussed above, the primary objective of this Peer Review is aimed at evaluating the appropriateness of applying the results from the SA HRA to the GAIP. For brevity and comparative purposes, the outcomes of the two assessments are summarized as follows:

- **EIR 617 HRA:** The results of the HRA predicted that health risks associated with the SA project are:

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[8] Particulate matter is segregated by two particle sizes: PM_{10} are less than 10 microns in diameter and $PM_{2.5}$ are less than 2.5 microns in diameter. Ultrafine particles (UFP) are less than 0.1 microns but are not included in Health Risk Assessments.

[9] Lead is among the six pollutants for which there are National (NAAQS) and California (CAAQS) Ambient Air Quality Standards (others include carbon monoxide (CO), nitrogen dioxide (NO_2) and ozone (O_3).

- Cancer & Cancer Burden: Less than significant risks for all receptors including nearby residential communities, sensitive land uses and areas on the Airport where the general public and airport workers have access;
- Chronic Non-Cancer: Less than significant risk for all receptors described above.
- Acute Non-Cancer: Significant risk impact for on-site airport workers.

In other words, EIR 627 does not expect there will be additional risks of cancer and long- or short-term health effects attributable to the project. However, it is estimated that on-site airport workers could experience an increased incidence of non-cancer effects under short-term exposures to TACs.

- **EIR 627:** From this analyses it was determined that HC and PM emissions (and therefore TACs) for the GAIP[10] would be less than estimated for SA EIR 617. From this, it was concluded that a small increment of emissions would not cause an exceedance of the Significance Thresholds for cancer and non-cancer health impacts.

  In short, EIR 627 does not expect there will be any significant increase in occurrence of cancer and non-cancer impacts in either the short- or long-terms because of the GAIP project.

Again, it is important to note that the objective of this Peer Review is to determine of the outcomes from EIR 617 are also appropriate for EIR 627.

VI. Peer Review Findings & Conclusion

This section presents the overall findings and conclusions for this Peer Review.

- **Findings:** The essential findings of this Peer Review are as follows (arranged in approximate order of importance):
  - **Non-cancer Health Risks:** For EIR 617 it is not expected there will be additional risks of cancer and long- or short-term health effects attributable to the project. But it is estimated that on-airport workers could experience an increased incidence of non-cancer effects under the short-term exposures.

    By comparison, for EIR 627 it is reported that airport worker non-cancer risks are not expected. Importantly to this Peer Review, it is not clear how this finding is derived or substantiated.
  - **Project Modeling Orientations:** The EIR 617 project involves additional commercial flights mainly oriented around the Airport main terminal and primary runway. By comparison, the EIR 627 projects are mostly located in the southwestern-most area of the Airport. The variances in distances and directions between the sources of emissions and the sensitive receptors can have an effect on the transport and fate of TACs.

    In this case, the effects of orientation are unsubstantiated.
  - **Lead:** Lead is among the six pollutants for which there are NAAQS/CAAQS and therefore it is not listed as a TAC. Leaded avgas for some GA aircraft is one of the last remaining sources of this pollutant. However, lead-containing avgas will be phased-out by 2020 and replaced with alternative fuels. In addition, the U.S. EPA has identified airports with lead emissions greater that 0.5 tons annually for in-depth study and JWA is not among them. Lead emissions were not included in either the 617 or 628 EIR analyses.

[10] For this Peer Review it is assumed that the GAIP includes the Proposed Project and Alternative 1.

- **Conclusions:** Based upon the findings of this Peer Review, the following observations are considered "Key" in terms of determining whether or not the application of the HRA for the 617 EIR is appropriate for EIR 627. The underlined information signifies the "bottom-line" conclusions and recommendations.

  - **General Aviation (GA) Aircraft:** The EIR 617 air emissions inventory includes emissions from GA aircraft but the dispersion modeling does not. This is because GA operations do not change under the EIR 617. Therefore, the EIR 617 HRA did not involve GA operations. Clarification and further justification for this approach should be provided.
  - **Aircraft Fleet Mix & Flight Patterns:** Although not reported in EIR 627, the reduction in propeller-driven GA aircraft operations and increased turbo-prop and jet operations seems to assume that there will be a lesser amount of TACs under the GAIP project. Also, the flight paths are not clearly identified (existing + future) which could result in concentrating emissions. These findings should be substantiated and reported upon in the EIR 627.
  - **Health Risk Assessment:** There was no HRA conducted for EIR 627 and the health risks are extrapolated from the EIR 617 HRA. The appropriateness of applying the EIR 617 HRA to EIR 627 under CEQA should be re-evaluated because the projects are different and the use of the EIR 617 HRA may not be appropriate.
  - **Health Risks:** In contrast to the Significant Non-Cancer Health Risks estimated for on-airport workers for the EIR 617 HRA, it is unclear and unsubstantiated why these same risks to airport workers are Less-than-Significant under EIR 627. This conclusion needs to be explained and justified.

From this Peer Review, the underlined recommendations calling for clarifications and additional are considered necessary before fully determining whether or not the results from the EIR 617 HRA are applicable to EIR 627.

[End of Report]

References

Air Toxics Hot Spots Program Risk Assessment Guidelines, Technical Support Document for Exposure Assessment and Stochastic Analysis, California Air Resources Board, Office of Environmental Health Hazard Assessment (OEHHA)

John Wayne Airport General Aviation Improvement Program (GAIP) - Draft Program Environmental Impact Report 627, prepared for the County of Orange, September 2018.

John Wayne Airport Settlement Agreement Amendment - *Air Quality Technical Report*, prepared for Orange County, April 2014.

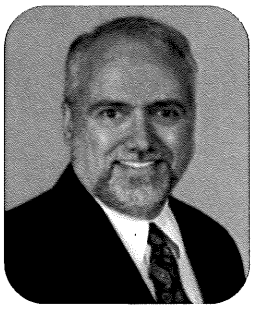
U.S. District Court, Central District of California, County of Orange vs. Air California vs. City of Newport Beach vs. County of Orange County Board of Supervisors. Oct. 15, 2014.

Reviewer Qualifications

Mr. Kenney is Vice President of KB Environmental Sciences, Inc. and provides project management as well as "hands-on" technical involvement for a wide variety of air quality assessments for airports, the aviation industry and governmental agencies throughout California, across the U.S. and around the world. His specialized expertise and experience includes air quality measurements, air emissions inventories, dispersion modeling, as well as hazardous air pollutants (HAPs) and greenhouse gases (GHGs). Mike has considerable experience providing technical services in support of NEPA and CEQA documents. He is also trained in the areas of human health and environmental toxicology.

Michael A. Kenney

KB Environmental Sciences



Senior Air Quality Specialist

Mr. Kenney is Vice President of KB Environmental Sciences, Inc. and provides project management as well as "hands-on" technical involvement for a wide variety of air quality assessments for airports, the aviation industry and governmental agencies throughout California, across the U.S. and around the world. His specialized expertise and experience includes air quality measurements, air emissions inventories, dispersion modeling, as well as hazardous air pollutants (HAPs) and greenhouse gases (GHGs). Mike has considerable experience providing technical services in support of NEPA and CEQA documents. He is also trained in the areas of human health and environmental toxicology.

Expertise

Air quality assessments for airports, marine ports and roadways; industrial hygiene, human health risks and worker exposure evaluations; and hazardous materials surveys.

Years of Experience

A total of 39 years consulting
15 years with KBE
25 years with other private consulting firms and government regulatory agency

Education

BA, 1976, Environmental Science, University of Maine

MS, 1979, Environmental Engineering Sciences, University of Florida

Post Graduate Studies, 1987-1993, Industrial Hygiene and Environmental Health, University of South Florida

Certifications/Professional Affiliations

Certified Hazardous Materials Manager,1994, CHMM No. 5503

Qualified Environmental Professional, 1995, QEP No. 06930024

Certified Industrial Hygienist, 2003, CIH No. 8719

Competent Toastmaster, 1988

Representative Projects & Services

Los Angeles International Airport (LAX) Air Quality Assessment Services, Los Angeles, California

Involved in a wide array of ongoing air quality impact assessments at LAX including the development and assessment of air quality mitigation measures, and consistency with the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA).

San Diego International Airport (SAN) Air Quality Assessment Services, San Diego, California

Involved in the preparation of a series of products and services that enabled the San Diego County Regional Airport Authority (SDCRAA) to advance their "award-winning" Environmental Management Program. These initiatives include the SAN Master Plan *Environmental Impact Statement* (EIS) / *Environmental Impact Report* (EIR) *Air Quality Assessment* and the SAN *Air Quality Management Plan* comprised of emissions inventories, mitigation strategies, and stakeholder coordination.

Houston Airport System (HAS) Emission Inventory, Houston, Texas

Working with the FAA, HAS, Texas Commission on Environmental Quality (TCEQ) as well as Southwest and Continental Airlines, this initiative was designed to ensure that the State Implementation Plan (SIP) for the Houston-Galveston-Brazoria non-attainment area contains accurate and up-to-date emissions for George Bush Intercontinental Airport (IAH). Involved extensive data collection, preparation of emissions inventories.

San Francisco International Airport (SFO) Air Quality Assessment Services, San Francisco, California

Compiled a comprehensive construction emissions inventory related to airport improvements at SFO. Part of this work included assessments with OFFROAD, EMFAC and CARB's Off-road Emissions Inventory (OEI) database. Air quality impact analysis was performed to satisfy both NEPA and CEQA requirements.

Boston-Logan International Airport Air Quality Services

Project Manager for a wide array of services including air quality studies, emission reduction measures, GHG assessments, human health risk evaluations, public and agency coordination.