

Table No.3 Noting Applicable Responses to Late Comments After Final PEIR and Final Draft PMPU were Published

Written Comments Received Between Noon on February 26 and Noon on February 27, 2024

No.	Commenter	Comment	Response
175	Embarcadero Coalition, Letter, 2-26-24	The comment expresses concern with the Final PEIR and Final Draft PMPU and states that the goal of the PMPU should be to increase public usage and open the Bay. The comment also suggests that there is no financial forecast provided to justify the number of hotels proposed.	The comment expresses a general opinion that the Final Draft PMPU is too focused on revenue generation and results in significant negative environmental impacts. This comment will be provided to the Board for consideration in its capacity as the decision-maker.
176		The comment asserts that CEQA is not just intended to tick the box to meet State requirements. The commenter notes that the PEIR identifies significant and unavoidable impacts for several issue areas. The commenter claims that the Port has done nothing to mitigate or remedy the impacts from the PMPU and that only potential mitigation is suggested in the PEIR. The commenter further claims that the Port is trying to avoid resolving these impacts by trying to divide up projects in order to ignore their cumulative effects.	This comment raises similar concerns as comments 157 and 158 in the Agenda Related Materials provided the Board on February 27, 2024 (ARMs Memo No. 1). Please see the response to those comments. In addition, the commenter’s opinions that the Port is trying to avoid resolving these impacts by trying to divide up projects in order to ignore their cumulative effects is contrary to evidence in the administrative record, including the Final PEIR, which analyzed the buildout of the PMPU to capture the whole of the project, as required by CEQA. The commenter does not identify any specific projects that the Port is allegedly dividing; therefore, no further response is required.

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177		<p>The commenter states that the Board should not adopt the Final Draft PMPU or certify the Final PEIR until substantive changes are made in response to the significant negative impacts identified in the PEIR. The comment also expresses support for the comments provided by SWIA and the San Diego Waterfront Coalition. The commenter states that the Port must answer how it will avoid long term significant cumulative impacts.</p>	<p>The comment expresses general opposition to the PMPU and PEIR. Note that all direct, indirect, and cumulative impacts have been analyzed in accordance with CEQA in the Final PEIR and the comment does not identify any particular impact or mitigation measure. This comment has been included in the record for Board consideration.</p>
178		<p>The commenter claims that the PEIR process was fatally flawed due to: the sequencing of the NOP process; that governmental agency and public comments were not made for the correct plan, were not included in the analysis, or were treated as obsolete; and incorrectly using the 2016 Seaport Project for the cumulative evaluation. The commenter claims that not including the 2019 version of the Seaport Project underestimates the environmental impacts. The commenter further claims that excluding</p>	<p>This comment raises similar concerns as comment 154 regarding the sequencing of the NOP process. Please see the response to comment 154 in ARMs memo No 1. In addition, please see Master Response M-1 of the Final PEIR, which explains why the Seaport San Diego project is considered a cumulative project and is not part of the PMPU. The response also explains that the development scenario used for the Seaport San Diego project was based on reasonable development assumptions at the time the NOP was published, consistent with State CEQA Guidelines Section 15125. Master Response M-1 of the Final PEIR also explains that the Chula Vista Bayfront and National City Bayfront are not part of the proposed PMPU because no changes to those planning districts, or portions thereof, are proposed by the PMPU. As described in Master Response M-1, these areas/projects were all appropriately considered in the PMPU Draft PEIR cumulative analysis.</p>

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		<p>additional projects in Chula Vista and National City did not allow for a correct environmental analysis and that introducing them in only the cumulative analysis is not sufficient.</p>	
179		<p>The comment claims that the PEIR figures used to evaluate environmental impacts are inconsistent and often wrong, citing the difference of 1,000 rooms in PD3 between the PMPU and PEIR and suggests that this difference is significant. The commenter also claims that PD2 has similar problems.</p>	<p>This comment raises similar concerns as comment 155 in the ARMs memo No. 1. Please see the response to that comment.</p>
180		<p>The comment claims that the Port only identified potential mitigation strategies but did not address the environmental impacts from buildout of the PMPU. The comment claims that “at least 60% of the CEQA categories are still significant and unavoidable with mitigation and that the Port refuses to make changes to the PMPU based on the PEIR results. The commenter also claims that reliance on regulations is naïve and</p>	<p>This comment raises similar concerns as comments 157 and 158 in the ARMs memo No. 1. Please see the responses to those comments.</p>

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		<p>does not keep incidents from occurring. The comment further claims that the goal is to defeat the CEQA environmental purpose by dividing up the projects so that individually they don't have as large an impact. Lastly, the commenter suggests that the PMPU that should be mitigated or remedied first to arrive at acceptable environmental impacts.</p>	
181		<p>The commenter claims that the Port's answers to the significant PEIR findings are tone deaf and gives the appearance that the Port completed the CEQA process in a pro forma manner, but is not concerned with addressing and fixing the issues it raised. The commenter states that impacts are avoidable if the Port changes its plans to do something with less impact.</p>	<p>The comment provides a general opinion regarding potential environmental impacts but does not identify any specific "environmental impacts that are harmful to the health and welfare of the populations adjacent to the Port" that are not addressed in the Final PEIR. The comment also does not identify any inadequacy in the Final PEIR's analyses of potential impacts associated with GHG emissions and noise. (See Final PEIR, Section 4.6, Greenhouse Gas Emissions and Energy, and Section 4.10, Noise.) As no specific examples are provided that are supported by substantial evidence, no additional response is necessary or possible.</p>
182		<p>The commenter suggests that golfing is not a coastal-related or coastal-dependent activity.</p>	<p>This comment is similar to comment 86, attached to the agenda sheet, and does not raise an issue with the adequacy of the Final PEIR. It should be noted that golf courses are an allowable use in Section 87 of the Port Act. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.</p>
183		<p>The commenter raises issue with the use of "coastal-enhancing" and suggests that it is not found in any State coastal</p>	<p>This comment raises similar concerns as comment 86, attached to the agenda sheet, and has been included in the record for Board consideration.</p>

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		document. The commenter claims that the Port is attempting to allow anything a visitor might want to do that will generate income.	
184		The comment claims that there are thousands of sensitive receptors (residents, seniors, children and medically impaired individuals) living within 1,000 ft of Port lands and identifies concern for noise, suggesting a lower decibel level must be set for allowable outside noise. The comment also makes a general comment that “negative environmental impacts must be remedied for the health and welfare of the neighboring communities.”	The comment provides a general opinion regarding potential environmental impacts on sensitive receptors and suggests that the noise ordinance that applies to Downtown San Diego (in this case the City of San Diego’s) must be set at a lower decibel for allowable outside noise. Aside from the opinion that the City’s noise ordinance should be amended, which is outside of the District’s jurisdiction, the comment does not identify any issues that were not addressed in the Final PEIR or raise an inadequacy in the Final PEIR’s analyses of potential noise impacts. (See Final PEIR, Section 4.10, Noise.) As no specific examples are provided that are supported by substantial evidence, no additional response is necessary or possible.
185		The comment claims that the District does not know if proposed mitigation measures or suggestions will work and claims that the District does not comment on what actions it will take if they the mitigation measures do not work. The comment claims that the Port should not go forward with projects or a PMPU that can’t be mitigated or that will cause cumulative	The comment expresses a fundamental misunderstanding of a programmatic analysis allowed under CEQA. Please see the Final PEIR, Volume 2, Chapter 1, page 1-2 through 1-4. As stated on page 1-2: “[t]he proposed PMPU is a comprehensive update to the existing PMP to establish water and land uses on District Tidelands and to guide future development and conservation over the approximately 30-year planning horizon. The PMPU identifies land use policies and delineates broad categories of uses on water and land use maps by planning district, which are further discussed in Chapter 3, <i>Project Description</i> , of this Final PEIR. Consistent with the requirements of the California Coastal Act (CCA) and where known, the PMPU includes a list of appealable projects for associated planning districts that could be considered for future project-specific development. Importantly, however, the District is not proposing to approve and/or implement any specific projects with the PMPU. Because sufficient details regarding the timing, design, development intensity, and location of future projects of the PMPU are not available to facilitate a project-level

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		<p>significant negative impacts.</p>	<p>impact analysis and because no approvals would be provided for specific development projects at this time, this Final PEIR evaluates the potential physical changes to the environment associated with the PMPU at a programmatic level.</p> <p>According to State CEQA Guidelines Section 15168, a program EIR is an EIR that may be prepared on a series of actions that can be characterized as one large project and that are related either geographically or as individual activities carried out under the same authorizing statutory or regulatory authority, and that generally have similar environmental effects that can be mitigated in similar ways. One of the benefits of preparing a program EIR is that it allows for a reduction in paperwork by streamlining the environmental review of future subsequent activities found to be within the scope of the program described in the Final PEIR. A program EIR is distinct from a project EIR, which is prepared for a specific project and must examine site-specific considerations in detail.”</p> <p>Regarding significant and unavoidable (SU) determinations, the comment is ignoring the rationale provide for each SU impact determination. Many of these SU determinations have been made due to uncertainty associated with future projects that will still need to be reviewed for CEQA compliance as part of future project discretionary reviews. For example, Impact-AES-1 would remain SU because the type of construction equipment and the duration and location of construction of future development projects are unknown at this time and, therefore, it cannot be guaranteed that implementation of MM-AES-1 would reduce adverse impacts resulting from construction activities on scenic vistas or view corridor extensions to below significant levels. It is for similar reasons (e.g., unknown project timing, location, duration, etc.,) that Impact-AES-2, Impact-CUL-1, Impact-CUL-2, Impact-CUL-3, Impact-GHG-1, Impact-WQ-1, Impact-NOI-2, Impact-NOI-3, Impact-NOI-4, Impact-NOI-5, Impact-NOI-6, Impact-NOI-7, Impact-NOI-8, Impact-NOI-10, Impact-PS-1, Impact-PS-2, Impact-TRA-1, Impact-TRA-2, and Impact-TRA-3 would remain SU after mitigation is incorporated. Further, CEQA does not require the PMPU to be changed until it results in less than significant impacts. Where significant impacts cannot be avoided if a project is implemented as proposed, the lead agency must describe the impacts which cannot be mitigated to a level of insignificance and explain the reasons why the project is being proposed notwithstanding the significant unavoidable impacts. (State CEQA Guidelines Section 15126.2(c).) If the Board decides to adopt the PMPU notwithstanding the significant unavoidable impacts discussed in the PEIR, the Board will comply with State CEQA Guidelines Section 15093 and will balance the benefits of the PMPU against its unavoidable significant impacts and, if the benefits outweigh the unavoidable impacts, the Board may approve the PMPU and adopt a Statement of Overriding Considerations.</p>
186		<p>The comment claims that the only environmental issues addressed under [air quality] involved construction and glare.</p>	<p>The comment’s claim that the only environmental issues addressed under air quality involve construction and glare is false. Please see the Final PEIR, Section 4.2, Air Quality and Health Risk, which analyzes the air emissions, which include criteria pollutants and toxic air contaminants, from a wide range of future project sources on both the land in the water during both future construction and</p>

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		<p>The comment indicates that air quality affects sensitive receptors and claims that the Final PEIR does not address sensitive receptors adjacent to Port lands. The comment also expresses concern about existing air quality in the Embarcadero, suggesting that the Embarcadero does not get the same level of concern and attention that the Environmental Justice Portside communities receive. The comment concludes by claiming there is nothing in the PMPU to improve Air Quality with the updated projects or mitigations.</p>	<p>operational phases based on the anticipated development through 2050 under the PMPU. Moreover, glare is not an air quality issue and is analyzed in Section 4.1, Aesthetics and Visual Resources.</p> <p>The comment incorrectly states that the air quality analysis ignores nearby sensitive receptors. Starting on Page 4.2-84 of the FEIR, the discussion evaluates the potential exposure of nearby sensitive receptors to construction- and operations-related emissions and concludes that exposure is not expected to expose sensitive receptor locations to substantial pollutant concentrations.</p> <p>Additionally, this comment summarizes statistics from CalEnviroScreen related to the negative existing environmental conditions in the Portside Community as well as the Embarcadero area. This comment states that the Port is doing nothing related to improving air quality in the Embarcadero area and cites CalEnviroScreen when stating that diesel particulate matter levels in the Embarcadero area are in the 90% percentile in the state. Moreover, this comment cites an unspecified study that states air quality in the Embarcadero area is “just as bad as Barrio Logan”. It is unclear what study the commenter is citing.</p> <p>First, the comment is informational in nature and does not raise an environmental issue related to the PEIR’s analysis of the proposed project. Second, the commenter states that the Port is doing little to improve air quality in the Embarcadero area. Again, this comment does not raise an environmental issue related to the PEIR’s analysis or mitigation of potential air quality impacts associated with the proposed project.</p> <p>The commenter incorrectly states that air quality in the Embarcadero area is as bad as the Barrio Logan area and includes a screenshot of that diesel particulate matter from CalEnviroScreen to support this claim. The pollution burden and overall scores in CalEnviroScreen are based on a composite of numerous factors, including multiple types of air pollution (e.g., ozone, PM2.5, that diesel particulate matter) and population and socioeconomic data (e.g., prevalence of asthma, education levels). The composite score for the Embarcadero area (Census Tract 6073005400) is 63th percentile, whereas the composite score for the Barrio Logan area (Census Tract 6073005000) is 97th percentile. The CalEnviroScreen scores are discussed on page 4.2-21 of the FEIR. Thus, the air quality is better than the Barrio Logan area.</p> <p>Additionally, CalEnviroScreen is a screening tool that uses different factors to identify cumulative impacts than CEQA. The statutory definition of “cumulative impacts” contained in CEQA is substantially different than the working definition of “cumulative impacts” used to guide the development of CalEnviroScreen. The definition of “cumulative impacts” in CalEnviroScreen is: “exposures, public health or environmental effects from the combined emissions and discharges, in a geographic area, including environmental pollution from all sources, whether single or multi-media, routinely, accidentally, or otherwise released. Impacts will take into account sensitive populations and socioeconomic factors, where applicable and to the extent data are available.” (See</p>

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			<p>https://oehha.ca.gov/media/downloads/calenviroscreen/report/calenviroscreen40reportf2021.pdf. According to Section 15131(a) of the CEQA Guidelines, “[e]conomic or social effects of a project shall not be treated as significant effects on the environment.... The focus of the analysis shall be on the physical changes.” Moreover, cumulative impacts for the purpose of CEQA refer to two or more individual physical effects which, when considered together, are considerable or which compound or increase other environmental impacts. (CEQA Guideline 15355.) Hence, while CalEnviroScreen may be informative for a variety of reasons, it is not a tool meant to be determinative for CEQA purposes.</p> <p>The comment is informational in nature and does not raise an environmental issue related to the PEIR’s analysis of the proposed project. Therefore, pursuant to CEQA Guidelines Section 15088, no further response is necessary.</p>
187		<p>The comment claims that the Final PEIR shows significant negative impacts for noise levels, claims the “North Embarcadero noise study was perfunctory at best”, and asserts that an accurate portrayal of noise levels at various times of day must be performed and analyzed in all the Embarcadero subdistricts. The comment goes on to compare the PEIR Noise analysis to the World Health Organization (WHO) guidelines regarding reducing negative health effects from noise and claims that existing noise levels already exceed the WHO recommendations. The comment asserts that the noise must be reduced and not raised 3dB more, as stated by the Port,</p>	<p>The comment refers to a North Embarcadero Noise Study, but it is unclear if the comment is referring to the noise analysis within the Final PEIR or is referring to a separate North Embarcadero specific noise study. Therefore, while the commenter makes a general claim about the “North Embarcadero noise study” being “perfunctory at best”, there is no evidence to support the claim and it is unclear if the claim is directed at the noise analysis included for the PMPU.</p> <p>The comment also suggests that an accurate portrayal of noise levels at various times of the day need to be performed, but comment does not indicate what is inaccurate or inadequate about the noise analysis in the Final PEIR.</p> <p>The comment takes issue with the City of San Diego’s noise guidelines and suggests the City guidelines should follow the World Health Organization’s noise guidelines. However, this is not specific to the PMPU and is a comment regarding noise standards within the City of San Diego. However, it is worth noting that the City noise standards, which the Port does not have jurisdiction to change, are similar to urban municipality noise standards throughout the region, including other cities adjacent to Port tidelands.</p> <p>The comment reminding the District that both residents and hotel guests are present in the area is noted for the record and for Board consideration as it decides whether to approve the PMPU in its decision-making capacity.</p>

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		<p>before taking action(s) to remediate or mitigate. This is unacceptable, especially considering the Port plans to move Harbor Drive traffic onto Pacific Highway and it notes that adjacent roadways (such as Kettner, G and Market Streets) will be utilized by drivers when this is done. These streets surrounding Port lands in the Embarcadero are overwhelming residential. The Port must also remember its hotel guests share the Pacific Highway and Harbor Drive noise with residents. The hotel guests and residents include sensitive receptors.</p>	
188		<p>The comment is concerned about noise and traffic impacts from Seaport San Diego and believes the project should have been included as part of the PMPU.</p>	<p>Please see Master Response M-1.</p>
189		<p>The comment asserts that the PMPU’s incremental contribution to cumulative noise and vibration impacts should not remain cumulatively considerable and the outcomes of MM-NOI-6</p>	<p>The PEIR (Section 4.10, Noise and Vibration) indicates that cumulative traffic on some roadways may increase noise levels at existing noise-sensitive receptors by 3 dB CNEL or more to a level that is above the local standards or guidelines of the applicable member city. This is identified Impact-C-NOI-3. Mitigation measures identified in the PEIR as MM-NOI-6 and MM-NOI-7 would reduce the approved PMPU’s contribution to Impact-C-NOI-3.</p>

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		<p>and MM-NOI-7 identified to address cumulative noise impacts are not acceptable. The comment claims it needs to be reduced to less than significant after mitigation, which the comment suggests can be done by “bring[ing] development and rerouting plans into Less than Significant findings”.</p>	<p>MM-NOI-6 would require future projects that Would Double the Traffic Volume on One or More Affected Streets to prepare noise studies, including project specific mitigation. Such measures may include, but would not be limited to:</p> <ul style="list-style-type: none"> • Noise barriers. • Quiet pavement. • Increased separation between roadways and sensitive land uses. • Upgrades, such as retrofitted sound-rated windows and doors for impacted sensitive buildings. • Traffic calming or other measures to reduce traffic speeds. <p>MM-NOI-7 would require roadway improvement and modification projects to avoid noise increases greater than 3 dB CNEL. As indicated in Section 4.10, Noise and Vibration, 3 dB CNEL is identified because, as explained on page 4.10-10, a 3 dBA increase in sound would generally be barely detectable.</p> <p>Therefore, implementation of MM-NOI-6 and MM-NOI-7 would reduce the approved PMPU’s contribution to Impact-C-NOI-3. However, the reason the final determination remains cumulatively considerable is because the timing and location of specific impacts due to future development authorized under the PMPU are unknown at this time, as are the details and timing of other related cumulative projects that may occur during the same time period, it is not possible to quantify whether and to what extent the recommended mitigation measures would be feasible and effective in abating or reducing the approved PMPU incremental contribution to cumulative noise and vibration impacts (Impact-C-NOI-3) to less than cumulatively considerable. This determination is common for programmatic analyses that attempt to assess impacts of future projects that are not yet proposed, but there is general anticipated growth information available to analyze and determine their impacts on the environmental consistent with CEQA Guidelines Section 15168. For example, similar arguments were raised in <i>Berkeley Citizens for a Better Plan v. University of California</i> (2023) 1st App. Dist. Case No. A166164:</p> <p>“Citizens argue that the EIR does not adequately mitigate potential damage from construction-related vibrations [for a long range development plan]....Citizens fail to grasp the programmatic nature of the development plan EIR. As a program-level planning document, it provides only a general strategic framework for decisions on potential future projects that could, over time, be built to support a projected level of enrollment; with the exceptions of Anchor House and People's Park, it does not commit the university to any specific project and describes them only conceptually. (See Ed. Code, § 67504, subd. (a)(l); Guidelines, § 15168.) The EIR thus appropriately focuses on program-wide issues, leaving detailed consideration of issues specific to potential future projects (including construction methods) to subsequent, project-level EIRs prepared when the impacts of those projects can be predicted with greater accuracy. (See <i>Bay Delta</i>, supra, 43 Cal.4th at pp. 1174-1175; Guidelines §§ 15152, subd. (c), 15146, subd. (a).)”</p>

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			Please also see response to Comment 185.
190		The comment claims there is no intent to make changes to the PMPU to achieve a less than significant VMT impact. The comment claims the PMPU is against the Port’s and City’s Climate Action Plans, the goals of the Port Maritime Clean Air Strategy (MCAS), as well as being incompatible with State goals.	The comment makes general claims about the intent of the District regarding the PMPU, about consistency with the Port’s CAP, City’s CAP, MCAS and State goals, but does not identify any specific goals or policies of these plans that the PMPU is in conflict with. The commenter is referred to the Final PEIR, Volume 2, Section 4.4, for a whether the PMPU conflicts with or obstructs implementation of the District’s MCAS and CAP, as well as the State’s Scoping Plan (as required by CEQA). Please also see Section 4.14, Transportation, Circulation, and Mobility for a VMT analysis consistent with State guidance, including CEQA Guidelines Section 15064.3. Please also see responses to Comments 158 and 160 in ARMs memo No. 1. CEQA does not require the PMPU to be changed until it results in less than significant impacts. Where significant impacts cannot be avoided if a project is implemented as proposed, the lead agency must describe the impacts which cannot be mitigated to a level of insignificance and explain the reasons why the project is being proposed notwithstanding the significant unavoidable impacts. (State CEQA Guidelines Section 15126.2(c).) If the Board decides to adopt the PMPU notwithstanding the significant unavoidable impacts discussed in the PEIR, the Board will comply with State CEQA Guidelines Section 15093 and will balance the benefits of the PMPU against its unavoidable significant impacts and, if the benefits outweigh the unavoidable impacts, the Board may approve the PMPU and adopt a Statement of Overriding Considerations.
191		The comment expresses concern and claims the PMPU transportation study is designed to underestimate impacts. The comment points to the Seaport San Diego project, the earlier version of the Seaport San Diego project at the time of the NOP, and the increase of 1,000 hotel rooms in the Embarcadero.	Please see Master Response M-1 in the Final PEIR and the responses to Comments 132, 144, 154, and 155 in ARMs Memo No. 1.
192		The comment claims the “PEIR states that their proposed mitigations aren’t going to fix the problem and they do not propose a solution”, which is in violation of CEQA. The comment claims that	The comment is misapplying CEQA and distorting the Port’s impact analysis and CEQA findings. Please see Section 4.14, Transportation, Circulation, and Mobility, as it relates to the discussion of significance of impacts after mitigation is incorporated. As stated on page 4.14-80, “[i]n order to reduce potential impacts related to the increase of Total VMT (Impact-TRA-1) and VMT/Employee (Impact-TRA-2), as well as increased VMT induced by certain transportation infrastructure improvements in PD2 and PD3 (Impact-TRA-3), MM-TRA-1 requires the District to establish and implement a VMT infrastructure mitigation program that provides for the

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		<p>the majority of additional emissions will be in the City of San Diego which has legal requirements to reduce emissions and VMT. The comment claims that the Port is not cooperating with the City of San Diego and “is purposefully and knowingly undermining the City’s efforts.”</p>	<p>installation of multi-modal infrastructure that would reduce both existing and future VMT. MM-TRA-1 requires this program to be established within three years of the PMPU’s certification. Once the VMT infrastructure mitigation program has been developed, project proponents may participate in the District’s VMT infrastructure mitigation- program to install VMT-reducing infrastructure, including, but not limited to, mobility hubs or provide VMT-reducing infrastructure to reduce project specific VMT impacts (MM-TRA-2). <i>However, because the timing and exact location of infrastructure improvements have not been identified, and the funding programs have not yet been implemented, it cannot be guaranteed that the necessary improvements would be implemented, prior to the operation of any new development under the proposed PMPU. (Emphasis added)</i></p> <p>Implementation of a TDM Plan (MM-TRA-3) would also provide incentives to use alternative modes of transportation instead of individual vehicles, which would reduce VMT induced by development projects and improvements to transportation infrastructure. <i>However, it is not possible to quantify the effectiveness of the recommended mitigation measures because the location, timing, and design of new development allowed under the proposed PMPU is unknown at this time. (Emphasis added)</i> Additionally, future developments may be screened-out from implementing a transportation demand management plan, and assumed to have a less than significant impact, if they: 1) are within a TPA; 2) are within an area (Traffic Analysis Zone or Census Tract) where the base year VMT per Employee is below the current significance threshold; 3) generate less than 110 daily trips; or 4) will generate the same or less daily VMT than the previous land uses on the site.</p> <p>Therefore, future projects will need to provide mitigation in accordance with MM-TRA-1, MM-TRA-2, and MM-TRA-3, which will reduce VMT related impacts, potentially to less than significant levels. However, because project-specific proposals and conditions are not known at this time, the Final PEIR conservatively concludes that it is still possible that VMT impacts, after mitigation, could be significant and unavoidable. This is much different than the commenter’s claim that the “PEIR states that their proposed mitigations aren’t going to fix the problem and they do not propose a solution”. Furthermore, activities in the Port’s jurisdiction do not require compliance with the City of San Diego’s plans and policies just as the project’s proposed in the City of San Diego’s jurisdiction do not require compliance with Port plans and policies.</p> <p>Regarding the District “purposefully and knowingly undermining the City’s efforts”, the comment is without merit and no evidence is provided to support the claim.</p> <p>Please also see responses to Comments 157 and 158 in the ARMs Memo No. 1.</p>
193		<p>The comment appears to cite the PEIR, stating “The</p>	<p>The meaning of this comment is unclear. The comment allegedly cites the PEIR stating: “The District is required to focus on the reduction of GHG emissions associated with vehicle miles traveled and traffic congestion is no longer considered a significant environmental impact under CEQA” but does not</p>

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		<p>District is required to focus on the reduction of GHG emissions associated with vehicle miles traveled and traffic congestion is no longer considered a significant environmental impact under CEQA". Without these items factored in, the "Impact Determination and Mitigation" section (Vol 2, p.4.14-77) states, "Implementation of the proposed PMPU would conflict with or be inconsistent with State CEQA Guidelines Section 15064.3 subdivision.</p>	<p>provide a citation and District's search has been unable to locate this exact language. Regardless, the District is unable to provide a response because it is not clear what is meant by "Without these factored in..." and what it is referring to. The statement cited from page 4.14-77 is cited from the PEIR, but is an introduction statement to the impact findings. The PEIR goes on to list the specific impacts and why there is the potential for an inconsistency with CEQA Guidelines Section 15064.3. Specifically, for reasons previously mentioned in response to Comment 192, the timing and exact location of infrastructure improvements have not been identified, and the funding programs have not yet been implemented, it cannot be guaranteed that the necessary improvements that would be required under MM-TRA-1 and MM-TRA-2 would be implemented prior to the operation of any new development under the proposed PMPU. In addition, and also as stated in the previous response, it is not possible to quantify the effectiveness of the recommended mitigation measures that would stem from MM-TRA-3 because the location, timing, and design of new development allowed under the proposed PMPU is unknown at this time.</p>
194		<p>The comment makes the general statement that "the excessive number of hotels/buildings, boat berthing in the Embarcadero" under the existing conditions have a negative aesthetic and visitor experience. The comment is concerned about the view corridor down Pacific Highway toward the San Diego County Administration Building and expresses limited trust in the visual analysis provided by the Port due to the facts that the Lane Field hotels look</p>	<p>The comment expresses distaste for the existing aesthetic condition in the Embarcadero and points to a liquor store as an example of existing light spill. Please see response to Comment I88-2 in the Final PEIR (EIR is not required to remedy existing conditions). Please see the response to Comments O17-10 and O17-19 in the Final PEIR regarding the views along Pacific Hwy. Additionally, please see the Final PEIR, Section 4.1, Aesthetics and Visual Resources, Threshold 4, which analysis impacts from light and glare, including within PD3. As stated in the analysis, the PMPU includes policies and standards to minimize light spill. On page 4.1-72, it states: "...per the proposed PMPU's developments standards Section 4.4.3, <i>Standards for View Protection</i>, 2.d, lighting from onsite uses would be designed with low-intensity fixtures that are shielded and concealed so that light sources would not be directly visible from public viewing areas and would not spill directly onto other areas. In areas where existing uses would be redeveloped to further activate the waterfront, for example by enhancing the existing water-based museum attractions of PD3 or expanding the promenade along PD2, existing lighting that no longer fits the District's lighting parameters (i.e., is not shielded or downturned) would be replaced with new low-intensity shielded fixtures that would result in less light spillover and less interference with nighttime views."</p>

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		<p>nothing like what was proposed and that the C Street view corridor is a hotel entrance, which dissuades people from entering.</p> <p>The comment also expresses general concern that Light pollution may occur and provides an example of an existing liquor store.</p> <p>The comment concludes by claiming Pacific Highway is supposed to be a grand boulevard, but is treated like the Port's back alley.</p>	
195		<p>The comment claims there was no reason to separate the Seaport Project from the PMPU for the CEQA evaluation. The comment also states that Port staff did not include the 2019 project in the PMPU and proceeded to separate the two. The PMPU cumulative CEQA evaluation uses the 2016 original out-of-date Seaport Project, which was in the 2017 NOP and claims the District purposely misleads the community, the California Coastal Commission and the CEQA consultants, by using an out-of-date much smaller version of the</p>	<p>Please see Master Response M-1 in the Final PEIR. Please also see responses to Comments 132 and 156 in ARMs Memo No. 1.</p>

No.	Commenter	Comment	Response
		<p>project, which minimizes the environmental impacts. The comment concludes by saying it does not believe the cumulative analysis is valid.</p>	
196		<p>The comment claims the District has “approach[ed] CEQA in bad faith, looking for any and all off-ramps for avoiding areas that are likely to be problematic.” The comment asserts that “negative impacts affecting pollutions from car emissions, noise, air quality, etc have to be adequately addressed and each category needs changes until the impact can be deemed Less than Significant.” The comment claims that “[i]f mitigation isn’t sufficient, such as identified with the Transportation analysis, then the Port needs to change the plan.</p>	<p>Please see responses to comments 157, 158, 159, and 160 in ARMs Memo No. 1.</p>
197		<p>The commenter states that they are resubmitting their letter dated January 10, 2022, as an attachment since they don’t agree with many of the responses provided by Port staff. The commenter</p>	<p>This comment raises similar concerns as Comment 16, attached to the agenda sheet, as well as Comment 017-22 in the Final PEIR. Please see the response to those comments.</p>

No.	Commenter	Comment	Response
		expresses concern regarding podium heights.	
198		The commenter states their opinion regarding the percentage of downtown hotel visitors that are Californians and claims that the Port is not meeting its mission when it focuses so much of its land on out-of-state visitors.	This comment raises similar concerns as Comment 47, attached to the agenda sheet, as well as Comments 015-2 and 017-4 in the Final PEIR. Please see the responses to those comments.
199		The commenter references a map they created and provided in the comment letter that shows the existing conditions in the North Embarcadero and what buildout of the proposed PMPU and current Seaport Project would create. The commenter asks where public access or open areas are after buildout.	The comment expresses the opinion that after the buildout, other than the narrow walkway along the edge of the waterfront and streets, and asks where public access will be provided. Please refer to the Planned Improvements for PD3 of the proposed PMPU, which include provisions of public realm and ROS. Additionally, the water and land use designations provide for view corridor extensions and walkways to access the ROS along the vast majority waterfront of the PD. This comment does not raise an issue with the adequacy of the Final PEIR. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.
200		The commenter claims that the current PMP still has legal status with certain commitments that need to continue and expresses the opinion that combining Parks/Plaza with Promenades is disturbing. The commenter asks for a reconciliation with a breakdown of each of the parks, plazas, and promenades to allow for a	This comment raises similar concerns as Comments 4, 28, and 36, attached to the agenda sheet, as well as Comment 017-34 in the Final PEIR. Please see the responses to those comments.

No.	Commenter	Comment	Response
		comparison between the PMPU and current PMP.	
201		The commenter suggests that the Port should be providing more, not less, ROS and green space to help satisfy the needs of Californians. The commenter also expresses an opinion regarding the accessibility of Marina Parks North and South and that more parkland is needed in the North Embarcadero.	This comment raises similar concerns as Comment #31, attached to the Agenda Sheet, as well as Comment 017-34 in the Final PEIR. Please see the response to those comments.
202		The commenter claims that the PMPU’s statement that CE would remain the same as today was meant to pave the way for anticipated development and expresses several opinions regarding the scenic vista areas proposed in the Central Embarcadero in the PMPU.	This comment raises similar concerns as Comments 017-9, 017-16, 017-18, 017-21, 017-23, and 017-34 in the Final PEIR. Please see the responses to those comments.
203		The commenter provides suggestions for portions of Block D if they are not converted to ROS and requests that the Port does not make a wall of hotels from Broadway to Ash Street.	This comment provides suggestions regarding the content of the PMPU but does not raise any environmental issue with the adequacy of the Final PEIR. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.
204		The commenter suggests that lower scale/height/density/bulk development can be a	This comment expresses a general opinion regarding the amount of development in the Embarcadero but does not raise any environmental issue with the adequacy of the Final PEIR. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.

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		<p>successful strategy and expresses the opinion that the Embarcadero is slated to receive a hugely disproportionate level of development.</p>	
205		<p>The comment states that their position is inconsistent with the California Coastal Act that states in Section 30251 “Scenic and visual qualities” that “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas...”</p>	<p>This comment does not raise an environmental issue with the PMPU or PEIR. However, the PMPU provides for view corridors and view extensions consistent with the Coastal Act. Please see Section 4.1, Aesthetics and Visual Resources, which includes an analysis of designated scenic vistas and scenic view corridors, and Section 4.9, Land Use and Planning, which includes a consistency analysis with the California Coastal Act. Therefore, no further response is required. Please also note that the comment states the commenter’s position is “inconsistent” with the Coastal Act.</p>
206		<p>Comment claims statements from Port Commissioners are used to justify large scale and dense development on Port lands. The commenter is opposed and requests open spaces and relief from density. The comment provides a comparison with New York’s Central Park. Comment mentions Port’s own consultant advised the Port that they needed to increase parks</p>	<p>This comment expresses opinions in opposition to the proposed project and has been included in the record for Board consideration.</p>

No.	Commenter	Comment	Response
		and open green space from the current 8% to 20%- 25%. Instead the PMPU proposes more dense development	
207		The comment asserts that the Port needs to keep the Floor Area Ratio (FAR) measurements for the North Embarcadero.	This comment raises similar concerns as Comments A7-30.cc and 017-21 in the Final PEIR. Please see the response to those comments in Final PEIR. Please also see responses to Comments 017-23 and 017-24 in the Final PEIR.
208		The comment asserts that an FAR of 4.5 should be retained for Port blocks between Ash and B Streets as should the FAR of 3.0 in the Central and South Embarcadero and cites the City of San Diego’s Downtown Community Plan.	Please see responses to Comments A7-30cc , 017-21 , 017-23 , and 017-24 in the Final PEIR. This comment is included in the record for Board consideration.
209		The comment points to varying degrees of specificity in the PMPU, citing the Convention Center Expansion and setbacks in the North Embarcadero, among others. The comment asks why the level of description is more descriptive for some Districts and Subdistricts intended to be developed under the PMPU than others.	The level of detail in the PMPU satisfies the California Coastal Act requirements for conformity with Chapters 3 and 8. There is no other requirements as to the level of detail required for a port master plan. This comment does not raise an issue with the adequacy of the Final PEIR. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.

No.	Commenter	Comment	Response
210		<p>The comment does not want the port to create its own regional mobility hubs and asserts that the Port should rely on SANDAG’s plans. The comment claims that the Metropolitan Transit System (MTS) told the Port that they need to use the Regional Transit Plan mobility hubs. The comment takes issue with the Port’s mobility hubs, suggesting they will induce travel, which is contrary to the Climate Action Plan and increases VMT. The primary issue being raised is increased parking associated with mobility hubs.</p>	<p>This comment is similar to Comment 130, attached to the agenda sheet. Please refer to that response.</p> <p>During the plan review process, SANDAG indicated its appreciation of the District’s incorporation of Mobility Hubs into the PMPU, in its comment letter dated January 7, 2022, as well as offered to coordinate on the development and implementation of the Mobility Hubs. Additionally, SANDAG’s Mobility Hub Features Catalog was reviewed to ensure that the proposed Mobility Hubs were not in conflict with SANDAG’s plans.</p> <p>Please also see Final PEIR Responses to Comments O15-24 and BT5-1, which address why Mobility Hubs are not anticipated to increase traffic in the project area (please see O15-24 and BT5-1). Please also see response to Comment 128, attached the agenda sheet.</p>
211		<p>The comment believes that “the underlying problems identified by the Final PEIR for the Final PMPU need to be resolved so that weak or non-existent mitigation efforts aren’t relied upon.” The comment also asserts that the “Port has not demonstrated they properly manage or mitigate their entrusted public lands for Californian’s use and access.”</p>	<p>The comment is a general opinion and does not raise any specific environmental issue or provide any specific examples of where the Final PEIR is inadequate. This comment has been included in the record for Board consideration.</p>
212		<p>The comment points to existing conditions related</p>	<p>The comment expresses concern for existing public access around various parts of the Bay that were established as mitigation for prior projects. Please see response to Comment I88-2, in the Final PEIR</p>

No.	Commenter	Comment	Response
		to site access in specific areas around the bay. The comment indicates that poor signage and generally public unaware of the public access is not the essence of public access or successful mitigation efforts.	(EIR is not required to remedy existing conditions). This comment does not address the PMPU or PEIR and no additional response is needed.
213		The comment expresses support for their previous comments that any new parking spaces in the Embarcadero should be below ground.	This comment raises similar concerns as Comment 20, attached to the agenda sheet, as well as Comments BT5-1, O15-24, O17-7, and O17-14 . Please see the response to those comments in the Final PER. The District will consider the need for underground parking on a project-by-project basis during the environmental review of future development proposals pursuant to State CEQA Guidelines Section 15168.
214		The commenter expresses their agreement with the City of San Diego that B Street should be a pedestrian and bike thoroughfare and not used for cars or staging for trucks and buses for cruise ships.	This comment is similar to Comment O17-13 in the Final PEIR. Please see the response to that comment.
215		The comment expresses the opinion that too much development along the water will diminish the waterfront experience and lists several general environmental effects. The commenter claims that the Port is not demonstrating concern for the negative impacts on the surrounding area. The commenter also raises several concerns	The comment provides a general opinion regarding potential environmental impacts but does not identify any specific environmental impacts that are not addressed adequately in the Final PEIR. As the commenter correctly alludes, a project’s impacts on automobile delay, as described by level of service or vehicle capacity or traffic congestion, are not considered to be significant impacts on the environment under CEQA.

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		regarding congestion and suggests that the Port should not be excused from all the gridlock.	
216		The commenter concludes the comment letter by requesting that the Board does not adopt the Final Draft PMPU or certify the Final PEIR until substantive changes are made in response to the significant impacts identified in the PEIR.	The comment expresses opposition to the PMPU and PEIR. Note that all direct, indirect, and cumulative impacts have been analyzed in accordance with CEQA in the Final PEIR and the comment does not identify any particular impact or mitigation measure. This comment has been included in the record for Board consideration.
217	Grande North at Santa Fe Place HOA, Letter, 2-26-24	Comment expresses appreciation to the District and expresses confidence of the “primary objective” that is stated by the commenter. Comment also indicates that sufficient revenue must be generated, but not at the cost of “dense development”. The comment expresses the opinion that the Final PEIR and Final Draft PMPU have shifted towards revenue generation and would create significant negative environmental impacts in the Embarcadero.	The comment expresses a general opinion that the Final Draft PMP is too focused on revenue generation and results in significant negative environmental impacts. This comment will be provided to the Board for consideration in its capacity as the decision-maker.
218		The comment requests inclusion of the purpose statement from the current Port Master Plan (PMP) related to the North Embarcadero	The comment requests inclusion of a purpose statement from the current PMP as it relates to North Embarcadero and requests it as a guiding principle for the PMPU. Please see response to Comment 012-2 in the Final PEIR. This comment will be provided to the Board for consideration in its capacity as the decision-maker.

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		Alliance Visionary Plan for the northeast section of the Embarcadero. The comment quotes the purpose statement and believes that inclusion of this statement as a guiding principle will better meet several goals listed.	
219		The comment request development guidelines for the Central Embarcadero (including Seaport Village), South Embarcadero, Chula Vista, and National City Bayfronts and requests the Board reject the PMPU and PEIR for reasons stated in the previous comments.	Please see the responses to Comment 25 attached to the agenda sheet and Master Response M-1 and responses to Comments 012-3 , 015-3g , and 017-28 in the Final PEIR.
220		Comment is a repeat of a previous comment that guidelines are needed for future projects.	Please see response to Comment 218, above.
221		The comment claims that the Final Draft PMPU needs to be amended to remedy significant and unavoidable impacts identified in the Final PEIR, include development guidelines, and address lack of effective mitigation to protect the environment or the health and welfare of residents and sensitive	The comment provides a general opinion regarding potential environmental impacts but does not identify any specific “environmental impacts that are harmful to the health and welfare of the populations adjacent to the Port” which are not addressed in the Final PEIR or any feasible mitigation measures which should have been included in the Final PEIR but were not. The comment also does not identify any inadequacy in the Final PEIR’s analyses of potential impacts associated with residents or sensitive receptors living within 1,000 feet of the District’s jurisdiction. As no specific examples are provided that are supported by substantial evidence, no additional response is necessary or possible. Please also see the District’s response to Comment A3-13 in the Final PEIR.

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		receptors living within 1000 feet of the Port.	
222		The comment makes a general request for amendment of language in the PMPU.	This comment is the same comment as O12-4 . Please see the District’s response to Comment O12-4 in the Final PEIR.
223		The comment is a conclusionary comment and asks the port not to rush the PMPU process.	This comment is a request about slowing down the PMPU planning process and will be provided to the Board for consideration in its capacity as the decision-maker.
224	Joseph Spencer, Email, 2-26-24, 12:23pm	The comment expresses support for the Embarcadero Coalitions comments. The comment also opposes the PMPU and PEIR because of sewer issues in Downtown San Diego. The comment points to the Seaport San Diego Project exacerbating the issue.	The comment expresses support for comments submitted by the Embarcadero Coalition. In addition, the comment expresses concern about public utility capacity (notably sewer capacity) and is concerned that the Seaport San Diego project is too large for existing public utility infrastructure. Please see Master Response M-1 in the Final PEIR. Additionally, the PMPU does not propose the approval of any development projects itself. Future projects, which would be proposed consistent with the policies of the PMPU, will need to determine if there is sufficient utility capacity to accommodate project utility needs at that time in the future (See Impact-UTIL-1, Impact-UTIL-2, and the associated mitigation measures identified in the Final PEIR). In the event utility upgrades are needed, development review would be required for those upgrades prior to replacement and installation.
225		The comment claims that adding parking and traffic density “is a major threat.” The comment claims that adding between 10,000 and 30,000 visitors per day to the area as a result of the Seaport San Diego project will have a significant impact on traffic. The comment acknowledges that the District sees these as separate matters, but expresses concern.	Please see Master Response M-1 regarding the Seaport San Diego Project. While the comment raises general concerns over parking and traffic congestion, the comment does not identify any specific environmental impacts that are not addressed in the Final PEIR or any inadequacy in the Final PEIR’s analyses. As no specific examples are provided that are supported by substantial evidence, no additional response is necessary or possible. Furthermore, the state is promoting development in transit priority areas, which include any of the locations within the PMPU, as such locations typically reduce regional VMT, even if local trips are increased. (CEQA Guidelines Section 15064.3(b); OPR’s VMT Technical Advisory pp. 78-81 [“Evidence Demonstrates that Projects Located Near Transit Are Likely to Reduce Vehicle Miles Traveled.”].)
226	Mark Ranyak and Sandy	Comment is introductory and is opposed to	The comment expresses general opposition to the PMPU and certification of the Final PEIR but does not raise a specific environmental issue requiring a response. This comment has been included in the record for Board consideration.

No.	Commenter	Comment	Response
	Kate, Letter, 2-26-24	certification of the PEIR and approval of the PMPU	
227		The commenter claims that the PEIR process was fatally flawed due to the use of the 2016 Seaport Project for the cumulative evaluation.	This comment provides a summary of the concerns raised in subsequent comments. The individual responses to each of the issues raised in this comment are provided in the responses to comments 153 through 156, in the ARMS Memo No. 1.
228		The impacts caused by the Seaport Project will damage the environment.	This comment relates entirely to the Seaport San Diego project and is addressed in the responses to comments Master Response M-1 in the Final PEIR.
229		The comment expresses an opinion that certain view corridors and scenic vistas must be preserved, the majority of which relate to the Seaport San Diego project.	This comment relates entirely to the Seaport San Diego project and is addressed in the responses to comments Master Response M-1 in the PEIR. Scenic vistas and view corridor extensions were identified in the PEIR, Volume 2, in the Project Description (Chapter 3) and the Aesthetics Section (Section 4.1).
230		Comment alleges safety hazards by adding recreational boat slips.	The comment does not provide any examples or evidence of how the PMPU’s added boat slips would cause “watercraft fatalities.” No further response is required as the comment does not raise an environmental issue or address the adequacy of the PEIR.
231		Comment suggests adding Seaport Village as Sensitive Coastal Resource, pursuant to the Coastal Act, Section 30116, because of its high scenic value.	The PMPU does not propose changes to the Central Embarcadero and the scenic vistas and view corridor extensions were identified in the PEIR, Volume 2, in the Project Description (Chapter 3) and the Aesthetics Section (Section 4.1). This comment has been included in the record for Board consideration.
232		The comment identifies the occurrence of recent sewage back-ups, and claims the Port should not plan for future development, until the City of San Diego corrects the issues that caused the back-ups.	The comment expresses concern about public utility capacity (notably sewer capacity) and is concerned about the PMPU’s development “loads.” The PMPU does not propose any development projects itself. Future projects, which would be proposed consistent with the policies of the PMPU, will need to determine if there is sufficient utility capacity to accommodate project utility needs, at that time in the future (See Impact-UTIL-1, Impact-UTIL-2, and the associated mitigation measures identified in the Final PEIR). In the event utility upgrades are needed, development review would be required for those upgrades, prior to replacement and installation.

No.	Commenter	Comment	Response
233		The comment suggests that the District should plan for only those uses that attract Californians, but not visitors from outside California.	This comment raises similar concerns as Comment 47 attached to the agenda sheet. It is also addressed in responses to Comments 015-2 and 017-4 in the Final PEIR. Please see the responses to those comments.
234		The comment recommends adhering to the building bulk that was identified in the NEVP.	This comment raises similar concerns as Comment 11, attached to the agenda sheet, as well as Comments A7-30.cc and 017-21 in the Final PEIR. Please see the responses to those comments.
235		New development should only include underground parking and the building standards should state that.	This comment raises similar concerns as Comments 20 and 63, attached to the agenda sheet, as well as Comments BT5-1 , 015-24 , 017-7 , and 017-14 in the Final PEIR. Please see the responses to those comments.
236		The comment requests not to combine Parks/Plaza with Promenades/Walkways for ROS. The comment claims the port needs to reconcile the current PMP's Park/Plaza and Promenade.	This comment raises similar concerns as Comment #4, attached to the agenda sheet. Please see the response to that comment.
237		The comment suggests it is misleading to use green coloring on maps to areas that will be concrete walkways and plazas. The comment requests differentiating between green space and non-green space.	This comment is similar to Comment 168. Please see response to Comment 168 in the ARMs memo No. 1.
238		The comment asks to reject the Coastal Enhancing definition and indicates that coastal land should not be used for	This comment is similar to Comment 86, attached to the agenda sheet, and has been included in the record for Board consideration.

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		certain types of revenue generating activities.	
239		The commenter suggests that golfing is not a coastal-related or coastal-dependent activity.	This comment does not raise an issue with the adequacy of the Final PEIR. Therefore, no further response is required. However, this comment has been included in the record for Board consideration.
240		The comment indicates that there are detailed building standards in the North Embarcadero and in other Planning Districts yet there are none in the South Embarcadero. The comment states that the PMPU should be setting the standards	Please see response to Comment 161, in the ARMs Memo No. 1.
241		The comment is a conclusionary comment.	The comment does not raise an issue or question and therefore no response is required.
242		The comment is a conclusionary comment.	The comment does not raise an issue or question and therefore no response is required.