

DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

Parkwest Project



October 2022

City of Fullerton
Community & Economic Development Department
303 W. Commonwealth Avenue
Fullerton, California 92832

P S O M A S

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ACRONYM LIST

AAM	Annual Arithmetic Mean
AB	Assembly Bill
ac	acre
ACM	asbestos-containing materials
af	Acre-feet
AFY	acre-feet per year
AQMP	Air Quality Management Plan
bgs	below the existing ground surface
BMP	Best Management Practice
CAAQS	California Ambient Air Quality Standards
CalARPP	California Accidental Release Prevention Program
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Prevention
CALGreen Code	California Green Building Standards Code
CalOSHA	State Occupational Safety and Health Regulations
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CH ₄	methane
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
Cortese List	Hazardous Waste and Substances Site List
CPUC	California Public Utilities Commission
CWA	Clean Water Act
cy	cubic yards
dba	A-weighted decibel scale
DIFs	Development Impact Fees
DOC	Department of Conservation
DOGGR	California Division of Oil, Gas, and Geothermal Resources
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
DTSC-SLs	Department of Toxic Substance Control Screening Levels
du	dwelling units
EAP	Energy Action Plan
EIR	Environmental Impact Report
EMFAC	EMissions FACtor
EO	Executive Order
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping and Monitoring Program

ft	feet
FTA	Federal Transportation Administration
FTC	Fullerton Town Center
GHG	greenhouse gas
GP	General Plan
gpcd	gallons per capita per day
HCP	Habitat Conservation Plan
HFC	hydrofluorocarbons
HOA	Homeowners Association
HVAC	heating, ventilation, and air conditioning
HWCA	California Hazardous Waste Control Act
I	Interstate
in/sec	inches per second
IRPs	integrated resources plans
IS/MND	Initial Study/Mitigated Negative Declaration
ISSD	Investigative & Support Services Division
ITE	Institute of Transportation Engineers
km	kilometer
LACSD	Los Angeles County Sanitation District
LBP	lead-based paint
L_{eq}	energy average
L_{eq} dBA	Equivalent Continuous Noise Level in A-weighted decibels
L_{max}	maximum noise level
L_{min}	minimum noise level
LOS	Level of Service
LST	localized significance threshold
MBTA	Migratory Bird Treaty Act
MEI	maximally exposed individual
mg	Million Gallons
mgd	million gallons of wastewater per day
mg/m^3	milligrams per cubic meter
mph	miles per hour
MPO	metropolitan planning organization
MRF	Materials Recovery Facility
MRZs	Mineral Resources Zones
MRZ-1	Mineral Resource Zone-1 (an area with no significant mineral deposits)
MRZ-2	Mineral Resource Zone-2 (an area with significant mineral deposits)
MRZ-3	Mineral Resource Zone-3 (an area containing known mineral resources of undetermined significance)
$MTCO_2e$	metric tons of carbon dioxide equivalent
	metric tons of CO ₂ equivalent
$MTCO_2e/yr$	metric tons of CO ₂ equivalent per year
NAAQS	National Ambient Air Quality Standards
N-C	Neighborhood Commercial
NCCP	Natural Community Conservation Plan
NHMP	Natural Hazard Mitigation Plan
NPDES	National Pollutant Discharge Elimination System

N ₂ O	nitrous oxide
NO	nitric oxide
NO ₂	nitrogen dioxide
NOI	Notice of Intent
NO _x	nitrogen oxide
O ₃	ozone
OCPs	organochlorine pesticides
OEHHHA	Office of Environmental Health Hazard Assessment
OPR	Governor's Office of Planning and Research
OSHA	Federal Occupational Safety and Health Regulations
PEIR	Program Environmental Impact Report
PFC	perfluorocarbons
PM _{2.5}	fine particulate matter with a diameter of 2.5 microns or less
PM ₁₀	respirable particulate matter with a diameter of 10 microns or less
ppm	parts per million
ppv	peak particle velocity
PRD	Permit Registration Document
pvc	polyvinyl chloride
R-1	One-Family Residential
R-3	Limited Density, Multiple Residential
R-4	Medium Density, Multiple Residential
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RHNA	Regional Housing Needs Assessment
RPS	Renewable Portfolio Standard
RSLs	Residential Regional Screening Levels
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
S-C	Service Commercial
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCGC	Southern California Gas Company
SCS	Sustainable Communities Strategy
sf	square feet
SF ₆	sulfur hexafluoride
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SoCAB	South Coast Air Basin
S-P	Specific Plan
SR	State Route
SUSMP	standard urban stormwater mitigation plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants

The Fullerton Plan	The Fullerton Plan 2030 General Plan
TPA	Transit Priority Area
µg/m ³	micrograms per cubic meter
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VdB	vibration decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compound

1.0 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY

The purpose of this Initial Study (IS) is to (1) describe the proposed Parkwest Project (hereinafter referred to as the “Project”), which would be constructed in the City of Fullerton and (2) provide an evaluation of potential environmental impacts associated with the Project’s construction and operation. If impacts are identified, mitigation measures would be recommended to lessen or avoid impacts on the environment. The Project involves re-development of a 2.82-acre site with apartment units, hotel, retail, restaurant, and parking. This IS has been prepared pursuant to the California Environmental Quality Act (CEQA), as amended (Section 21000 et. seq. of the *Public Resources Code*) and in accordance with the State CEQA Guidelines (Title 14, Section 15000 et. seq. of the *California Code of Regulations*).

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Fullerton (hereinafter referred to as the “City”) is the lead agency for the Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment. The City, as the lead agency, has the authority for Project approval and certification of the accompanying environmental documentation. In addition to addressing the potential environmental impacts that would result from the proposed Project, this IS/MND serves as the primary environmental document for future activities associated with the Project, including discretionary approvals requested or required for Project implementation.

The City of Fullerton, as the Lead Agency, has reviewed and revised, as necessary, all submitted drafts and technical studies and has commissioned the preparation of this IS/MND to reflect its independent judgment. This IS/MND evaluates the potential environmental impacts of Project implementation; includes significance determinations from the environmental analyses; identifies regulatory requirements (RRs) to be incorporated into the Project; and sets forth mitigation measures (MMs) that will lessen or avoid potentially significant Project impacts on the environment.

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

In accordance with CEQA and the State CEQA Guidelines, an IS has been prepared for the proposed Project and its associated discretionary approvals. The IS indicates that the Project would have less than significant impacts with mitigation measures required, and therefore, the Project requires preparation of an Initial Study/Mitigated Negative Declaration (IS/MND).

This IS/MND serves as the environmental document that presents the analysis of Project impacts on each of the environmental issue areas in the CEQA Environmental Checklist provided in Section 4.0. This document will serve to inform City decision makers, representatives of affected trustee and responsible agencies, and other interested parties of the potential environmental effects that may occur with approval and implementation of the proposed Project.

1.3 PREVIOUS ENVIRONMENTAL DOCUMENTATION

In compliance with CEQA, a Program Environmental Impact Report (PEIR) was prepared in 2010 by the City of Fullerton for the Fullerton Transportation Center (FTC) Specific Plan Project. In addition to addressing the potential environmental impacts that would result from implementation of the FTC Specific Plan, the PEIR intended to serve as the primary environmental document for all subsequent entitlements associated with the proposed FTC Specific Plan, including all discretionary approvals requested or required to implement the project. The PEIR also discussed alternatives to the project and included a mitigation program that would offset, minimize, or avoid significant environmental impacts. While mitigation measures were proposed to reduce the potentially significant impacts pertaining to Air Quality; Cultural Resources; Hazards and Hazardous Materials; Noise; Population, Housing and Employment; and Transportation, a number of impacts remained significant and unavoidable, as identified below:

- **Air Quality:** local exposure to short-term, construction-related emissions of PM₁₀ and PM_{2.5} exceeding ambient air quality standards; long-term operational regional project-related and cumulative emissions of VOC, PM₁₀, and NO_x; and exposure of sensitive receptors to PM₁₀ and PM_{2.5} emissions that exceed the 24-hour ambient air quality standard during the mass grading and excavation phase.
- **Noise:** short-term construction noise levels within 80 feet of sensitive receptors could be substantially greater than existing ambient noise levels.
- **Population, Housing and Employment:** substantial increase in population and housing growth that was not anticipated for the project area, resulting in project and cumulative impacts.
- **Transportation and Traffic:** implementation of the FTC Specific Plan would significantly impact the intersection of Orangethorpe Avenue/Lemon Street (Years 2015, 2020 and 2035 General Buildout) using the City of Anaheim intersection capacity utilization (ICU) methodology for analyzing impacts. The Orangethorpe Avenue/Lemon Street intersection is also under the jurisdiction of the City of Anaheim.

The FTC Specific Plan envisioned creating a sustainable transit-oriented neighborhood near the Santa Fe Train Depot and focus growth and development around the train depot to link land use and transit. The main goals of the FTC Specific Plan were to: (1) create buildings, public spaces, streets, and infrastructure that contribute to a sustainable built environment; (2) create a mixed-use neighborhood that contributes toward a sustainable Downtown economy; (3) create a mixed-use and transit-oriented neighborhood that contributes to a sustainable natural environment; and (4) develop and promote a framework for a sustainable community lifestyle. The Specific Plan also encouraged the inclusion of affordable housing in proximity to public transit and new employment opportunities and intended to accommodate a portion of the City's housing obligation related to the Regional Housing Needs Assessment (RHNA).

1.4 PROJECT SUMMARY

1.4.1 LOCATION

The approximate 2.82-acre project site is in the City of Fullerton, in Orange County, California. The project site is comprised of three parcels, two parcels are located to the south of East Santa Fe Avenue, and third parcel is at the northeast corner of South Pomona Avenue and East Santa Fe Avenue. The site is bound by Metrolink and Amtrak Transportation corridor to the south and Terry's Automotive to the east, and the parcel at the northeast corner of South Pomona Avenue and East Santa Fe Avenue is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. Local access to the site is provided by Harbor Boulevard, Commonwealth Avenue, and Lemon Street. Regional access is provided by State Route 57 (SR-57) to the east, Interstate 5 (I-5) to the west, and State Route 91 (SR-91). See Exhibit 1-1, Regional Location and Local Vicinity.

The proposed Parkwest Project is within the Fullerton Transportation Center (FTC) Specific Plan, which is situated in the heart of the City, within Downtown Fullerton. Roadways that serve as primary borders for the Specific Plan area include Commonwealth Avenue to the north, Walnut Avenue/Truslow Avenue to the south, Lawrence Avenue to the east, and Harbor Boulevard to the west. Portions of the Specific Plan area extend slightly east of Lawrence Avenue and slightly south of Walnut Avenue. The Fullerton Train Depot (Amtrak/Metrolink station) and the Orange County Transportation Authority (OCTA) Bus Transfer Terminal are located within the FTC Specific Plan area to south of the intersection of Pomona Avenue and Santa Fe Avenue.

1.4.2 PROJECT PROPONENT

Craig G. Hostert
Parkwest General Contractors
3156 Eat La Palma Avenue, Suite J
Anaheim, CA 92806
(714) 632-8001

1.4.3 EXISTING GENERAL PLAN AND ZONING

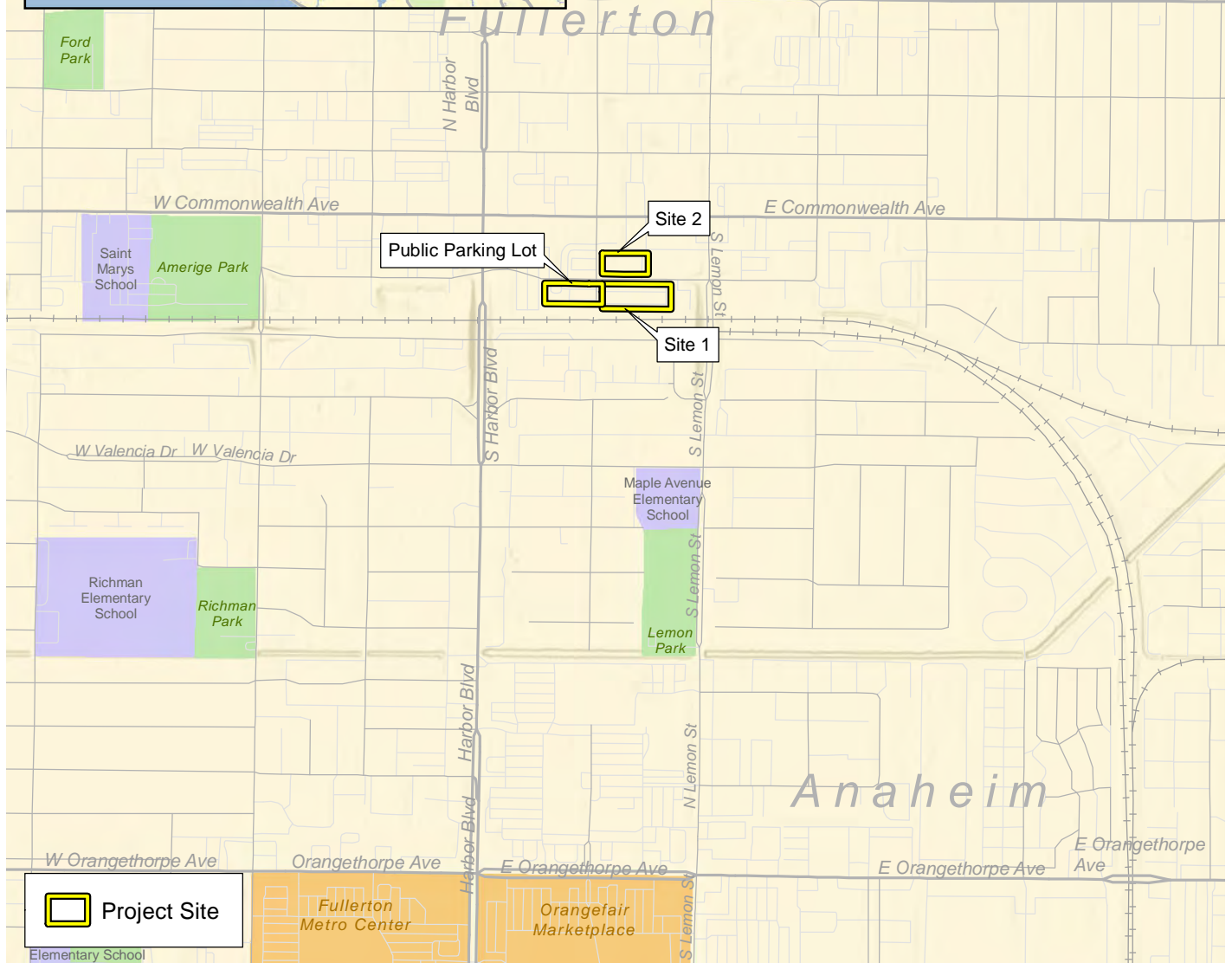
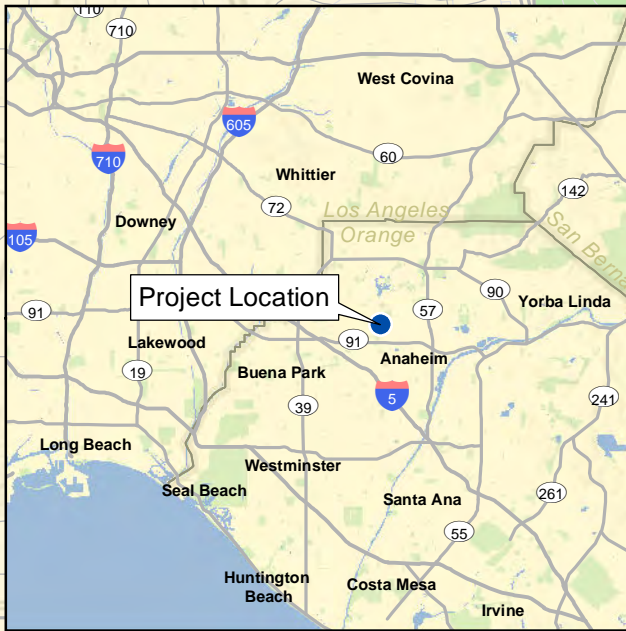
General Plan Land Use Designation: Fullerton Transportation Center Specific Plan

Zoning Classification: Specific Plan District (SPD)

1.4.4 EXISTING SETTING

Project Site

The project site is within a highly developed area of the City of Fullerton. The parcels to the south of East Santa Fe Avenue are currently developed with surface parking, which provide parking for the Amtrak and Metrolink commuters, and the parcel at the northeast corner of Pomona Avenue and East Santa Fe Avenue is developed with a parking structure.



Regional Location and Local Vicinity

Parkwest Project



1,000 500 0 1,000 Feet

Exhibit 1-1



(Rev: 09/28/2022 MMD) R:\Projects\FUL\3FUL020102\Graphics\MND\ex_LV_RL.pdf

The project site is covered with impermeable surfaces, and on-site and surrounding resources are limited to scattered non-native ornamental trees and vegetation, which are typical of urban landscaping.

Based on historic aerial photographs, the site was occupied with multiple buildings/structures circa 1995 and earlier years. The previous buildings/structures have been demolished over the approximate period between 1995 and 2003.

Surrounding Land Uses

The two southern parcels are bound by East Santa Fe Avenue to the north, Metrolink and Amtrak Transportation corridor to the south, Terry's Automotive to the east, and an asphalt paved parking lot to the west. The parcel at the northeast corner of South Pomona Avenue and East Santa Fe Avenue is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. See Exhibit 1-2, Aerial Photograph.

The project site is surrounded by development, and the general area consists of commercial, residential, retail, office space, manufacturing, and industrial uses.

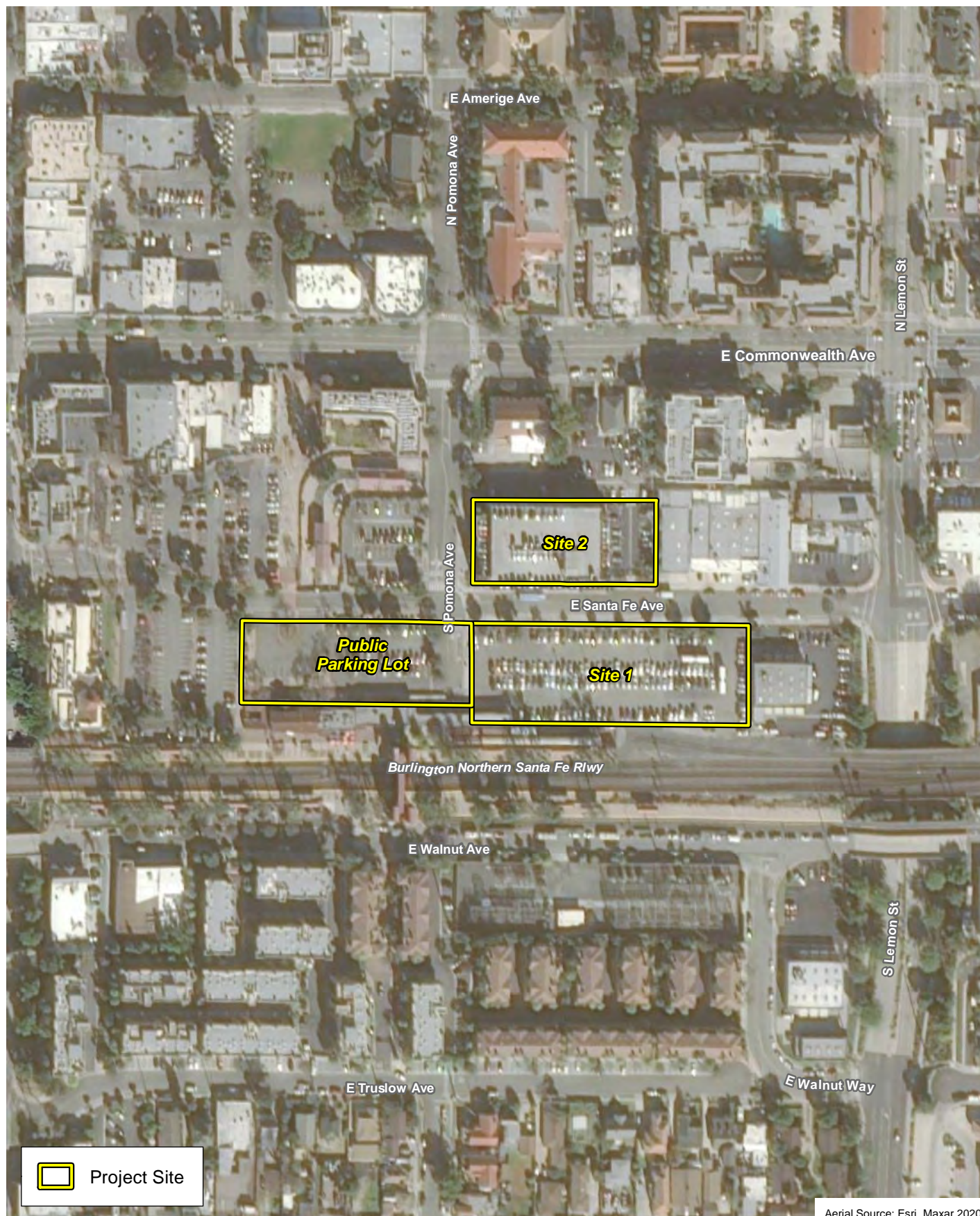
1.4.5 PROPOSED DEVELOPMENT

The proposed Parkwest Project, within the FTC Specific Plan, would involve re-development of a 2.82-acre site with apartment units, hotel, retail, restaurant, and parking. The Project is a multi-story development, 6-stories in height and proposes to: 1) construct 140 residential units (i.e., 97 one-bedroom apartments, 10 two-bedroom apartments, 33 studios), 124-room hotel, 3,570 square feet of retail, 3,570 square foot restaurant, and 412 parking stalls (i.e., 138 City parking, 150 residential parking, and 124 hotel and retail parking) in Site 1 at the southeast corner of South Pomona Avenue and East Santa Fe Avenue; 2) demolish the existing parking structure including the private parking lot at the northeast corner of South Pomona Avenue and East Santa Fe Avenue and construct 146 residential units (i.e., 80 one-bedroom apartments, 10 two-bedroom apartments, and 56 studios) and 248 residential parking stalls; 3) provide amenities in both sites; and 4) reconfigure the surface parking lot in front of the Train Depot to provide better flow and parking. Additional detail is provided in Section 3.0, Project Description.

1.5 SUMMARY OF FINDINGS

Based on the environmental checklist form prepared for the Project and supporting environmental analysis (Section 4.0), the proposed Project would have no impact or less than significant impact on the environmental impact areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

The proposed Project has the potential to have significant impacts to Cultural Resources, Geology and Soils, and Noise unless the recommended mitigation measures described herein are incorporated into the proposed Project.



Aerial Source: Esri, Maxar 2020

Aerial Photograph

Parkwest Project

Exhibit 1-2



200 100 0 200
Feet



According to the State CEQA Guidelines, it is appropriate to prepare an IS/MND for the proposed Project, as implementation of the recommended mitigation measures would eliminate or reduce potentially significant environmental impacts of the Project to a less than significant level.

1.6 INTENDED USES OF THIS DOCUMENT

This IS/MND has been prepared to determine the appropriate level of environmental documentation required for the proposed Project pursuant to CEQA. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed Project.

The Draft IS/MND will be circulated for a minimum 30 days, during which comment concerning the analysis should be sent to:

City of Fullerton
Community & Economic Development Department
Attention: Bradley J. Misner, AICP
Contract Planner
303 W. Commonwealth Avenue
Fullerton, CA 92832
Bradley.Misner@cityoffullerton.com

1.7 ORGANIZATION OF THE INITIAL STUDY

The IS/MND is organized into sections, as described below.

- **Section 1.0: Introduction.** This section provides an introduction, Project summary, and overview of the conclusions in the IS/MND.
- **Section 2.0: Project Location and Environmental Setting.** This section provides a brief description of the Project location, relevant background information, and a description of the existing conditions of the project site and vicinity.
- **Section 3.0: Project Description.** This section provides a description of the proposed Project, a statement of purpose and need, and necessary discretionary approvals.
- **Section 4.0: Environmental Checklist.** The completed Environmental Checklist Form from the State CEQA Guidelines provides an overview of the potential impacts that may or may not result from Project implementation. The Environmental Checklist Form also includes “mandatory findings of significance”, as required by CEQA.
- **Section 5.0: List of Preparers.** This section identifies the list of preparers for the IS/MND.
- **Section 6.0: References.** This section identifies the references used to prepare the IS/MND.

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2.0 PROJECT LOCATION AND ENVIRONMENTAL SETTING

2.1 PROJECT LOCATION

The approximate 2.82-acre project site (i.e., 2 acres in Site 1 and 0.82 acre in Site 2) is in the City of Fullerton, in Orange County, California. The City of Fullerton encompasses approximately 22.3 square miles and is surrounded by the cities of Placentia to the east, Brea to the northeast and east, La Habra to the north and west, La Mirada (in Los Angeles County) to the northwest, Buena Park to the west, and Anaheim to the south.

The two southern parcels are located to the south of East Santa Fe Avenue, and the third parcel is at the northeast corner of South Pomona Avenue and East Santa Fe Avenue. The southern parcels are bound by Metrolink and Amtrak Transportation corridor to the south and Terry's Automotive to the east. Local access to the site is provided by Harbor Boulevard, Commonwealth Avenue, and Lemon Street, and regional access is provided by SR-57 to the east, I-5 to the west, SR-91 to the south, and SR-90 to the north. Regional access is also provided by Santa Fe Train Depot (Fullerton Amtrak/Metrolink station).

As indicated above, the Project is located within FTC Specific Plan Area, which is situated in the heart of the City within Downtown Fullerton. Roadways that serve as primary borders for the Specific Plan Area include Commonwealth Avenue to the north, Walnut Avenue/Truslow Avenue to the south, Lawrence Avenue to the east, and Harbor Boulevard to the west. Portions of the Specific Plan Area extend slightly east of Lawrence Avenue and slightly south of Walnut Avenue. The Fullerton Train Depot (Amtrak/Metrolink station) and the Orange County Transportation Authority (OCTA) Bus Transfer Terminal are located within the FTC Specific Plan area near the intersection of Pomona Avenue and Santa Fe Avenue.

2.2 EXISTING SITE AND AREA CHARACTERISTICS

2.2.1 SITE ACCESS

Vehicular access to the project site is provided by Harbor Boulevard, Commonwealth Avenue, and Lemon Street. Additionally, the site is approximately 1.2 miles from the SR-91 freeway Harbor Boulevard on-ramp and 2.8 miles from the SR-57 freeway Chapman Avenue on-ramp. Regional access is also provided by Santa Fe Train Depot (Fullerton Amtrak/Metrolink station). Please refer to Exhibit 1-1, Regional Location and Local Vicinity in Section 1.0.

2.2.2 EXISTING CONDITIONS

The southern parcels combined has an approximate rectangular shape and is currently partially occupied at the south of the property with the Fullerton Amtrak and Metro Link Station and the Fullerton Train Museum, the remainder of the site is occupied with an asphalt paved parking lot. This site is bound by a commercial property occupied with an automotive retailer (Terry's Automotive) to the east, East Santa Fe Avenue to the north, an asphalt paved parking lot to the west, and train tracks to the south. The site is fully developed with impermeable surfaces and contains scattered ornamental trees and vegetation. No areas with native vegetation or habitat are observed on the site. See Exhibit 1-2, Aerial Photograph.

The northern parcel at the northeast corner of South Pomona Avenue and East Santa Fe Avenue is square in shape and currently developed with a multi-story public parking structure (Pomona Parking Structure) and private parking lot. The site is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast.

Land within the FTC Specific Plan area is owned by a combination of private property owners, the City of Fullerton, the United States Postal Service, and the BN&SF Railroad. Existing land uses include residential, industrial, retail, restaurants, public services, religious assembly, offices, and public parking. Most properties are developed with one- and two-story buildings.

2.2.3 EXISTING PHYSICAL CONDITIONS

Geology and Soils Condition

The topography of the site is relatively flat with no significant changes in site grade elevations. The project site is generally located in the Orange County portion of the Central Block (Central Plain) within the Los Angeles Basin. This portion of Orange County is part of the Peninsular Range Geomorphic Province of California. The basin is infilled with Holocene to Pleistocene non-marine sediments. The depth of the sediments is generally shallower near the project site and becomes deeper towards the south. The project site is located within an alluvial plain that is composed of a mixture of soils including sand, silt, clay, and gravel. The project area includes multiple alluvial soils associated with the Santa Ana River system (Geoquake 2019). The site is underlain with undocumented fill materials underlain with young alluvial fan deposits (Geoquake 2019).

Nearby faults include the Norwalk Fault, Whittier/Elsinore Fault, Newport-Inglewood Fault, Sierra Madre/San Fernando/Santa Susana Fault, and the Palos Verdes Fault. Additionally, the Puente Hills blind thrust fault extends from downtown Los Angeles southeast into northern Orange County; the easternmost extent of the surface projection of the Puente Hills fault is located approximately 5 to 10 miles northwest of the City of Fullerton.

Hydrology and Drainage Condition

The project site is level/flat with an average elevation of 164.4 ft and sloping of roughly 3 percent. Landscaping is located along the north side of the site facing East Santa Fe Avenue. The existing site currently drains to two locations. Stormwater from the parking lot to the east of the site sheet flows to the curb and gutter on Santa Fe Avenue leading to an existing facility (30-inch reinforced concrete (RC) pipe catch basin). Stormwater from the parking lot on the west side of the site sheet flows to an on-site v-gutter that leads to a catch basin on the site. The catch basin connects to a 24-inch storm drainpipe that discharges to the curb and gutter on East Walnut Avenue.

The project site is in the Coyote Creek watershed within the boundaries of the Regional Water Quality Control Board (RWQCB) Santa Ana Region.

2.2.4 SURROUNDING LAND USES AND DEVELOPMENT

The project site is bound by East Santa Fe Avenue to the north, Metrolink and Amtrak Transportation corridor to the south, Terry's Automotive to the east, and an asphalt paved parking lot to the west. The parcel at the northeast corner of South Pomona Avenue and East Santa Fe Avenue is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. See Exhibit 1-2, Aerial Photograph.

The FTC Specific Plan Area consists of approximately 39 acres located within Downtown Fullerton. Surrounding land uses include residential and commercial to the north; industrial, commercial, and residential to the south and east; and industrial and commercial to the west.

2.3 PLANNING CONTEXT

2.3.1 GENERAL PLAN DESIGNATION

The project site currently has a General Plan land use designation of Fullerton Transportation Center (FTC) Specific Plan. The land use designations adjacent to the project site include Commercial to the north, east and west; Industrial to the east and west; and Downtown Mixed Use to the north and east. Additionally, there is a small parcel designated as Religious Institution to the north across East Commonwealth Avenue. As noted previously, the project site is located within the FTC Specific Plan Area.

2.3.2 ZONING DESIGNATION

The project site is currently zoned Specific Plan District (SPD). Adjacent zoning designation include M-G (Manufacturing General), G-C (General Commercial), C-3 (General Business District Commercial), R-3 (Limited Density, Multiple Residential), R3-P (Limited Density, Multiple Residential Preservation), and R-2 (Two-Family Residential).

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3.0 PROJECT DESCRIPTION

The proposed Parkwest Project, within the FTC Specific Plan, would involve re-development of a 2.82-acre site with apartment units, hotel, retail, restaurant, and parking. The proposed Project is a multi-story development, 6-stories in height. The Project proposes to: 1) construct 140 residential units (i.e., 97 one-bedroom apartments, 10 two-bedroom apartments, 33 studios), 124-room hotel, 3,570 square feet of retail, 3,570 square foot restaurant, and 412 parking stalls (i.e., 138 City parking, 150 residential parking, and 124 hotel and retail parking) in Site 1 at the southeast corner of South Pomona Avenue and East Santa Fe Avenue; 2) demolish the existing parking structure including the private parking lot at the northeast corner of South Pomona Avenue and East Santa Fe Avenue and construct 146 residential units (i.e., 80 one-bedroom apartments, 10 two-bedroom apartments, and 56 studios) and 248 residential parking stalls; 3) provide amenities in both sites; and 4) reconfigure the surface parking lot in front of the Train Depot to provide better flow and parking

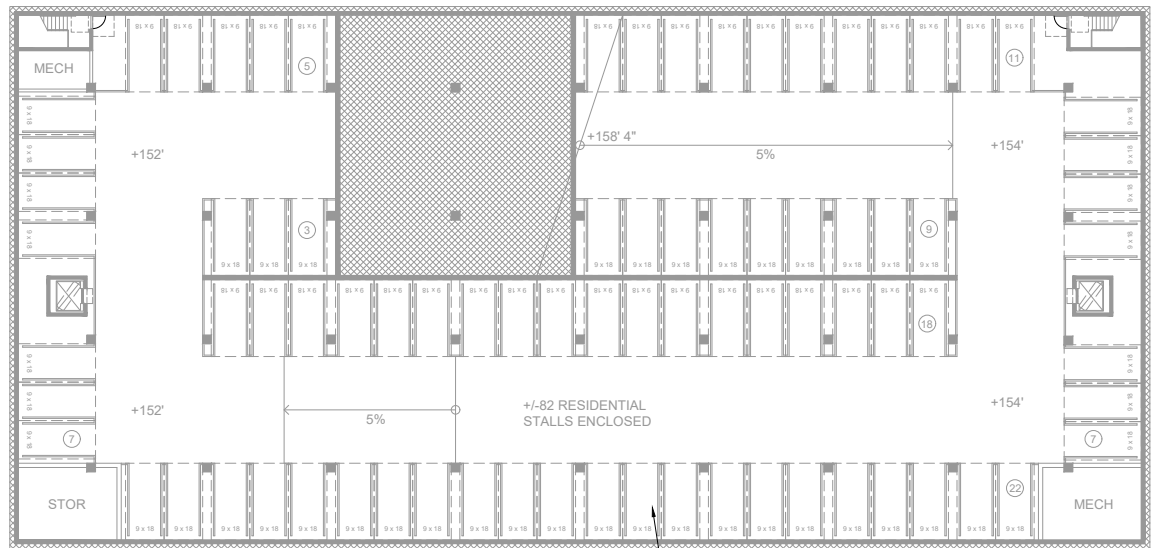
3.1 RESIDENTIAL LAND USE

The Project involves demolition and removal of the existing surface parking lot, parking structure, and associated improvements to accommodate the proposed development. The Project is a multi-story development, 6-stories in height. The Project proposes to construct a total of 286 residential units including 1- and 2-bedroom units and studio apartments. The residential component would have 15 percent of the total units (i.e., 43 units) reserved for affordable housing. Please refer to Exhibits 3-1a through 3-1f, Site Plan and Exhibits 3-2a through Exhibit 3-2**cb**, Building Elevations. For a breakdown of units per level, please refer to Tables 3-1 through 3-3, below.

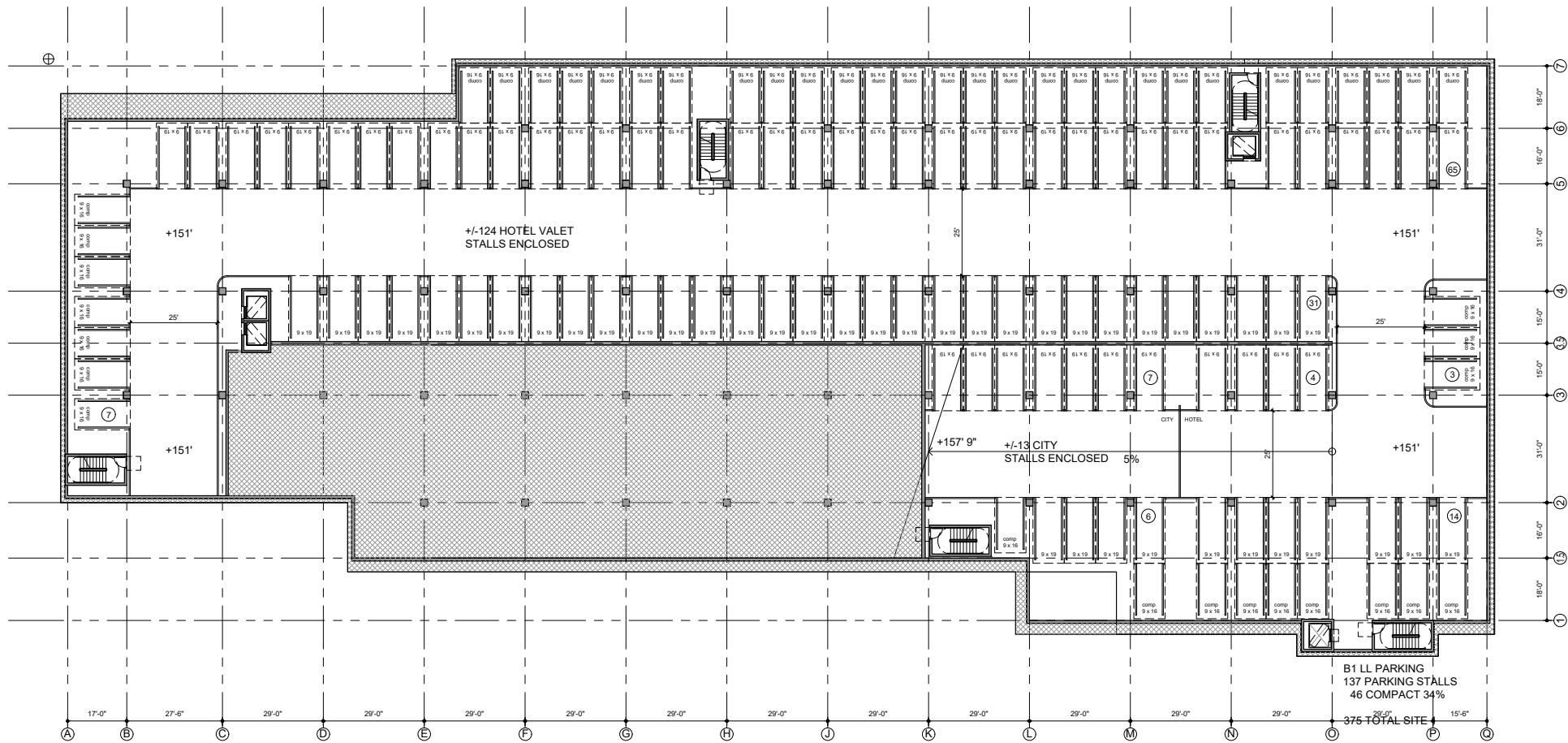
**TABLE 3-1
SITE 1 – RESIDENTIAL UNITS**

Levels	1-Bedroom Units (69%)	2-Bedroom Units (7%)	Studio Apartments (24%)	Total
Level 1	-	-	-	-
Level 2	17	2	5	24
Level 3	20	2	7	29
Level 4	20	2	7	29
Level 5	20	2	7	29
Level 6	20	2	7	29
Total	97	10	33	140
Source: Parkwest 2022				

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B1 LL PARKING
82 PARKING STALLS
248 TOTAL SITE 2



B1 LL PARKING
137 PARKING STALLS
46 COMPACT 34%
375 TOTAL SITE

Source: TAG Design Works, TA Partners 2022

Site Plan (Level B1)

Parkwest Project

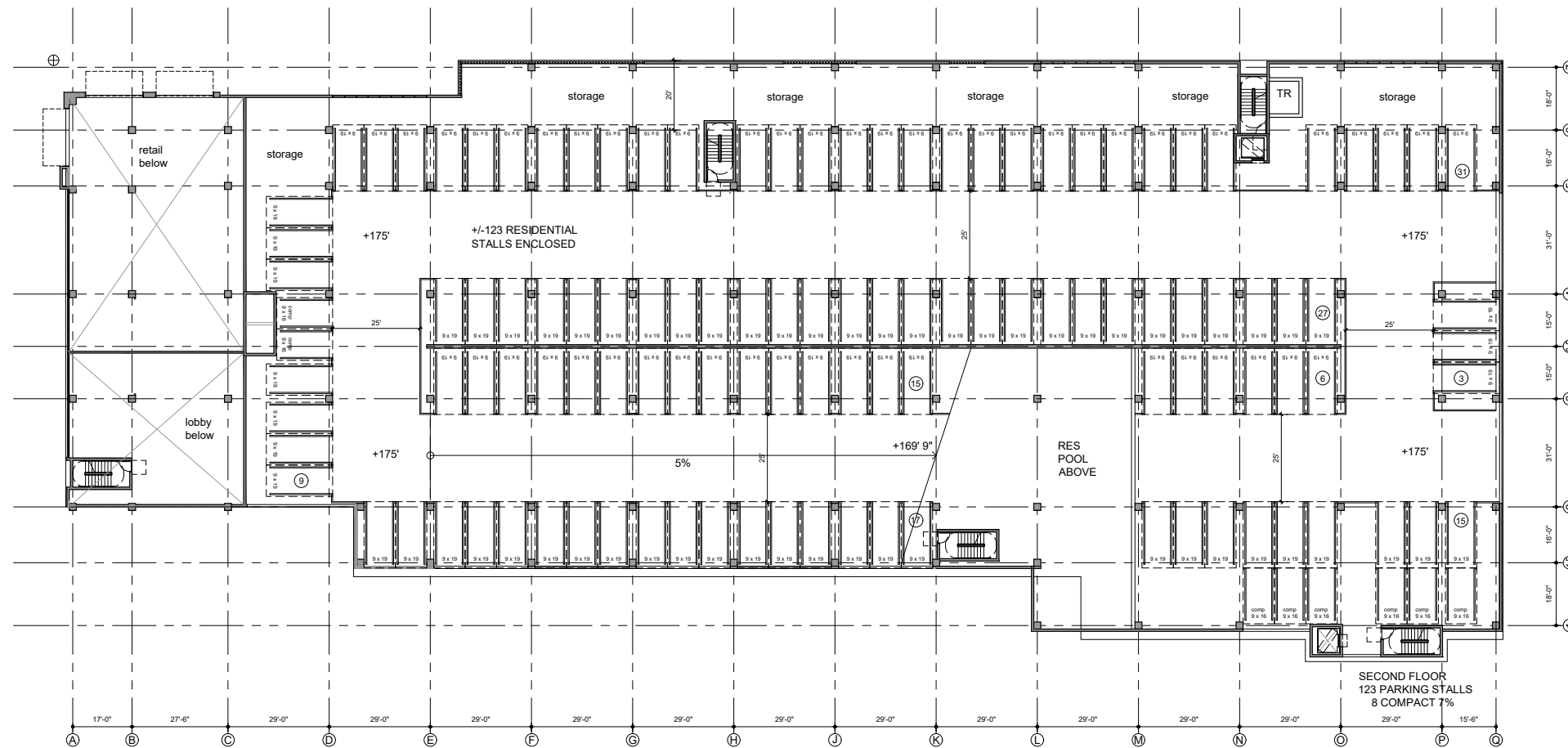
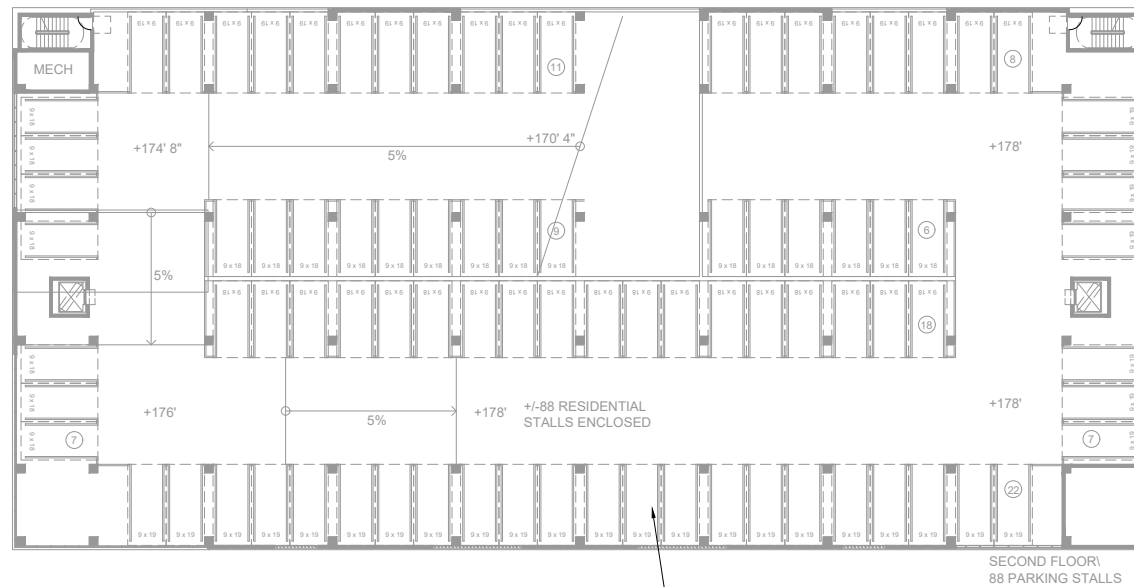


Exhibit 3-1b



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Source: TAG Design Works, TA Partners 2022

Site Plan (Level 2)

Parkwest Project

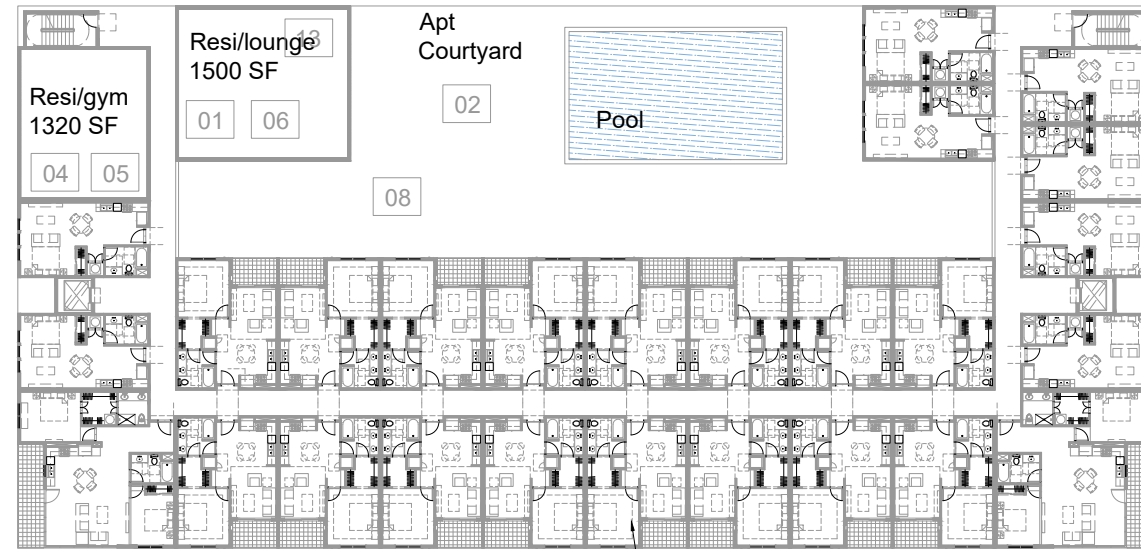


Exhibit 3-1c



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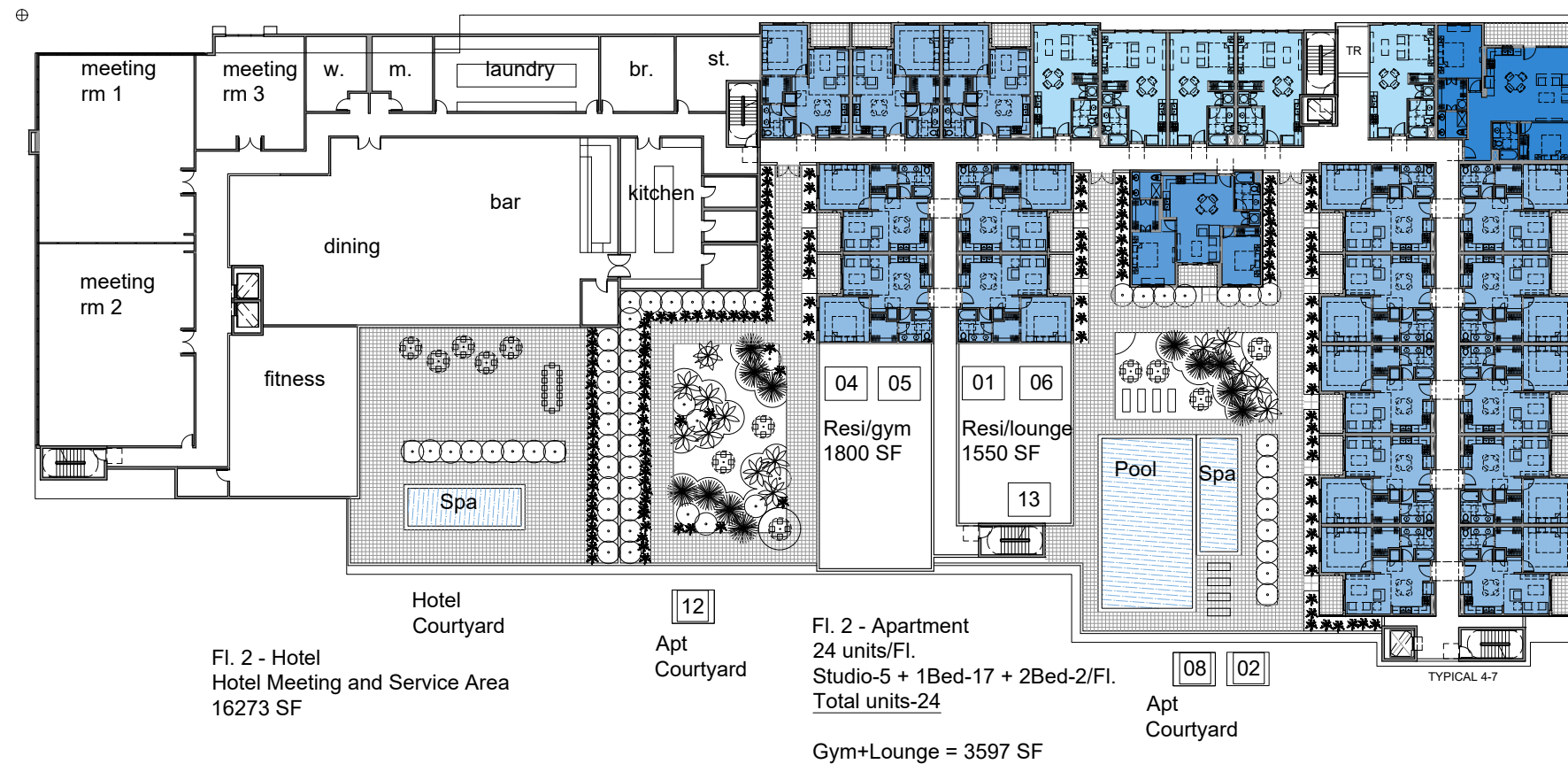
REFERENCE ONLY FOR
CEQA STUDY

UNIT TYPE LEGEND

	HOTEL KING		HOTEL LARGE KING
	HOTEL DOUBLE QUEEN		HOTEL SUITE
	HOTEL LARGE SUITE		
	APT. STUDIO		APT. 1 BEDROOM
	APT. 2 BEDROOM		APT. 2 BEDROOM 2

Project Amenity

1. Social Lounge with Chef Kitchen
2. Outdoor Cabanas
3. Outdoor Pet Area
4. Indoor/Outdoor Fitness Center
5. Yoga Studio
6. Game Room
7. Play Ground
8. Outdoor BBQ
9. Bike Storage with Elect Charging Station
10. Putting Green
11. Pet Wash
12. Nature Garden
13. Business Center



Source: TAG Design Works, TA Partners 2022

Site Plan (Level 3)

Parkwest Project

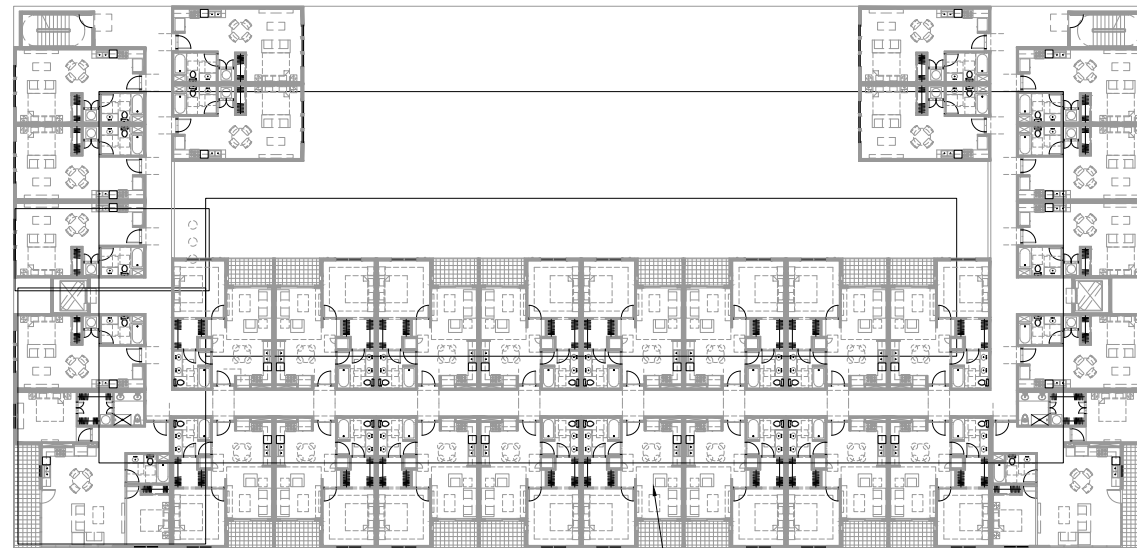


Exhibit 3-1d



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REFERENCE ONLY FOR
CEQA STUDY

TYPICAL 4-7

UNIT TYPE LEGEND

	HOTEL KING		HOTEL LARGE KING
	HOTEL DOUBLE QUEEN		HOTEL SUITE
	HOTEL LARGE SUITE		
	APT. STUDIO		APT. 1 BEDROOM
	APT. 2 BEDROOM		APT. 2 BEDROOM 2



Fl. 3-6 - Hotel
31 units/FI.
Reg Suite-28 + Lg Suite-3
Total units-124

Fl. 3-6 - Apartment
29 units/FI.
Studio-7 + 1Bed-20 + 2Bed-2/FI.
Total units-116

TYPICAL 4-7

Source: TAG Design Works, TA Partners 2022

Site Plan (Level 4 to 7)

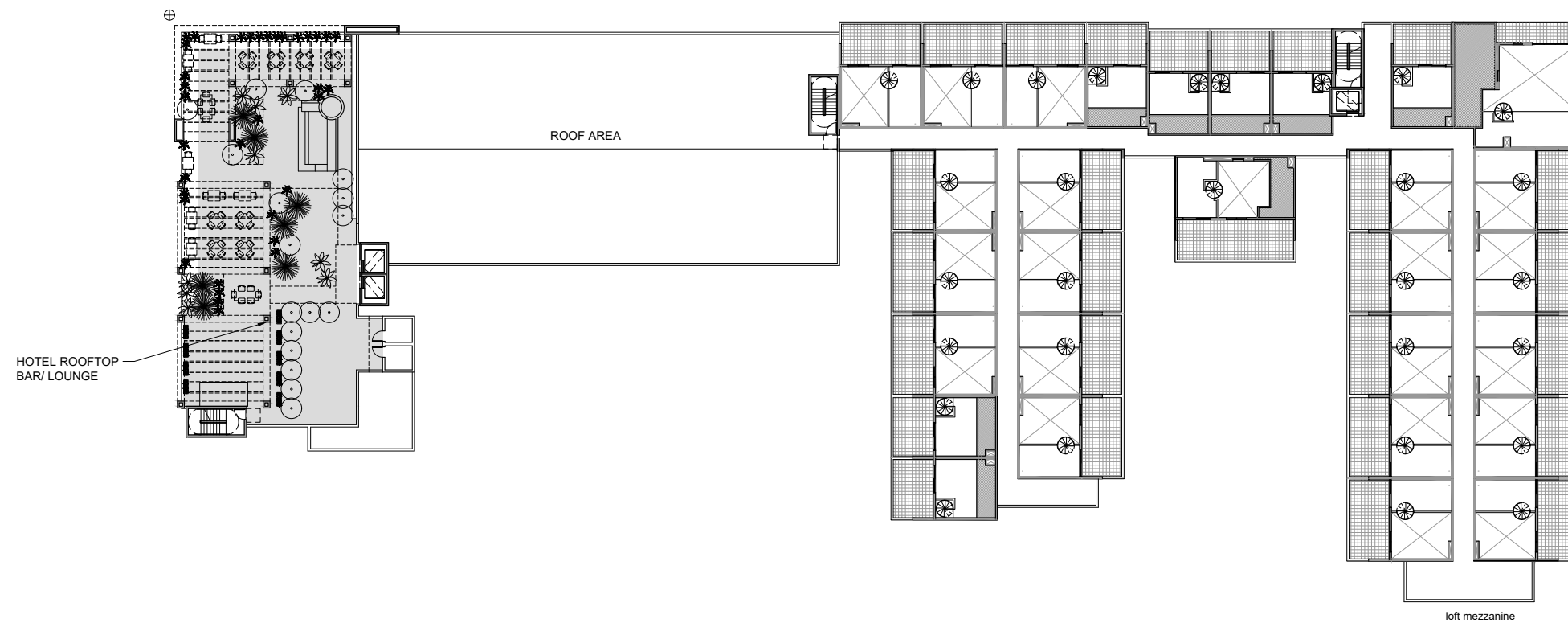
Parkwest Project



Exhibit 3-1e



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Source: TAG Design Works, TA Partners 2022

Site Plan (Roof)

Parkwest Project



Exhibit 3-1f



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NORTH ELEVATION
SANTA FE AVE.

Source: TAG Design Works, TA Partners 2022

Building Elevations

Parkwest Project

Exhibit 3–2a



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EAST ELEVATION



WEST ELEVATION
POMONA AVE

Source: TAG Design Works, TA Partners 2022

Building Elevations

Parkwest Project

Exhibit 3-2b



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SOUTH ELEVATION
RAILROAD

Source: TAG Design Works, TA Partners 2022

Building Elevations

Parkwest Project

Exhibit 3-2c



**TABLE 3-2
SITE 2 – RESIDENTIAL UNITS**

Levels	1-Bedroom Units (55%)	2-Bedroom Units (7%)	Studio Apartments (38%)	Total
Level 1	-	-	-	-
Level 2	16	2	8	26
Level 3	16	2	12	30
Level 4	16	2	12	30
Level 5	16	2	12	30
Level 6	16	2	12	30
Total	80	10	56	146
Source: Parkwest 2022				

3.2 HOTEL LAND USE

The Project proposes a total of 124 hotel rooms, including 28 regular suites and 3 large suites for a total of 31 units per floor. For a breakdown of rooms per level, please refer to Table 3-4, below.

**TABLE 3-3
SITE 1 – HOTEL ROOMS**

Levels	Rooms
Level 1	-
Level 2	-
Level 3	31
Level 4	31
Level 5	31
Level 6	31
Total	124
Source: Parkwest 2022	

3.3 RETAIL USES

The Project proposes a total of 3,570 square feet of retail in Site 1. The retail use may consist of a café at the southeast corner of South Pomona Avenue and East Santa Fe Avenue.

3.4 PROJECT AMENITIES

The proposed Project will include a total of 14,052 square feet of amenities (i.e., 7,397 square feet in Site 1 and 6,655 square feet in Site 2). The proposed amenities include social lounge with chef kitchen; outdoor cabanas; outdoor pet area; indoor/outdoor fitness center; yoga studio; game room; playground; outdoor BBQ; bike storage with electrical vehicle (EV) charging station; putting green; pet wash; nature garden; and business center.

3.5 PARKING

The Parkwest Project would provide 660 on-site parking spaces/stalls, including 412 spaces/stalls in Site 1 and 248 stalls in Site 2. The Project would implement innovative parking techniques to create an efficient and user-friendly parking system, as described below. A breakdown of parking is shown below, in Tables 3-5 through 3-7.

- Implement a shared parking system to maximize the efficiency of the parking.
- Implement a Parking Management Plan to ensure the efficient use of available parking spaces.
- Provide parking for retail and hotel uses within the parking facilities.

**TABLE 3-4
SITE 1 – PROPOSED PARKING BREAKDOWN**

Land Use	Spaces
City Parking	138 (37 surface, 101 covered)
Residential Parking	150
Hotel + Retail Parking	124
Total	412
Source: Parkwest 2022	

**TABLE 3-5
SITE 2 – PROPOSED PARKING BREAKDOWN**

Land Use	Spaces
Residential Parking	248
Total	248
Source: Parkwest 2022	

3.6 PRIVATE OPEN SPACE

A minimum of 50 square feet of common open space is required per dwelling unit. Therefore, for a development consisting of 140 units, a total of 7,000 sf of common open space would be required. The Project (Site 1) exceeds this requirement by providing approximately, 10,280 sf common space.

3.7 LIGHTING

Lighting on the site would be provided following all necessary city code and Occupational Safety and Health Administration (OSHA) requirements. Additionally, the proposed Project being a part of the FTC Specific Plan area, would comply with lighting standards of the Specific Plan document. Compliance would be required and verified during the entitlement process.

3.8 CONSTRUCTION ACTIVITIES

Construction activities are anticipated to begin in 4th quarter of 2023 through 2nd quarter of 2025, for a total of approximately 20 months. Construction activity would occur for 8 hours per day, and 6 days per week, in accordance with the City's permitted hours of construction. Construction stages such as demolition, site preparation, grading/excavation, utility installation, building construction, paving, and architectural coating may occur concurrently.

Construction of the proposed Project would require common equipment as summarized in Table 3-2, Estimated Daily Construction Equipment, below. No blasting or pile driving would be required. Construction equipment is expected to operate at the site during construction, as permitted by the City of Fullerton Municipal Code (between 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday).

**TABLE 3-6
ESTIMATED DAILY CONSTRUCTION EQUIPMENT**

Construction Subphase	Equipment Type
Demolition	General Demolition Equipment
Site Preparation	Excavators
	Loaders
	Trucks
	Compaction Equipment
	Water Trucks
Grading and Excavation	Loaders
	Excavators
	Trucks
	Compactor
	Water Trucks
Building Construction	Cranes
	General Construction Equipment
Paving	General Paving Equipment
Architectural Coating	General Painting Equipment
Source: Park West Residential 2022.	

3.8.1 DEMOLITION

Implementation of the Project would include demolition of the existing parking structure in Site 2, surface parking spaces, and associated improvements. Demolition activities would include onsite crushing of concrete and pavement.

A portion of the construction and demolition (C&D) debris (65 percent) would be recycled, reused, and/or salvaged in compliance with the California Green Building Standards Code (CALGreen Code) and *City of Fullerton Construction and Demolition Project Waste Management*.

Materials that cannot be recycled, reused, or salvaged would be transported to one of the Orange County Waste & Recycling local landfills (i.e., Frank R. Bowerman, Prima Deshecha, or Olinda Alpha). Any hazardous materials (e.g., asbestos-containing materials and lead-based paint) encountered during demolition would be handled and disposed of in accordance with South Coast Air Quality Management District (SCAQMD) rules and other pertinent regulations.

3.8.2 BUILDING CONSTRUCTION

Construction activities would utilize standard construction equipment, as shown in Table 3-2, above. Construction activities and construction staging would mainly occur within the project site boundaries. The general contractor would set up a staging plan and would seek 50 to 60 parking spaces for lease in the surrounding area for construction workers. Implementation of traffic control measures during construction activities would minimize obstruction of vehicular traffic on public roadways in the vicinity of the project site. Additionally, temporary construction signage would be provided following all necessary city code and OSHA requirements as well as the signage standards of the FTC Specific Plan.

During construction, fire/emergency access to the site would be maintained in compliance with California Fire Code Chapter 33, Fire Safety during Construction and Demolition, as well as Fullerton Fire Code.

3.9 DISCRETIONARY APPROVALS

This IS/MND is intended to serve as the primary CEQA environmental document for all actions associated with the proposed Project, including all other approvals beyond the City's authority needed to implement the Project. The following discretionary approvals are required for Project approval.

3.9.1 MITIGATED NEGATIVE DECLARATION

In compliance with CEQA, the State CEQA Guidelines, the City of Fullerton would adopt the MND, prior to approval of the Project. The MND serves as a finding that the Project would not have a significant effect on the environment.

3.10 MINISTERIAL APPROVALS

In addition, the following ministerial permits would be sought from the City of Fullerton:

- Demolition Permit for the existing surface parking lot, parking structure, and site improvements
- Grading Permit
- Building Permits
- Occupancy Permits

The Project would require coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board (SWRCB). The Project would also require a demolition permit from the SCAQMD.

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4.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

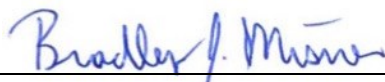
The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to be the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

10/11/2022

Date

Bradley J. Misner, AICP, Contract Planning

Printed Name

City of Fullerton

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

4.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

The analysis in the PEIR determined that implementation of the FTC Specific Plan would change the character of the project area with the development of high-density mixed-use buildings within a largely lower-density commercial and industrial/manufacturing land use environment. With implementation of PDFs 1-1 through 1-6, land uses would be developed in accordance with standards and requirements for streets and alleys, civic spaces, buildings, architectural features, and landscaping and would ensure no adverse aesthetics effects would occur. This impact was considered less than significant, and no mitigation was deemed necessary.

The project would include nighttime lighting, but would not substantially affect nighttime views (i.e., generate additional “sky glow”), as the project within an urban environment was subject to similar lighting. With implementation of PDF 1-4 (addressing building materials), PDF 1-5 (addressing lighting requirements), and PDF 1-6 (addressing design review), the FTC Specific Plan would ensure no adverse light or glare effects would occur.

Additionally, because the Project and cumulative projects within the same viewshed would not degrade the visual quality of the area and surroundings and would not contribute to light and glare impacts that would have the potential to impact surrounding use, there would be no cumulatively considerable impacts related to aesthetics or to light and glare.

For informational purposes, the PDFs, SCs, and MMs from the PEIR are provided below.

Project Design Features

PDF 1-1 Section 4.2, Streets and Alleys, of the Regulating Code for the FTC Specific Plan identifies improvements to the existing street and alley network that would be implemented including: wider sidewalks, street trees, and streetscape amenities. The Street, Alley and Bike Path Regulating Plan is shown in Exhibit 3.3-6, in Section 3, Project Description. Trees shall be planted along Santa Fe Avenue, Pomona Avenue,

Lawrence Avenue, Walnut Avenue, and Walnut Way (as described in Chapters 4.2.4 through 4.2.14 of the FTC Specific Plan). Streetscape Design Standards are identified in Chapter 4.2.19 of the FTC Specific Plan and include requirements related to sidewalk pavement, streetlights, and street furniture.

PDF 1-2 The Regulating Code for the FTC Specific Plan includes the following civic spaces to be implemented within the FTC Specific Plan (refer to Section 4.3 of the FTC Specific Plan): Transit Plaza, North Neighborhood Park, South Neighborhood Park, Transit Courtyard, Paseos, and Train Depot Property and Train Platforms. The Civic Space Regulating Plan is shown in Exhibit 3.3-15, in Section 3, Project Description. A Rail Promenade will also be provided along the north side of the BNSF corridor, as shown in Exhibit 3.3-14. Standards for civic spaces identified include size, location, property type, management, and maintenance.

PDF 1-3 Section 4.4, Buildings, of the Regulating Code for the FTC Specific Plan identifies the types of buildings allowed within the project area and where the various types of buildings are allowed to be developed (refer to Exhibit 3.3-2, Building Regulating Plan, in Section 3, Project Description). Development standards that address aesthetic character are identified for lot size, building placement, parking, building frontages, building frontage elements, and height and mass.

PDF 1-4 Section 4.5, Architectural Standards and Guidelines of the Regulating Code for the FTC Specific Plan sets forth the architectural standards for architectural style; facades, including buildings, parking structures, and buildings that front the Transit Plaza; exterior materials and finishes; windows and shade structures; signs; and utility and mechanical equipment. Exterior building materials that would be used for structures within the project area include materials such as windows with non-reflective glazing, concrete, stucco, stone and brick masonry, steel beams and metal siding, metal, aluminum, fiber-cement composite, wood waste/recycled plastic lumber products, heavy timber beams, tile accents, and solid wood doors. The architecture of new buildings shall be visually differentiated from nearby historic buildings and shall be designed with architectural features that protect the historic integrity of nearby historic structures.

PDF 1-5 Section 4.6, Landscape Standards and Guidelines, of the Regulating Code for the FTC Specific Plan sets forth the requirements for planting; irrigation; common open spaces; surface parking lots; paving materials; screening; site furniture; and lighting. Required landscape features are described in Section 3, Project Description.

PDF 1-6 Section 4.1.2, Form-Based Regulations and Design Review, of the Regulating Code for the FTC Specific Plan sets forth the design review requirements for development applications for projects within the FTC Specific Plan area. The design review process shall be conducted by the City of Fullerton Town Architect, a licensed architect or architectural firm that has demonstrated experience in historic preservation and in implementation of the *Secretary of Interior's Standards for the Treatment of Historic Properties*. The Town Architect (or architectural firm) shall also be an accredited Leadership in Energy and Environmental Design (LEED) professional(s). The Town Architect shall be contracted or employed by the City to review and advise the Director of Community Development on matters relating to the physical design

(including architecture, historic compatibility, sustainability, site design, signage, and landscaping). Complete project applications shall be reviewed by City staff and the Town Architect to determine if the project is in compliance with the goals and objectives of the FTC Specific Plan. The Town Architect shall submit written findings and a recommendation to the Director of Community Development or the Planning Commission to approve, approve with conditions, or deny the project.

Standard Conditions and Requirements

SC 1-1 For streets not regulated by Section 4.2, Streets and Alleys, of the Regulating Code for the FTC Specific Plan, and specifically the Street, Alley and Bike Path Regulating Plan, the Property Owner/Developer shall install all street trees and plant material in the public right-of-way pursuant to the City's adopted Street Tree Program and construction/planting standards. This includes, but is not limited to Commonwealth Avenue, Harbor Boulevard, Lemon Street, and Walnut Avenue (west of Walnut Way). All existing street trees adjacent to the project site which are missing, removed or unhealthy, shall be replaced. The Property Owner/Developer shall provide irrigation to street trees as required by the Director of Maintenance Services and/or Director of Engineering.

Mitigation Measures

Although no significant impacts were identified related to visual changes during construction, the following mitigation was recommended.

MM 1-1 Prior to commencement of construction activities, the contractor shall install a visual barrier (e.g., green mesh fabric) along the perimeter of construction sites for vertical construction projects. This requirement shall be included on the contractor specifications and verified by the Community Development Department.

Existing Setting

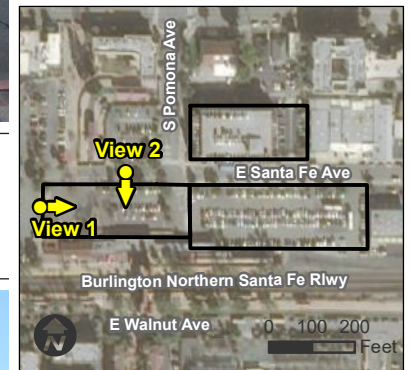
Existing Views and Visual Character

The project site is currently developed with surface parking and a parking structure, which provide parking for the Amtrak and Metrolink commuters. Vehicular access to the project site is provided by East Santa Fe Avenue and South Pomona Avenue. Exhibits 4-1a through 4-1e, Site Photographs, include photographs that depict the existing visual character of the project site. More specifically, Views 1 through View 9 are views of the on-site surface parking lots, parking structures, and site improvements.

- **View 1**, looking east from the off-site surface parking lot, adjacent to the western boundary of the Project's southwest parcel, shows a view of the project site and existing on-site surface parking lot. The visible surface parking currently serves Amtrak and Metrolink commuters. On-site vegetation, including trees, signage associated with the Amtrak Fullerton Station, and an on-site utility box are also visible from this vantage point. The single mature oak tree within the roundabout/passenger drop off is the focal point in this view. Views of the off-site Amtrak building, along the southern boundary of



View 1



View 2

Site Photographs

Parkwest Project

Exhibit 4-1a





View 3



View 4

Site Photographs

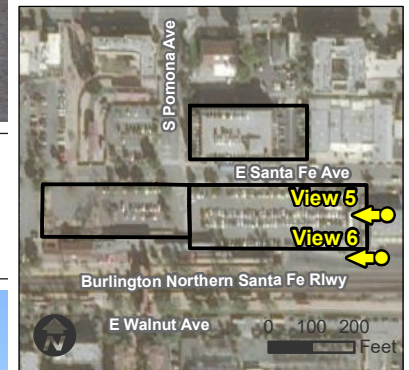
Parkwest Project

Exhibit 4-1b





View 5



View 6

Site Photographs

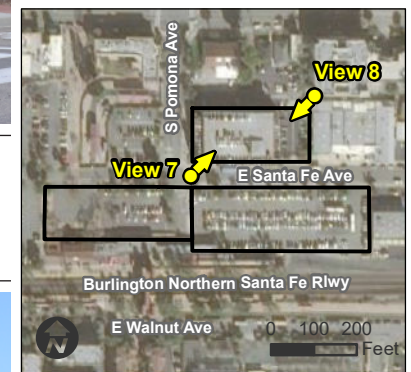
Parkwest Project

Exhibit 4-1c





View 7



View 8

Site Photographs

Parkwest Project

Exhibit 4-1d





View 9



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Site Photographs

Parkwest Project

Exhibit 4-1e



the Project's southwest parcel, as well as partial view of East Santa Fe Avenue, just north of the Project's southwest parcel, are visible from this viewpoint. An existing lighting fixture is visible in the foreground.

- **View 2**, looking south from East Santa Fe Avenue, along the northern boundary of the Project's southwest parcel, shows a view of the on-site surface parking lot across East Santa Fe Avenue. From this location, the off-site Amtrak building and associated Amtrak infrastructure, partially blocked by an ornamental tree, can be seen in the southern portion of the parcel. On-site vegetation, including trees and hedges are visible from this view. Existing on-site light fixtures and a dumpster enclosure are also visible from this vantage point.
- **View 3**, looking south from the intersection of East Santa Fe Avenue and South Pomona Avenue shows a view of an entry/exist into the project site and the Fullerton Station, dividing the Project's southwest and southeast parcels. The view also depicts portions of the respective parcels' surface parking lots. On-site ornamental landscaping and mature trees and off-site mature trees in the background are visible. This view also shows the on-site signage and light fixtures as well as off-site infrastructure associated with Amtrak.
- **View 4**, looking west from the entry road into the project site, shows a view of on-site surface parking lot within the southwest parcel. The view also shows on-site mature ornamental trees, as well as on-site ornamental landscaping. Signage and light fixtures associated with on-site surface parking are also visible from this viewpoint. The Amtrak building to the south of the southwest parcel is visible in the left side of the view.
- **View 5**, looking west from the eastern boundary of the Project's southeast parcel, shows views of on-site surface parking lot, and associated parking lot light fixtures. Additionally, off-site Amtrak infrastructure is visible on the left portion of the view. The view also shows the on-site parking garage within the Project's northern parcel, visible behind the ornamental street trees along East Santa Fe Avenue.
- **View 6**, looking west from the southeast corner of the Project's southeast parcel, shows views of the adjacent Fullerton Train Museum and infrastructure associated with Amtrak uses south of the project site. The on-site surface parking lot and associated light fixtures are visible from this view. Ornamental street trees are visible in the background.
- **View 7**, looking northeast from the intersection of East Santa Fe Avenue and South Pomona Avenue shows a view of the Project's northern parcel. This view shows the existing on-site Pomona Parking Structure, and associated improvements. The parking structure's facades are composed of red brick and off-white stucco. The two parking structure vehicular entry/exits facing South Pomona Avenue and the one pedestrian entry/exist facing East Santa Fe are visible. Colorful murals beneath red brick-clad arches decorate the vehicular entry/exits. The southwest corner of the parking structure includes a clock tower, of white stucco and red brick, as well as an exposed stairwell, of green colored metal. The view also shows on-site vegetation and mature palm trees.
- **View 8**, looking southwest from the northeast corner of the Project's northern parcel shows views of the existing on-site Pomona Parking Structure and the adjacent surface parking. This view depicts the eastern wall of the parking garage. On-site mature trees, as well as off-site ornamental landscaping and mature trees in the background, are visible from this view. A green fence and associated entry/exit gate of the private surface parking

lot are visible. An off-site chain-link fence extending to the parking structure is also visible on the right portion of the view.

- **View 9**, looking northwest from the southeast corner of the Project's northern parcel along East Santa Fe Avenue, shows views of the on-site Pomona Parking Structure and on-site private surface parking lot. Also visible is the red brick-clad pedestrian entry/exit of the parking garage. Additionally, this view shows ornamental street trees and landscaping, signage, and light fixtures.

Impact Analysis

Would the Project:

a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. According to The Fullerton Plan and associated Program Environmental Impact Report (PEIR), scenic resources and vistas in the City include views of the West and East Coyote Hills from the southern portion of the City and distant views of the City and surrounding region from within these areas (City of Fullerton 2012b). The project site is located within the southeastern boundary of the City and approximately 1.9 miles southwest of the East Coyote Hills and 3.0 miles southeast of West Coyote Hills. However, views of these scenic vistas and hillside from the project site are obstructed by intervening development and landscaping, and direct views are not present. Therefore, implementation of the Project would not obstruct the views as none exists in light of existing development. Therefore, impacts related to scenic vistas would be less than significant, and no mitigation is required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. Based on The Fullerton Plan and associated PEIR and review of the California Department of Transportation (Caltrans) website, there are no designated State scenic highways within the City of Fullerton (Caltrans 2022). Additionally, based on review of Exhibit 10, Scenic Corridors, and Exhibit 9, Rural Streets, of The Fullerton Plan PEIR, there are no City-designated scenic corridors or rural streets near the project site; the closest scenic corridor to the project site is Harbor Boulevard, located 0.81 mile north of the project site. There are no scenic resources, including trees, rock outcroppings, and historic buildings in the vicinity of the project site.

Therefore, the proposed Project would not have an adverse effect on scenic resources (including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway) or a locally designated rural street or scenic corridor. There would be no impact, and no mitigation is required.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

Less than Significant Impact. The Project is in an urbanized area and not near any scenic resources, as discussed above. The aerial photograph (Exhibit 1-2) previously presented, shows the project site's relationship to the surrounding land uses. The northern parcel is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. The Fullerton Amtrak and Metrolink Station and associated railroad infrastructure and the Fullerton Train Museum are adjacent to the Project's southern boundary along the southeastern and southwestern parcels, with commercial uses south of the transit depot. Due to the developed nature and flat topography of the project area, views of the project site are limited to immediately adjacent vantage points, as further described below. However, given the views are from public and not private vantage points, only views from East Santa Fe Avenue, South Pomona Avenue, East Commonwealth Avenue, Lemon Street, and Amtrak/Metrolink experienced by transient users (i.e., passengers in vehicles and train and pedestrians) would be considered. There are no other public land uses such as public parks and trails that would have views of the project site. The City protects scenic character and visual resources through implementation of the Fullerton Zoning Code (Municipal Code Title 15), which provides specific development standards with which the Project complies.

Visual Changes

During demolition and construction activities on the project site, views of construction equipment; ongoing demolition and construction activities; short-term stockpiles of building materials and debris; and haul trucks delivering building materials and removing debris would be visible from surrounding area. These views are typical of construction sites in an urban environment and temporary in nature. Project construction is anticipated to occur for a total of five months. Additionally, construction staging would occur within the Project's boundaries and screened with a temporary fence. With implementation of standard conditions of approval (COAs) AES-1 through AES-3, visual impacts associated with construction activities would be reduced. Impacts would be less than significant.

Once construction is completed, the proposed Project would alter views of the project site by replacing the existing parking structure and surface parking lots with apartment units, hotel, retail, restaurant, and parking in Site 1, and apartment units and parking in Site 2, as shown on Exhibits 4-2a and Exhibit 4-2b, Photo Simulations. While the visual character of the project site would be modified from a surface parking lot to multi-story structures, given the urban character of the area, the mixed-use nature of land uses, and the quality of the proposed uses on the site, potential impacts would not be significant.

Furthermore, while the existing on-site trees which are currently part of the site's ornamental parking lot landscaping would be removed to accommodate the Project, the proposed Project would replace existing on-site landscaping with trees, shrubs, and groundcover throughout the project site, and in common open space areas of the project site. Considering this, views of the site from the adjacent roadways would be of a high-quality development with landscaping.

Before:



After:



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Source: TAG Design Works/TA Partners 2022

Photo Simulations – Site View 1

Parkwest Project

Exhibit 4-2a

PSOMAS

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Before:



After:



D:\Projects\3FUL020102\graphics\MND\ex_Site View 2.ai

Source: TAG Design Works/TA Partners 2022

Photo Simulations – Site View 2

Parkwest Project

Exhibit 4-2b



(09/27/2022 SAK) R:\Projects\3FUL020102\Graphics\Ex4-2b_Site View.pdf

In light of the above, while the visual character of the site would be modified, this change would not be considered a degradation of the project site or its surroundings. The new development would replace the existing parking garage and asphalt parking lot and increase visual interest and character of the site with quality design and landscaping. All service areas would be screened from view from public areas with shrubs or vertical structures. Additionally, all mechanical equipment would be placed out of view on the roof, internally, or would be screened adequately.

In designing the proposed Project as part of the FTC Specific Plan, consideration would be given to scale, massing, and architecture of the Project to ensure that it complements the existing development surrounding the project site. The proposed architecture would result in a high-quality development in a compatible environment. Renderings of the project site can be seen on Exhibit 4-2a and Exhibit 4-2b. Additionally, it should be noted that the design review, required in the FTC Specific Plan, would ensure that the proposed Project is in compliance with the provisions of the Specific Plan (Regulatory Requirement [RR] AES-1).

In the absence of scenic resources in the vicinity of the site, the Project would not conflict with applicable zoning and other regulations governing scenic quality and resources. Impacts would be less than significant, and no mitigation is required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. The project site is in an area that is already subject to significant ambient nighttime lighting from onsite and surrounding uses, including existing buildings, streetlights along East Santa Fe Avenue and South Pomona Avenue, lighting at the train depot, security lighting, and more.

With the demolition of the existing parking structure, surface parking lots, and associated improvements and construction of the proposed Project, new light sources would be provided with the proposed multi-family residential buildings, hotel, retail, restaurant, and parking uses. This would change lighting levels at the project site but would be consistent with the ambient and night-time lighting at the commercial uses surrounding the site.

However, all lighting installed for the Project would be subject to compliance with the provisions of the FTC Specific Plan, which provide standards for the type and extent of lighting in the project area. In accordance with the provisions of the FTC Specific Plan, outdoor lighting associated with the proposed uses would provide sufficient illumination for access and security purposes. Lighting would be directed and shielded away from sensitive uses, even though except for the existing Fullerton City Lights apartments—located to the northeast of the northern parcel—no other residential uses exist adjacent to the project site. Lighting would be designed to ensure that it does not cause a distraction or nuisance for vehicle traffic. Additionally, the Fullerton Municipal Code (FMC) also requires all lighting to illuminate parking areas be arranged such that would reflect the light and glare away from adjacent properties. This is generally accomplished with shielding and directional lighting methods. All future development projects would undergo site plan review to ensure compliance with the development standards and design guidelines of the FTC Specific Plan. Due to the urban nature of the project site and existing lighting near the project site, impacts associated with new lighting from the proposed Project would be less than significant, and no mitigation is required.

Glare is a common daytime phenomenon and is due mainly to the occurrence of a high number of days per year with direct sunlight and the presence of large reflective surfaces. Excessive glare not only restricts visibility but also increases the ambient heat reflectivity in a given area. Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. Glare can create hazards to motorists and nuisances for pedestrians and other viewers. The proposed Project would be constructed with primarily non-reflective materials in compliance with provisions of the FTC Specific Plan, such as clear non-reflective glass, concrete, stucco, stone and brick masonry, steel beams and metal siding, metal, aluminum, fiber-cement composite, wood waste/recycled plastic lumber products, heavy timber beams, tile accents, and solid wood doors. Lighted signs incorporated within the proposed Project would also comply with the requirements of the FTC Specific Plan. Impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measures are from The Fullerton Plan PEIR and will be implemented as conditions of approval (COAs) for the proposed Project.

- COA AES-1** For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.
- COA AES-2** Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.
- COA AES-3** Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.

Mitigation Measures

Project implementation would not result in significant impacts related to Aesthetics; therefore, no mitigation measures are required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

This topic was focused out from detail analysis in the PEIR because it was determined that the site was not located on or near designated agricultural land, nor was it in agricultural use. The site was not under a Williamson Act Contract. As such, no impact would occur.

No PDFs, SCs, or MMs were identified nor required.

Impact Analysis

Would the Project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?***
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?***
- d) Result in the loss of forest land or conversion of forest land to non-forest use?***

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The project site is in an urbanized area and would not convert farmland to a non-agricultural use. Based on review of the Orange County Important Farmland Map, prepared by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), there are no lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on or near the project site (FMMP 2022). The project site is classified as “Urban and Built-Up Land” and is not being used, nor anticipated to be used or zoned for agricultural purposes. The site is not subject to a Williamson Act contract, and it does not contain Prime Farmland or Farmland of Statewide Importance. Additionally, no forest land occurs on the project site or in the surrounding area. Therefore, the proposed Project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. In addition, the project site does not contain designated forest land or timberland, as defined in the California Public Resources Code (Section 12220[g] and 4526, respectively) (OLC 2020). Therefore, no impacts to agricultural resources, forest land, or timberland would result from Project implementation, and no mitigation is required.

Standard Conditions of Approval

None has been identified.

Mitigation Measures

Project implementation would not result in significant impacts related to Agriculture and Forestry Resources; therefore, no mitigation is required.

4.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the analysis in the PEIR, short-term regional mass daily construction emissions would be less than the SCAQMD thresholds. No mitigation would be required. During the periods of mass grading and excavation, particulate emissions from the project site would have the potential for a short-term exceedance of the 24-hour PM10 and PM2.5 ambient air quality standards at the nearest residences. Implementation of MM 2-1 would provide additional reductions, but this temporary, local impact would be significant and unavoidable. Therefore, the Project would have the potential to violate the 24-hour PM10 and PM2.5 standards at nearby receptors at some periods during the mass grading phase of the Project. Long-term operational emissions would be less than the SCAQMD thresholds for all pollutants except VOC, NOx, and PM10. There were no feasible mitigation measures to reduce emissions from principal contributor to the projected VOC exceedance, the use of consumer products. While building design and implementation of MM-2 would reduce VOC, NOx and PM10 emissions, these reductions could not be accurately quantified. Therefore, the Project would contribute substantially to existing occasional violations of the O3 and PM10 standards.

Construction of the Project would not cumulatively contribute to an increase of PM10, PM2.5, VOC, or NOx. Operation of the FTC Specific Plan (under buildout conditions) would result in a cumulatively considerable increase in VOC and NOx emissions. The impact would be significant and unavoidable.

While Project traffic would increase congestion at some signalized intersections, the traffic volumes would not be of the magnitude to cause CO emissions that would approach a standard or expose persons to substantial CO concentrations. No mitigation would be required. During the construction period, the Project could expose nearby residents to PM10 and PM2.5 concentrations in excess of 24-hour standards. SC 2-1 and MM 2-1 would reduce exposure, but these reductions could not be quantified, and the impact would remain significant and unavoidable. Exposure to CO, NO2, and TACs would be less than significant. Construction emissions would be short-term and less than significant. Emissions during operation from on-site sources, including the Fullerton Fire Station, diesel trucks, and restaurant cooking, and from off-site emissions from diesel trucks and railroad engines would not be of a magnitude to expose

persons to substantial TAC concentrations. Implementation of MM 2-2 would assure that exposure to TAC emissions to future nearby residents would be less than significant.

The Project would not conflict with or obstruct implementation of the AQMP because projected exceedances of SCAQMD CEQA significance thresholds for long-term mass emissions associated with the Project would be offset, with respect to AQMP projections, by reduced emissions resulting from reduced VMT compared to VMT that could occur with development under planning build-out assumption for the City.

Lastly, the Project would have a less than significant impact related to objectionable odors affecting a substantial number of people.

For informational purposes, the SCs, and MMs from the PEIR are provided below.

Standard Conditions and Requirements

SC 2-1 *Dust Control.* During construction of the proposed Project, the Contractor shall be required to comply with SCAQMD Rules 402 and 403, which shall assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off site. SCAQMD Rule 403 (Tables 1, 2, and 3 of Rule 403) requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. This requirement shall be included as notes on the contractor specifications.

SC 2-2 *Architectural Coatings.* Architectural coatings shall be selected so that the VOC content of the coatings is compliant with SCAQMD Rule 1113. This requirement shall be included as notes on the contractor specifications.

Mitigation Measures

Construction-related (Short-Term) Impacts

MM 2-1 *Dust Control Barriers.* Prior to grading activities for large excavations, such as underground parking areas, each Property Owner/Developer shall erect a dust control barrier adjacent to the excavation site when there are residential receptors within 250 feet of the excavation. The barrier shall be solid, thereby preventing dust transmission through the barrier, and at least six feet tall. Where feasible, openings in the barrier to allow equipment access shall be located on the side of the excavation furthest from sensitive receptors.

Operational (Long-Term) Impacts

MM 2-2 *Exposure to TAC.* Prior to the approval of a building permit for residential uses within 300 feet of the White Bear Cleaners, located at 122 North Lemon Street, the Property Owner/Developer shall conduct a Health Risk Assessment (HRA) to demonstrate that the maximum incremental cancer risk would not exceed 10 in one million and the chronic and acute health indices would be less than 1.0. If residential occupancy is proposed to start after December 31, 2020, the HRA is not required.

Introduction

Existing Setting

The project site is located in the Orange County portion of the South Coast Air Basin (SoCAB), and, for air quality regulation and permitting, is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SoCAB is a 6,600-square-mile area bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. The SoCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, in addition to the San Geronimo Pass area of Riverside County. The SoCAB's terrain and geographical location (i.e., a coastal plain with connecting broad valleys and low hills) determine its distinctive semi-arid climate, which is characterized by moderate temperatures, oceanic influence, and precipitation that is limited to a few storms during the winter (i.e., November through April).

Air Quality Background Information

The SCAQMD has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following criteria pollutants: ozone, carbon monoxide, nitrogen oxides, sulfur dioxide, and particulate matter 10 and 2.5 microns. The characteristics and health effects of these criteria pollutants are described below:

- Ozone (O₃) is a nearly colorless gas that is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight). Ground-level O₃ exposure can cause a variety of health problems, including lung irritation, wheezing, coughing, pain when taking a deep breath, and breathing difficulties during exercise or outdoor activities; permanent lung damage; aggravated asthma; and increased susceptibility to respiratory illnesses.
- Carbon monoxide (CO) is a colorless and odorless toxic gas which, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. CO combines with hemoglobin in the bloodstream and reduces the amount of oxygen that can be circulated through the body. High CO concentrations can lead to headaches, aggravation of cardiovascular disease, and impairment of central nervous system functions.
- Nitrogen oxides (NO_x) are yellowish-brown gases, which at high levels can cause breathing difficulties. NO_x are formed when nitric oxide (a pollutant from internal combustion processes) combines with oxygen.
- Sulfur dioxide (SO₂) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms and difficulty in breathing for children.
- Particulate Matter 10 (PM₁₀) and Particulate Matter 2.5 (PM_{2.5}) refer to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. Particulate matter includes both aerosols and solid particles. An example of particulate matter is fugitive dust. Short-term exposure to high PM_{2.5} levels is associated with premature mortality and increased hospital

admissions and emergency room visits. Long-term exposure to high PM_{2.5} levels is associated with premature mortality and development of chronic respiratory disease. Short-term exposure to high PM₁₀ levels is associated with hospital admissions for cardiopulmonary diseases, increased respiratory symptoms, and possible premature mortality.

Existing Air Quality Conditions

Air quality data for the project site is represented by the Anaheim-Pampas Lane monitoring station located at 1630 West Pampas Lane, Anaheim. The monitoring station is located approximately 2.8 miles southwest of the project site. Pollutants measured at the Anaheim-Pampas Lane Monitoring Station include O₃, CO, PM₁₀, NO₂, and PM_{2.5}. The monitoring data presented in Table 4-1, Air Quality Levels Measured at the Anaheim-Pampas Lane Monitoring Station, were obtained from the California Air Resources Board (CARB 2022). Federal and State air quality standards are presented with the number of times those standards were exceeded.

**TABLE 4-1
AIR QUALITY MEASUREMENTS AT THE ANAHEIM MONITORING STATION**

Pollutant	California Standard	National Standard	Year	Max. Level ^a	State Standard Days Exceeded	National Standard Days Exceeded
CO (1 hour)	20 ppm	35 ppm	2018	2.3	0	0
			2019	1.3	0	0
			2020	1.7	0	0
CO (8 hour)	9 ppm	9 ppm	2018	1.9	0	0
			2019	2.4	0	0
			2020	2.3	0	0
O ₃ (1 hour)	0.09 ppm	None	2018	0.112	1	1
			2019	0.096	1	1
			2020	0.142	6	15
O ₃ (8 hour)	0.070 ppm	0.070 ppm	2018	0.071	N/A	1
			2019	0.082	N/A	1
			2020	0.097	N/A	15
NO ₂ (1 Hour)	0.18 ppm	0.100 ppm	2018	0.0660	0	0
			2019	0.0594	0	0
			2020	0.0709	0	0
PM ₁₀ (24 hour)	50 µg/m ³	150 µg/m ³	2018	129	13	0
			2019	127	13	0
			2020	120	13	0
PM _{2.5} (24 Hour)	None	35 µg/m ³	2018	68.0	N/A	7
			2019	37.1	N/A	4
			2020	41.4	N/A	1

TABLE 4-1
AIR QUALITY MEASUREMENTS AT THE ANAHEIM MONITORING STATION

Pollutant	California Standard	National Standard	Year	Max. Level ^a	State Standard Days Exceeded	National Standard Days Exceeded
O ₃ : ozone; ppm: parts per million; PM ₁₀ : respirable particulate matter with a diameter of 10 microns or less; µg/m ³ : micrograms per cubic meter; AAM: annual arithmetic mean; NO ₂ : nitrogen dioxide; CO: carbon monoxide; PM _{2.5} : fine particulate matter with a diameter of 2.5 microns or less N/A indicates that there is no applicable standard. ^a California maximum levels were used.						

Regulatory Background

Pollutants and Standards

The U.S. Environmental Protection Agency (USEPA) defines seven criteria air pollutants: O₃, CO, NO₂, sulfur dioxide (SO₂), PM₁₀, PM_{2.5}, and lead. These pollutants are called criteria pollutants because the USEPA has established National Ambient Air Quality Standards (NAAQS) for the concentrations of these pollutants (USEPA 2021). CARB has also established standards for the criteria pollutants, known as California Ambient Air Quality Standards (CAAQS), and the State standards are generally more restrictive than the NAAQS. When a region has air quality that fails to meet the standards, the USEPA and the CARB designate the region as “nonattainment” and the regional air quality agency must develop plans to attain the standards.

Based on monitored air pollutant concentrations, the USEPA and the CARB designate an area’s status in attaining the NAAQS and the CAAQS, respectively, for selected criteria pollutants. These attainment designations are shown in Table 4-2.

TABLE 4-2
ATTAINMENT STATUS OF CRITERIA POLLUTANTS
IN THE SOUTH COAST AIR BASIN

Pollutant	State	Federal
O ₃ (1 hour)	Nonattainment	No standards
O ₃ (8 hour)	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Attainment/Maintenance
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO ₂	Attainment	Attainment/Maintenance
SO ₂	Attainment	Attainment
Lead	Attainment	Attainment/Nonattainment*
All others	Attainment/Unclassified	No standards
O ₃ : ozone; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; NO ₂ : nitrogen dioxide; SO ₂ : sulfur dioxide; SoCAB: South Coast Air Basin. * Los Angeles County is classified nonattainment for lead; the remainder of the SoCAB is in attainment of the State and federal standards. Source: SCAQMD 2016		

CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for coordinating and administering both the federal and State air pollution control programs in California. In this capacity, CARB conducts research, sets the CAAQS (as shown in Table 4-3), compiles emission inventories, develops suggested control measures, oversees local programs, and prepares the State Implementation Plan (SIP). For regions that do not attain the CAAQS, CARB requires the air districts to prepare plans for attaining the standards. These plans are then integrated into the SIP. CARB establishes emissions standards for (1) motor vehicles sold in California, (2) consumer products (e.g., hair spray, aerosol paints, barbecue lighter fluid), and (3) various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

O₃ is a secondary pollutant and is created when nitrogen oxides (NO_x) and VOCs react in the presence of sunlight. The predominant source of air emissions generated by project development would be from vehicle emissions. Motor vehicles primarily emit CO, NO_x, and VOCs. The NAAQS and CAAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. The NAAQS and CAAQS for O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead are shown in Table 4-3.

The SCAQMD was established in 1977 by merging the individual air pollution control districts of the four counties within the SoCAB: Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD and the Southern California Association of Governments (SCAG), in coordination with local governments and the private sector, develop the Air Quality Management Plan (AQMP) for the SoCAB to satisfy these requirements. The AQMP is the most important air management document for the SoCAB because it provides the blueprint for meeting State and federal ambient air quality standards.

On November 28, 2007, CARB submitted a SIP revision to the USEPA for O₃, PM_{2.5} (1997 Standard), CO, and NO₂ in the SoCAB. This revision is identified as the “2007 South Coast SIP”. The 2007 South Coast SIP demonstrates attainment of the federal PM_{2.5} standard in the SoCAB by 2014, and attainment of the federal 8-hour O₃ standard by 2023. This SIP also includes a request to reclassify the O₃ attainment designation from “severe” to “extreme”. The USEPA approved the redesignation effective June 4, 2010. The “extreme” designation requires the attainment of the 8-hour O₃ standard in the SoCAB by June 2024. CARB approved PM_{2.5} SIP revisions in April 2011, and the O₃ SIP revisions in July 2011. The USEPA approved the PM_{2.5} SIP on September 25, 2013, and has approved 47 of the 62 1997, 8-hour O₃ SIP requirements (USEPA 2016). On November 30, 2014, the USEPA proposed a finding that the SoCAB has attained the 1997 PM_{2.5} standards (USEPA 2014). The comment period closed on January 22, 2015; no subsequent action has been taken.

On September 30, 2015, the USEPA proposed to approve elements of the South Coast 2012 PM_{2.5} Plan and 2015 Supplement, which addresses Clean Air Act requirements for the 2006 PM_{2.5} NAAQS and proposed to reclassify the area as a “serious” nonattainment area for the 2006 PM_{2.5} standard. The reclassification is based on the determination that the area cannot practicably attain the 2006 PM_{2.5} NAAQS by the moderate area attainment date (December 31, 2015). On December 22, 2015, the EPA reclassified the South Coast area as a “Serious” nonattainment area for the 2006 PM_{2.5} standard. The final reclassification requires the State to submit a “serious area” plan that provides for attainment of the 2006 PM_{2.5} NAAQS as expeditiously as practicable as and no later than December 31, 2019 (USEPA 2016). On December 4, 2020, the South Coast Air District adopted the *South Coast Air Basin Attainment Plan for 2006 24-Hour PM_{2.5} Standard* (Plan) to meet the Clean Air Act requirements. CARB was scheduled to consider adopting the Plan on December 10, 2020 for submittal into the California SIP. However, this item has been moved to the February 25, 2021 CARB meeting (CARB 2021).

**TABLE 4-3
CALIFORNIA AND FEDERAL AMBIENT AIR QUALITY STANDARDS**

Pollutant	Averaging Time	California Standards	Federal Standards	
			Primary ^a	Secondary ^b
O ₃	1 Hour	0.09 ppm (180 µg/m ³)	—	—
	8 Hour	0.070 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³)	Same as Primary
PM10	24 Hour	50 µg/m ³	150 µg/m ³	Same as Primary
	AAM	20 µg/m ³	–	Same as Primary
PM2.5	24 Hour	–	35 µg/m ³	Same as Primary
	AAM	12 µg/m ³	12.0 µg/m ³	15.0 µg/m ³
CO	1 Hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	—
	8 Hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)	—
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)	—	—
NO ₂	AAM	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)	Same as Primary
	1 Hour	0.18 ppm (339 µg/m ³)	0.100 ppm (188 µg/m ³)	—
SO ₂	24 Hour	0.04 ppm (105 µg/m ³)	—	—
	3 Hour	—	—	0.5 ppm (1,300 µg/m ³)
	1 Hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)	—
Lead	30-day Avg.	1.5 µg/m ³	—	—
	Calendar Quarter	—	1.5 µg/m ³	Same as Primary
	Rolling 3-month Avg.	—	0.15 µg/m ³	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per km – visibility ≥ 10 miles (0.07 per km – ≥30 miles for Lake Tahoe)	No Federal Standards	
Sulfates	24 Hour	25 µg/m ³		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m ³)		
O ₃ : ozone; ppm: parts per million; µg/m ³ : micrograms per cubic meter; PM10: respirable particulate matter 10 microns or less in diameter; AAM: Annual Arithmetic Mean; —: No Standard; PM2.5: fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; mg/m ³ : milligrams per cubic meter; NO ₂ : nitrogen dioxide; SO ₂ : sulfur dioxide; km: kilometer.				
^a <i>National Primary Standards</i> : The levels of air quality necessary, within an adequate margin of safety, to protect the public health.				
^b <i>National Secondary Standards</i> : The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.				
Note: More detailed information in the data presented in this table can be found at the CARB website (www.arb.ca.gov).				
Source: CARB 2016				

On March 3, 2017, the SCAQMD adopted the 2016 AQMP, which is a regional and multi-agency effort (SCAQMD, CARB, SCAG, and USEPA). The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including the SCAG 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); updated emission inventory methodologies for various source categories; and SCAG's latest growth forecasts (SCAG 2016).

The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State air quality standards. For a project to be consistent with the AQMP, the pollutants emitted from the project should not (1) exceed the SCAQMD CEQA air quality significance thresholds or (2) conflict with or exceed the assumptions in the AQMP.

On October 1, 2015, the USEPA strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, lowering the primary and secondary ozone standard levels to 70 parts per billion. The South Coast Air Basin is classified as an “extreme” non-attainment area for the 2015 Ozone NAAQS. The 2022 AQMP will be developed to address the requirements for meeting this standard. The 2022 AQMP will represent a comprehensive analysis of emissions, meteorology, regional air quality modeling, regional growth projections, and the impact of existing and proposed control measures (SCAQMD 2021).

Sensitive Air Quality Receptors

Sensitive receptors include, but are not limited to, children, the elderly, persons with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. These sensitive receptor uses include, but are not limited to, sensitive receptors at schools, parks, hospitals, high-density residential areas, and convalescent homes. The project site is proximate to the railroads to the south of the project, industrial uses to the east, multifamily residential uses to the north, and parking to the west. The nearest sensitive receptors are the multifamily residential uses located across an alleyway to the north of the project site boundary.

Thresholds of Significance

The SCAQMD’s Air Quality Analysis Handbook (CEQA Handbook) provides significance thresholds for both construction and operation of projects within the SCAQMD’s jurisdictional boundaries (SCAQMD 2019). The SCAQMD recommends that projects be evaluated in terms of the quantitative thresholds established to assess both the regional and localized impacts of project-related air pollutant emissions. The City of Fullerton uses the current SCAQMD thresholds to determine whether a proposed project would have a significant impact. These SCAQMD thresholds are identified in Table 4-4.

**TABLE 4-4
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY SIGNIFICANCE THRESHOLDS**

Mass Daily Thresholds^a		
Pollutant	Construction	Operation
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

**TABLE 4-4
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY SIGNIFICANCE THRESHOLDS**

TACs, Odor, and GHG Thresholds	
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)
Odor	Project creates an odor nuisance pursuant to South Coast AQMD Rule 402
GHG	10,000 MT/yr CO _{2e} for industrial facilities
Ambient Air Quality Standards for Criteria Pollutants^{b, c}	
NO ₂ 1-hour average annual arithmetic mean	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (State) 0.03 ppm (State) and 0.0534 ppm (federal)
PM ₁₀ 24-hour average annual average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^c & 2.5 $\mu\text{g}/\text{m}^3$ (operation) 1.0 $\mu\text{g}/\text{m}^3$
PM _{2.5} 24-hour average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^c & 2.5 $\mu\text{g}/\text{m}^3$ (operation)
SO ₂ 1-hour average 24-hour average	0.25 ppm (State) & 0.075 ppm (federal – 99 th percentile) 0.04 ppm (State)
Sulfate 24-hour average	25 $\mu\text{g}/\text{m}^3$ (State)
CO 1-hour average 8-hour average	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20.0 ppm (State) and 35 ppm (federal) 9.0 ppm (State/federal)
Lead 30-day average Rolling 3-month average	1.5 $\mu\text{g}/\text{m}^3$ (State) 0.15 $\mu\text{g}/\text{m}^3$ (federal)
<p>NO_x: nitrogen oxides, lbs/day: pounds per day, VOC: volatile organic compound, PM₁₀: respirable particulate matter with a diameter of 10 microns or less, PM_{2.5}: fine particulate matter with a diameter of 2.5 microns or less, SO₂: sulfur oxides, CO: carbon monoxide, TACs: toxic air contaminants, GHG: greenhouse gases, MT/yr CO_{2e}: metric tons per year of carbon dioxide equivalents, NO₂: nitrogen dioxide, ppm: parts per million, $\mu\text{g}/\text{m}^3$: micrograms per cubic meter; South Coast AQMD: South Coast Air Quality Management District</p> <p>^a Source: South Coast AQMD CEQA Handbook (South Coast AQMD 1993)</p> <p>^b Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated</p> <p>^c Ambient air quality threshold is based on South Coast AQMD Rule 403</p> <p>Source: South Coast AQMD 2019</p>	

These regional emission thresholds cannot be used to correlate whether a specific health impact would occur to an individual receptor. These significance thresholds were developed to assist Lead Agencies with a consistent threshold that could be used to determine whether a project's emissions could significantly contribute to the total emissions occurring within an air basin. The totality of the air basin's emissions would determine whether it would be in attainment of the CAAQS and NAAQS.

Impact Analysis

Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary. It is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources and has prepared an AQMP that establishes a program of rules and regulations directed at attaining the NAAQS and CAAQS.

As stated above, the SCAQMD adopted the 2016 AQMP on March 3, 2017 (SCAQMD 2017). The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including the SCAG 2016–2040 RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG’s latest growth forecasts.

The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State air quality standards. For a project to be consistent with the AQMP, the pollutants emitted from the project should not (1) exceed the SCAQMD CEQA air quality significance thresholds or (2) conflict with or exceed the assumptions in the AQMP.

In order to be consistent with the AQMP, the following analysis compares the Project’s construction and operational emissions with the SCAQMD CEQA air quality significance thresholds shown in Table 4-4. A project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation.

A project with daily emission rates below the SCAQMD’s established air quality significance thresholds (shown in Table 4-4) would have a less than significant effect on regional air quality. Project emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 computer program (CAPCOA 2020). CalEEMod is designed to model construction and operational emissions for land development projects and allows for the input of project- and county-specific information. For air quality modeling purposes, construction of the Project was based on the Project’s construction assumptions and default assumptions derived from CalEEMod. The input for operational emissions was based on the vehicle trip generation rates provided in the transportation impact analysis and the proposed building area. Additional input details are included in Appendix A.

Construction Emissions

Air pollutant emissions would occur from construction equipment exhaust; dust from demolition and site grading; exhaust and particulate emissions from trucks hauling demolition and construction debris, soil, and building materials to and from the project site; from automobiles and light trucks driven to and from the project site by construction workers; and VOCs from painting and asphalt paving operations. The proposed Project would comply with applicable SCAQMD rules and regulations, including Rule 403 for fugitive dust control (COA AQ-1). Rule 403

measures include regular watering of active grading areas and unpaved roads, limiting vehicle speeds on unpaved surfaces, stabilizing stockpiled earth, and curtailing grading operations during high wind conditions. Watering of active grading areas is included in the CalEEMod emissions analysis and results in reduced PM10 and PM2.5 emissions. The emission reductions associated with compliance with this rule have been included in the emissions calculations.

Regional Emissions Thresholds – Maximum Daily Regional Emissions

Table 4-5, Estimated Maximum Daily Regional Construction Emissions, presents the estimated maximum daily emissions during construction of the proposed Project and compares the estimated emissions with the SCAQMD's daily regional emission thresholds. As shown in Table 4-5, Project construction mass daily emissions would be less than the SCAQMD's thresholds for all criteria air pollutants, and the impact would be less than significant. No mitigation is required.

**TABLE 4-5
ESTIMATED MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS**

Year	Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Year 1	3	36	29	<1	5	3
Year 2	3	34	29	<1	5	3
Year 3	90	17	27	<1	5	2
Maximum	90	36	29	<1	5	3
SCAQMD Thresholds (Table 4-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2019 (thresholds); see Appendix A for CalEEMod model outputs.						

Construction-Phase Localized Significance Thresholds

In addition to the mass daily emissions thresholds established by the SCAQMD, short-term local impacts to nearby sensitive receptors from on-site emissions of NO₂, CO, PM10, and PM2.5 are examined based on SCAQMD's localized significance threshold (LST) methodology. To assess local air quality impacts for development projects without complex dispersion modeling, the SCAQMD developed screening (lookup) tables to assist lead agencies in evaluating impacts. The LST method was developed to provide a conservative estimate of the level of project-generated air pollutants that have the potential to exceed the NAAQS or CAAQS, which could consequently result in adverse health impacts. Exceedance of the LST does not describe the prevalence or magnitude of health effects, but rather assesses the potential for a project-related health effect to occur. The LST method cannot provide an estimate of health effects related to ozone. Reactive organic gases (ROGs) and NO_x are pollutants that contribute to the formation of ozone, otherwise known as ozone precursors. It would be too speculative to determine how an individual project could affect the formation of ozone, and how it could affect the health for a specific receptor: ozone does not fully form within the proximity of a project site, and the formation of ozone is affected by solar irradiance, meteorological conditions, presence of ozone precursors from other

sources, and other factors. As such, modeling of ozone concentrations is conducted on the “macro” scale of an air basin for all pollutant sources within the basin, and not for an individual project. Consequently, the LST analysis focuses on a project-level analysis of the four criteria pollutants of greatest concern (CO, NO_x, PM₁₀, and PM_{2.5}).

The LST method is recommended to be limited to projects that are five acres or less. For the purposes of an LST analysis, the SCAQMD considers receptors where it is possible that an individual could remain for 1 hour for NO₂ and CO exposure and 24 hours for PM₁₀ and PM_{2.5} exposure. The emissions limits in the lookup tables are based on the SCAQMD’s Ambient Air Quality Standards (SCAQMD 2016). The closest receptors to the project site that could be exposed for 1 hour are industrial uses adjacent to the project site, and the closest receptors the project site that could be exposed for 24 hours are residences 40 feet north of the Project’s northern boundary. The emissions screening thresholds used in this analysis are for receptors within 25 meters (82 feet) of the project site for NO_x, CO, PM₁₀ and PM_{2.5}. The thresholds would be higher for receptors located farther away.

Table 4-6, Construction-Phase Localized Significance Threshold Emissions, shows the maximum daily on-site emissions for construction activities compared with the SCAQMD LST screening thresholds. The thresholds shown are from the lookup tables for a daily site disturbance area of 2.5 acres, which is based on the maximum equipment disturbance area for equipment used on-site. The Project’s maximum daily on-site emissions for all pollutants would occur during the grading/excavation phase. As shown in Table 4-6, localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts would be less than significant, no mitigation is required.

**TABLE 4-6
CONSTRUCTION-PHASE
LOCALIZED SIGNIFICANCE THRESHOLD EMISSIONS**

Emissions and Thresholds	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Project maximum daily on-site emissions	35	28	5	3
Localized Significance Threshold	159	853	7	4
Exceed threshold?	No	No	No	No
lbs/day: pounds per day; NO _x : nitrogen oxides; CO: carbon monoxide; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter. Note: Data is for SCAQMD Source Receptor Area 16, North Orange County Source: SCAQMD 2009 (thresholds); see Appendix A for CalEEMod model outputs.				

Operational Emissions

The following section provides an analysis of potential long-term air quality impacts to regional air quality with the long-term operation of the proposed Project. The potential operations-related air emissions have been analyzed below for the regional criteria pollutant emissions and cumulative impacts.

Operational emissions are comprised of area, energy, and mobile source emissions. The principal source of VOC emissions associated with the Project would result from the use of consumer

products; the primary source of CO, NO_x, PM₁₀, and PM_{2.5} emissions would be mobile sources. Area and energy source emissions are based on CalEEMod assumptions for the specific land uses and size. Mobile source emissions are based on estimated Project-related trip generation forecasts, as contained in the Project traffic impact analysis. The Project would generate 2,286 daily trips (ATE 2022). Estimated peak daily operational emissions are shown in Table 4-7.

**TABLE 4-7
PEAK DAILY OPERATIONAL EMISSIONS**

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area sources	6	<1	24	<1	<1	<1
Energy sources	<1	2	1	<1	<1	<1
Mobile sources	5	3	42	<1	10	3
Stationary sources	3	9	8	<1	<1	<1
Total Operational Emissions*	14	15	75	<1	11	3
SCAQMD Significance Thresholds (Table 4-4)	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compounds; NO _x : nitrogen oxides; CO: carbon monoxide; SO _x : sulfur oxides; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. * Some totals do not add due to rounding. Note: CalEEMod model data sheets are included in Appendix A.						

As shown in Table 4-7, the Project's operational emissions would be less than the SCAQMD CEQA significance thresholds for all criteria pollutants. It should be noted that the analysis provided above in Table 4-7 is conservative, because it provides the gross emissions, and does not deduct operational emissions from existing uses. Therefore, the Project's operational impact on regional emissions would be less than significant, and no mitigation is required.

With respect to the first criterion, based on the air quality modeling analysis conducted for the proposed Project, above, construction and operation of the Project would not exceed the SCAQMD's CEQA thresholds of significance and consequently would not result in an increase in the frequency or severity of existing air quality violations nor cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emissions reductions in the AQMP. Therefore, the Project is consistent with the first criterion.

With respect to the second criterion, the proposed Project was assessed as to whether it would exceed the assumptions in the AQMP. The SCAQMD's current air quality planning document is the 2016 Air Quality Management Plan (2016 AQMP). The 2016 AQMP is a regional and multi-agency effort among the SCAQMD, CARB, SCAG, and USEPA. The 2016 AQMP includes an analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures. The purpose of the 2016 AQMP is to set forth a comprehensive program that would promote reductions in criteria pollutants, greenhouse gases, and toxic risk and efficiencies in energy use, transportation, and goods movement. The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including SCAG's 2016-2040 RTP/SCS; updated emission inventory methods for various source categories; and SCAG's latest growth forecasts (SCAQMD 2017). The 2016 AQMP includes

strategies and measures necessary to meet the NAAQS. The AQMP is based on projections of energy usage and vehicle trips from land uses within the SoCAB. The project site is within the Fullerton Town Center (FTC—Focus Area D-Harbor Gateway in The Fullerton Plan). Growth within the FTC—Focus Area D was factored into the 2016-2040 RTP/SCS through the Orange County Projections (OCP) process, and as such, it includes growth associated with the Project. The vision of The Fullerton Plan for the Harbor Gateway Focus Area is high density development, which would consist of residential, commercial, and mixed-uses with convenient access to regional transportation. The Project would be consistent with the FTC focus area vision and would not exceed the assumptions in the AQMP. Implementation of the Project results in emissions which are less than the significance thresholds adopted by the SCAQMD (as detailed in the emissions analyses above). In addition, the proposed residential uses provide housing near commercial uses, and this would minimize travel to and from this destination, which would reduce transportation-related emissions and be consistent with the goals of the AQMP. As such, the proposed Project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion. Therefore, the Project would not result in an inconsistency with the SCAQMD's 2016 AQMP. Less than significant impacts would occur, and no mitigation is required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact. A project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation. As identified in Table 4-2, Orange County is a nonattainment area for O₃, PM₁₀, and PM_{2.5}. The Project would generate PM₁₀, PM_{2.5}, and O₃ precursors (NO_x and VOC) during short-term construction and long-term operations. The SCAQMD has developed construction and operations thresholds to determine whether projects would considerably contribute toward a violation of ambient air quality standards.

Construction Activities

Construction activities associated with the proposed Project would result in less than significant construction-related regional and localized air quality impacts, as quantified above in Tables 4-5 and 4-6, respectively. SCAQMD's policy with respect to cumulative impacts associated with the above referenced pollutants and their precursors is that impacts that would be directly less than significant would also be cumulatively less than significant (SCAQMD 2003). As discussed under Threshold 4.3(a), short-term construction emissions would be less than significant. Therefore, consistent with SCAQMD policy, the cumulative construction impact of criteria pollutants would be less than significant, and no mitigation is required.

Operational Activities

As shown in Table 4-7 under Threshold 4.3(a), operational emissions for all analyzed pollutants would be below the SCAQMD CEQA significance thresholds. Therefore, the Project would not contribute to a cumulatively considerable net increase of a pollutant for which the SoCAB is in nonattainment. Emissions of nonattainment pollutants or their precursors would not be cumulatively considerable and would be less than significant; no mitigation is required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. A significant impact may occur when a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large. Exposure of sensitive receptors is addressed for the following situations: CO hotspots and criteria pollutants and toxic air contaminants (TACs, specifically diesel particulate matter [DPM]) from on-site construction. Operational, long-term TACs may be generated by some industrial land uses; commercial land uses (e.g., gas stations and dry cleaners); and diesel trucks on freeways. Residential, hotel and retail land uses do not generate substantial quantities of TACs and are therefore not addressed in this report.

Carbon Monoxide Hotspot

In an urban setting, vehicle exhaust is the primary source of CO. Consequently, the highest CO concentrations generally are found close to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as the distance from the emissions source (e.g., congested intersection) increases. Therefore, for purposes of providing a conservative worst-case impact analysis, CO concentrations typically are analyzed at congested intersection locations. If impacts are less than significant close to congested intersections, impacts also would be less than significant at more distant sensitive-receptor and other locations. As discussed within the Project's traffic study, the proposed Project is estimated to generate a total of 153 vehicle trips during the morning peak hour and 178 vehicle trips during the evening peak hour. This magnitude of vehicle trips would not result in an increase in CO concentrations occurring at nearby intersections that would exceed the State or Federal Ambient Air Quality Standards especially since there has not been an exceedance of these standards for over a decade. As such, Project-related vehicles would not result in a significant impact related to CO hotspots.

Criteria Pollutants from On-Site Construction

Exposure of persons to NO_x, CO, PM₁₀, and PM_{2.5} emissions is discussed in response to Threshold 4.3(a) above. As shown in Table 4-6, in response to Threshold 4.3(a), localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts to sensitive receptors would be less than significant.

Toxic Air Contaminant Emissions from On-Site Construction

Construction activities would result in short-term, Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment used for site preparation (e.g., demolition, excavation, and grading); paving; building construction; and other miscellaneous activities. CARB identified DPM as a TAC in 1998. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment, health risk assessments—which determine the exposure of sensitive receptors to TAC emissions—should be based on a 40-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the Project.

There would be relatively few pieces of off-road, heavy-duty diesel equipment in operation, and the total construction period of less than three years would be relatively short when compared to a 40-year exposure period. Combined with the highly dispersive properties of DPM and additional reductions in particulate emissions from newer construction equipment, as required by USEPA and CARB regulations, construction emissions of TACs would not expose sensitive receptors to substantial emissions of TACs. The impact would be less than significant, and no mitigation is required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. Potential operational odors could be created by cooking and trash collection associated with residential and retail uses. These odors would be similar to those of existing uses surrounding the project site and throughout the City, and odors would be confined to the immediate vicinity of the proposed dwelling units. Furthermore, according to the SCAQMD's *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The Project does not include any uses identified by the SCAQMD as being associated with odors and, therefore, would not produce objectionable odors. The Project uses are also regulated from nuisance odors or other objectionable emissions by SCAQMD Rule 402 (COA AQ-1). Rule 402 prohibits any the discharge from any source of air contaminants or other material which would cause injury, detriment, nuisance, or annoyance to people or the public. As such, the Project would have a less than significant impact with regard to other emissions. No mitigation is required.

Standard Conditions of Approval

Mitigation measures AQ-1 from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as standard conditions of approval.

COA AQ-1 Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;
- Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers' specifications;
- All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour;

- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- Track-out devices shall be used at all construction site access points;
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site;
- A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation;
- Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and
- Replace ground cover in disturbed areas as quickly as possible. (Mitigation Measure AQ-1 of The Fullerton Plan PEIR).

Mitigation Measures

Project implementation would not result in significant impacts related to Air Quality; therefore, no mitigation measures are required.

4.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

The analysis in the PEIR indicated that the Specific Plan area consisted of commercial, industrial, transit-oriented, and residential development. The site was surrounded by an urbanized environment and not within the boundaries of a habitat conservation area or an area protected by any local policies or ordinances with respect to biological resources. It was identified that the project area did not contain any jurisdictional wetlands or habitat to support sensitive plant or wildlife species. The biological resources on the site were non-native and ornamental.

Due to the presence of ornamental trees on the site, there was the potential to support birds subject to the Migratory Bird Treaty Act (MBTA). Additionally, the City of Fullerton has an Urban Forestry Ordinance. With implementation of MM Bio-1 and SC Bio-1, there would be less than significant impacts pertaining to birds subject to the MBTA and removal of trees.

For informational purposes, the SCs, and MMs from the PEIR are provided below.

Standard Conditions and Requirements

- SC BIO-1** All tree plantings, removals, or alterations associated with implementation of the Specific Plan, shall be conducted in accordance with the requirements set forth in City of Fullerton's Urban Forestry Ordinance, (Municipal Code Chapter 9.06 et. seq.).

Mitigation Measures

- MM BIO-1** Prior to approval of grading plans, the Community Development Department shall verify that the following note is included on the contractor specifications to ensure compliance with the Migratory Bird Treaty Act (MTBA): "To avoid impacts on nesting birds, the vegetation on the project site should be cleared between September 1 and January 31. If vegetation clearing occurs inside the peak nesting season (between February 1 and August 31), a pre-construction survey (or possibly multiple surveys) shall be conducted by a qualified Biologist to identify if there are any active nesting locations. If the Biologist does not find any active nests within the impact area, the vegetation clearing/construction work will be allowed. If the Biologist finds an active nest within the construction area and determines that the nest may be impacted by construction activities, the Biologist will delineate an appropriate buffer zone around the nest depending on the species and the type of construction activity. Construction activities would be prohibited in the buffer zone until the nest is determined to be abandoned by a qualified Biologist."

Impact Analysis

Would the Project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

No Impact. The project site is located within an urban area and surrounded by commercial, industrial, and multi-family residential uses. As a result of urbanization of the land, the entire project site and immediate surrounding areas are developed and no longer support undeveloped land. Native plant communities were removed from the site several decades ago due to development of the property. The existing vegetation on the project site consists of ornamental plant species. As detailed in the FTC Specific Plan PEIR, the site is located within and adjacent to the City's Central Business District (CBD) and is entirely surrounded by development, which consists of commercial, residential, retail, office, manufacturing, and industrial uses. The biological resources present on the site are limited to parking lot landscape and ornamental species. The site was surveyed by a BonTerra Consulting biologist on April 1, 2009 to determine the potential for the presence of special status plant and/or wildlife species. Based on this survey, it was determined there are no sensitive biological resources present on site and implementation of the proposed Project would not impact any candidate or special status species (City of Fullerton 2010). Additionally, according to The Fullerton Plan and associated PEIR, with the

exception of East Coyote Hills and West Coyote Hills in the City, vacant land with natural vegetation supportive of sensitive species does not occur in the City (City of Fullerton 2012b).

No fish, amphibian, or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish or amphibians were observed on or within the vicinity of the project site. Therefore, no fish are expected to occur and are presumed absent from the project site. Due to the high level of anthropogenic disturbances on-site, and surrounding development, no special-status reptilian species are expected to occur within the project site. The project site provides minimal foraging habitat for bird or mammal species that have adapted to human disturbance. The existing landscaping provides potential habitats for common animal species that are typically found in urban areas, such as small mammals, birds, small reptiles, and insects. However, the site does not provide natural habitats for sensitive plant and animal species.

Review of the U.S. Fish and Wildlife Service's (USFWS') Critical Habitat for Threatened and Endangered Species shows there are no designated critical habitat areas on or near the project site (USFWS 2022). The nearest critical habitat is located in East Coyote Hills, approximately 1.8 miles to the north.

Since there are no natural or sensitive biological resources on the project site, the proposed Project would not impact any candidate, sensitive, or special status species, as identified in the local or regional plans, policies, or regulations by the California Department of Fish and Wildlife (CDFW) or USFWS. There would be no impact on sensitive species, and no mitigation is required.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

No Impact. The project site is currently developed, and surface water at the site consists of direct precipitation onto the property, the drainage appears to be slight by sheet flow to the southeast (Geoquake 2019). The site supports ornamental landscaping at scattered locations but does not contain riparian habitat or sensitive natural vegetation communities identified by CDFW and USFWS. There would be no impact to riparian habitats or sensitive natural vegetation communities, and no mitigation is required.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The southern parcels are largely paved, and the northern parcel is developed with a parking structure and surface parking, and they do not support State or federally protected wetlands, or other areas under the jurisdiction of the CDFW, the Regional Water Quality Control Board (RWQCB), or U.S. Army Corps of Engineers (USACE). There are no jurisdictional drainage, wetland, or riparian habitats at the project site. As stated in The Fullerton Plan PEIR, remaining areas of the City are primarily developed and do not include wetlands or wetland habitat (City of Fullerton 2012b). Therefore, regulatory approvals from the CDFW, RWQCB, or USACE would not be required for implementation of the Project. There would be no impact, and no mitigation is required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. The project site is developed and is surrounded by commercial, industrial, and residential uses and roadways. The project site is isolated from regional wildlife corridors and linkages, and there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the project site to any identified wildlife corridors or linkages. According to The Fullerton Plan and associated PEIR, with the exception of the West Coyote Hills Focus Area and East Coyote Hills, the remaining areas of the City are largely developed and surrounded by development, and as such, wildlife movement corridors do not occur within the City proper (City of Fullerton 2012b).

As a result, implementation of the proposed Project would not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area. The Project would not affect the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, as the Project is part of none. Also, there are no native wildlife nursery sites on or near the project site.

Due to the presence of trees and vegetation on the project site, there is the potential for birds protected by the Federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code to nest at the site. The MBTA protects common and special status migratory birds and their nests and eggs. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 Code of Federal Regulations [CFR] Section 10.13, as amended). Since the 1970s, the MBTA has been interpreted to prohibit the accidental or “incidental” take of migratory birds. However, in December 2017, the acting Solicitor of the Department of the Interior issued a new memorandum disclaiming the interpretation of the MBTA as prohibiting incidental take of migratory birds. In response to the federal changes in interpretation of the MBTA, the CDFW and the California Attorney General have issued an advisory affirming California’s protection for migratory birds.

Multiple sections of California Fish and Game Code provide protection for nesting birds and raptors. Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically addresses raptors (i.e., birds of prey in the orders Falconiformes and Strigiformes) and makes it unlawful to take, possess, or destroy these birds or their nest or eggs. Section 3513 prohibits the take or possession of migratory non-game birds or any part of such bird, as designated by the MBTA.

If demolition and site clearing activities occur during the nesting season, active bird nests on the site may be disturbed or destroyed by the proposed Project, resulting in a significant impact. Therefore, COA BIO-1 is required to avoid impacts to nesting birds and their fledglings. Upon completion of construction and landscaping activities on the site, newly planted trees and landscaping would provide nesting habitat for migratory birds. Therefore, impacts to migratory birds may occur during the construction phase but would be less than significant with implementation of COA BIO-1.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact. The purpose of Chapter 9.06, Community Forestry, of the Fullerton Municipal Code (FMC) is to realize the optimum public benefits of trees on the City's streets, in public places, and on private property. Section 9.06.110, Injuring Public Trees, and Section 9.06.100, Alteration and Removal of Street Trees, prohibit the injury of street trees and do not allow the removal of street trees without a permit. As indicated in Chapter 9.06 of FMC, to facilitate the planting and maintenance of trees on newly proposed private development, the Director of Community and Economic Development Services will review landscape plans to ensure their conformance with the Community Forest Management Plan. The proposed Project would not remove trees within the public rights-of-way. Therefore, impacts would be less than significant, and no mitigation is required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. As identified in Section 5.11, Biological Resources, of The Fullerton Plan PEIR, one habitat conservation plan, the Coyote Hills East Habitat Conservation Plan (HCP), exists within the City of Fullerton. This HCP applies to the northeastern part of the City and was developed in response to the Coyote Hills East project. The Coyote Hills East HCP was prepared to protect significant biological resources located within that site, including the California gnatcatcher (*Poliophtila californica californica*), cactus wren (*Campylorhynchus brunneicapillus*), and coastal sage scrub. The proposed Project is not located in the area addressed by the Coyote Hills East HCP and would not conflict with the HCP. Therefore, the proposed Project would not have any significant impacts in this regard, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measure from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

COA BIO-1 Prior to the issuance of any grading permits, the Community Development Director or designee shall verify that the following requirements for nesting birds and preconstruction survey are completed by the Project Applicant:

- The start of demolition and site-preparation activities shall be scheduled outside of the bird nesting and breeding season (typically March 1 through August 15). If demolition or site-preparation activities start during the nesting season, a qualified Biologist shall conduct a nesting bird survey in potential bird nesting areas within 200 feet of any proposed disturbance. The survey shall be conducted no more than three days prior to the start of ground disturbance activities (i.e., grubbing or grading).
- If active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) and/or the California Fish and Game Code (which, together, apply to all native nesting bird species) are present in the impact area or within 200 feet of the impact area, a temporary buffer fence shall be erected a

minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the Biologist.

- Clearing and/or construction within temporarily fenced areas shall be postponed or halted until juveniles have fledged from the nest and there is no evidence of a second nesting attempt. The Biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.

Mitigation Measures

Project implementation would not result in significant impacts related to Biological Resources; therefore, no mitigation measures are required.

4.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the discussion and analysis in the PEIR, there were no known archaeological or paleontological resources identified within the FTC Specific Plan area; however, there were seven historic buildings. The Specific Plan requires preservation of these buildings which include: (1) Odd Fellows Lodge/Williams Family Trust Building, (2) Stubrik's Steakhouse Restaurant, (3) Pacific Electric Depot/Spadra Ristorante, (4) Union Pacific Depot/Old Spaghetti Factory, (5) United States Post Office, (6) Santa Fe Depot-Fullerton Station¹), and (7) Crystal Ice House. The Lakeman Building has been identified as potentially historic. A plaque commemorating the location of the original Fender Guitar manufacturing facility was also located within the project area.

Although historic resources within the project area would be preserved under the provisions of the FTC Specific Plan (PDF 3-1), the Specific Plan project had the potential to cause direct impacts to adjacent historic resources due to vibration and construction. These impacts were considered potentially significant but would be mitigated to a level considered less than significant with implementation of MM 3-1 and MM 3-2. Indirect impacts related to setting and design compatibility would be less than significant with PDF 3-2, which required design review of future applications to ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Structures not identified in the analysis that were determined to be a historic resource in the future could be significantly impacted by project implementation; this impact would be reduced to a less than significant level with implementation of MM 3-4.

Ground disturbance activities (i.e., grading and excavation) could impact unknown archaeological resources resulting in a potentially significant impact. This impact would be mitigated to a level considered less than significant with implementation of MM 3-4.

Grading and excavation activities could impact unknown paleontological resources. This impact would be reduced to a level considered less than significant with implementation of MM 3-6 (discussion of paleontological resources was included under the topic of Cultural Resources in the PEIR).

¹ The existing loading dock, although added at a later date and not of the same style, was included in the application that placed the Santa Fe Depot on the California Historical Resources list and the National Register of Historical Places.

Human Remains

The project area was not known to have been used for religious or sacred purposes, nor was there other evidence to suggest the site has been used for human burials. State regulations (California Health and Safety Code, Section 7050.5), which are mandatory for all development projects (refer to Standard Condition Cult-1), dictate that if human remains are encountered, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to the Public Resources Code (Section 5097.98). With these mandatory requirements in place and the unlikelihood of encountering human remains on the site, no impacts were anticipated. Additionally, consultation with California Native American tribes was conducted and no concerns or conflicts related to burial grounds were identified (California Government Code Section 65352.3).

For informational purposes, the PDFs, SCs, and MMs from the PEIR are provided below.

Project Design Features

PDF 3-1 In compliance with Section 4.4.6, Preserved Buildings (Historic and Potentially Historic Structures), the FTC Specific Plan intends to preserve/reuse the following historic and potentially historic buildings within the project area:

- Williams Family Trust Building/Odd Fellows Lodge (historic)
- Stubrik's Steakhouse Restaurant Building (historic)
- Pacific Electric Depot/Spadra Ristorete (historic)
- Union Pacific Depot/Old Spaghetti Factory (historic)
- United States Post Office (historic)
- Santa Fe Depot (historic)
- Crystal Icehouse Building (historic)
- Lakeman Building (potentially historic)

PDF 3-2 In compliance with Section 4.1.2, Form-Based Regulation and Design Review, of the Regulating Code of the FTC Specific Plan, the property owner/developer shall submit a Historic Compatibility Analysis (HCA) with any project application that includes new construction adjacent to or in the immediate area of historical resources (within and outside the FTC Specific Plan project area). The HCA is required to determine compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The HCA shall be prepared by a qualified licensed architect with demonstrated experience in historic preservation and implementing the Secretary of the Interior's Standards for the Treatment of Historic Properties. The HCA shall include the following:

- Area of Potential Effect (APE) within which a proposed development may indirectly cause changes in the character of historic properties, if such properties exist in the proximity of the proposed development.

- Location of historic and potentially historic properties in the APE, pursuant to Section 4.4.6 of the FTC Specific Plan.
- How the project's mass, height and design components define the APE, and how they could potentially affect historic properties in the APE.
- Measures taken to ensure the proposed project is compatible with the historic structure within the APE, specifying how the proposal complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Once an application is deemed complete by the Community Development Department, the project shall be reviewed by the City staff and the Town Architect to determine if the project is in compliance with the Regulating Code for the FTC Specific Plan and the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

To maintain the existing character of the area, compatible project design and compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties shall be determined based on mass, materials, relationship of solids to voids, setbacks, scale, and color with the adjacent historical resources and character of its surroundings. In compliance with Section 4.5.2, Architectural Style, of the Regulating Code for the FTC Specific Plan, the design for buildings within the project shall address the following:

The architecture of new buildings shall be visually differentiated from nearby historic buildings to protect the historic integrity of historic structures. This means that new buildings shall be clearly differentiated from adjacent historic structures.

While visually different, new buildings shall include architectural features that are visually compatible with nearby historic buildings. This means that new structures shall not visually distract from the setting of the historic structure and should include compatible features (such as similar window patterns, materials and colors) and compatible building elements.

Findings and any recommended modifications from the Town Architect shall be incorporated in the project design to ensure compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* shall be demonstrated prior to the approval of individual development applications.

Standard Conditions and Requirements

- SC 3-1** If human remains are encountered during the conduct of ground-disturbing activities, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Public Resources Code Section 5097.98. The provisions of Section 15064.5 of the CEQA Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the

remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community Development Department, Building and Permits Division, prior to issuance of grading permits.

Mitigation Measures

Historic Resources

MM 3-1 ***Trenching and Shoring:*** Prior to the issuance of the first demolition, grading, or building permit (whichever is first) for future development projects within the FTC Specific Plan area, a qualified geotechnical engineer shall survey the subsurface soil conditions beneath and adjacent to the historic resources located adjacent to the identified project development area to establish baseline conditions and allow for the subsequent preparation of the shoring design for new construction. The qualified geotechnical engineer shall monitor all trenching and shoring construction activities to ensure that undermining, surcharge and other excavation/construction problems are limited to the greatest extent possible. The qualified geotechnical engineer shall hold a valid license to practice geotechnical engineering in the State of California and have demonstrated experience specific to historic buildings. The lead agency shall determine qualifications prior to any work being performed. The qualified geotechnical engineer shall submit to the lead agency for review and approval, a technical soils report that establishes baseline conditions to be monitored during design and construction. This shall occur prior to the design of the proposed project's structural system. All subsurface historic resource foundation systems shall be fully protected from exposure to water with flood protection systems, including protective coverings, self-activating drainage pumps, and water evacuation systems.

MM 3-2 ***Vibration Protection:*** Prior to issuance of the first demolition, grading, or building permit (whichever is first) for future development projects within the FTC Specific Plan area adjacent to a historic resource, a pre-construction survey shall be performed by a qualified structural engineer with expertise in vibration analysis to establish baseline conditions and vibration levels. The qualified structural engineer shall hold a valid license to practice structural engineering in the State of California and have demonstrated experience specific to historic buildings. The lead agency shall determine the structural engineer's qualifications prior to any work being performed. The structural engineer and shoring design shall specify threshold limits for vibration causing activities, as well as specify a minimum distance for pile drilling, as determined by baseline conditions of historic buildings. These vibration limits shall be set in accordance with the California Department of Transportation's (Caltrans') *Transportation and Construction-Induced Vibration Guidance Manual* prepared by David Buehler, P.E.

of Jones & Stokes, which documents the proper techniques for mitigating vibratory damage due to construction. Vibration levels due to the use of vibration generating equipment or processes in the immediate vicinity of or adjacent to a historic property shall be monitored and controlled during construction to ensure that no damage occurs to historical resources. If feasible, alternative means of setting piles, such as predrilled holes or hydraulic pile driving, shall be employed.

Owners of historic properties within the FTC Specific Plan area shall be contacted prior to, and throughout, construction to determine if damage occurs to their properties. At the conclusion of vibration causing construction, the qualified structural engineer shall issue a follow-up letter describing damage to any adjacent or immediate historic resource. The letter shall include recommendations for repair, as may be necessary, in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Repairs to the adjacent or immediate historic resources shall be undertaken by the project developer/builder and completed in conformance with all applicable codes, including the California Historical Building Code (Part 8 of Title 24), prior to issuance of any temporary or permanent Certificate of Occupancy for the new building.

MM 3-3 ***Fender Guitar Shop Plaque:*** Prior to issuance of a demolition permit for the Public Parking Structure (in the 100 block of South Pomona Avenue), a qualified signage technician shall be retained and contracted to oversee the removal, temporary storage, and re-installation of the Fender Guitar Shop plaque at the corner of the Parking Structure's site (northeast corner of Santa Fe and Pomona Avenues).

MM 3-4 **Future Historic Resource Identification:** Prior to determining that any submitted application for an individual development proposal within the FTC Specific Plan is complete, the Town Architect shall confirm that no situation has occurred subsequent to the approval of the FTC Specific Plan that alters the assessments set forth in the *FTC Identification and Assessment of Historical Properties Report* (R²A Architecture 2010). If it is subsequently determined that an existing structure within the FTC Specific Plan area has the potential to be a historic resource, and that the structure may be directly or indirectly impacted by a proposed development project, then additional CEQA evaluation shall be conducted as required. The CEQA evaluation shall include additional historic evaluation to determine eligibility for listing on the California Register of Historical Resources, as determined necessary by a qualified architectural historian or historic architect. Requirements set forth in MMs 3-1 and 3-2 shall remain applicable if future historic properties are identified within the FTC Specific Plan area.

Archaeological Resources

MM 3-5 Prior to the issuance of each grading permit, the property owner/developer shall retain a qualified archaeologist to monitor grading and excavation activities. The archaeologist shall be present at the pre-grade conference. The archaeologist shall submit to the City of Fullerton for review and approval, a written plan with

procedures for archaeological resources monitoring. This plan shall include procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the resources as appropriate. If the archaeological resources are found to be significant, the archaeologist will determine appropriate actions—in cooperation with the City of Fullerton—for preservation or data recovery. The archaeologist shall prepare any excavated material to the point of identification. Following the completion of evaluation/data recovery, the archaeologist shall prepare a report detailing the results of the program to be presented to the City of Fullerton Community Development Department for approval. The report shall follow guidelines of the California Office of Historic Preservation (1990). Excavated finds shall be offered for curatorial purposes to the City of Fullerton, or its designee, on a first refusal basis. Curation of recovered materials

Paleontological Resources

MM 3-6 Prior to issuance of a grading permit for each phase of development, the property owner/developer shall submit a paleontology monitoring plan, prepared by an Orange County certified paleontologist to the City of Fullerton that ensures that the following actions are implemented:

- a. Paleontologic monitoring shall be conducted as determined necessary by the supervising paleontologist during grading and other excavation work. Recommended hours for monitoring activities shall be established by the supervising paleontologist and shall be outlined in the monitoring plan. It shall be the responsibility of the supervising paleontologist to demonstrate, to the satisfaction of the City, the appropriate level of monitoring necessary based on the tentative map level grading plans, when available. Because of the potential for producing small fragments of vertebrate microfossils, periodic screening of sands from cuts in these units will be done by the paleontological monitor. Such material may be removed in bulk and screened off site to minimize interference with grading operations.
- b. Any paleontological work at the site shall be conducted under the direction of an Orange County Certified paleontologist.
- c. If a fossil discovery occurs during grading operations when a paleontological monitor is not present, grading shall be diverted around the area until the monitor can survey the area, identify any fossils, evaluate their significance and, if deemed necessary, remove them from the ground.
- d. Any fossils recovered during the development, along with their contextual stratigraphic data, shall be donated to the City of Fullerton, its designee, or other appropriate institution with an educational and research interest in the materials. A final report detailing findings and disposition of specimens shall be submitted to the Community Development Department.

Introduction

Existing Setting

This analysis used information from The Fullerton Plan PEIR (City of Fullerton 2012b), the FTC Specific Plan Draft Program EIR (City of Fullerton 2009), and a historic and archaeological record search conducted by Psomas on March 25, 2021, at the South-Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. The records search is included in Appendix B, of this IS/MND. The SCCIC houses records of the California Historical Resources Information System (CHRIS) for Los Angeles, Orange, Ventura, and San Bernardino Counties. The records search included a 0.5-mile radius around the project site.

The SCCIC, located on the campus of California State University, Fullerton, houses records of the California Historical Resources Information System (CHRIS) for Orange, Los Angeles, San Bernardino, and Ventura Counties. On March 25, 2021, Psomas completed a record search for the project site, which included a 0.8-kilometer (0.5-mile) radius around the site. The purpose of the literature search was to identify prehistoric or historic archaeological sites or historic buildings and structures, previously recorded within and around the project site.

The SCCIC record search identified nine prior cultural resources studies (Table 4-8) within the 0.5-mile search radius that were initiated due to planned urban and residential developments, roadways, utilities projects, and park uses. One of the nine studies is located approximately 0.25-mile from project site. This study – OR-02761 – consists of an archaeological assessment and field survey.

**TABLE 4-8
CULTURAL RESOURCE STUDIES WITHIN 0.25-MILE OF THE PROJECT SITE**

Report No.	Year	Author(s)	Affiliation	Type of Study	Title of Study	Proximity to Project Site
OR-02761	2002	Demcak, Carol R.	Archaeological Resource Management Corp.	Archaeological, Field study	Archaeological Assessment for Harbor Boulevard Reconstruction Project (#4436), City of Fullerton, California	0.25 mile
Source: SCCIC 2021.						

The records search did not identify any previously recorded cultural resources within a 0.25-mile of the project site.

Impact Analysis

Would the Project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Less than Significant Impact. As stated previously, there were seven historic buildings identified within the FTC Specific Plan area. Of those seven historic buildings, two are located within the project vicinity: United States Post Office and Santa Fe Depot-Fullerton Station. The Specific Plan requires preservation of these buildings.

Although historic resources within the project area would be preserved under the provisions of the FTC Specific Plan (PDF 3-1), the Specific Plan project had the potential to cause direct impacts to adjacent historic resources due to vibration and construction. These impacts were considered potentially significant but would be mitigated to a level considered less than significant with implementation of MM 3-1 and MM 3-2.

With implementation of the same measures, the proposed Project potential impact to historic resources would also be less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant Impact. Based on the searches conducted, no archaeological resources were discovered on the project site or within the 0.5-mile search radius of the site. However, there is a possibility that buried historical and/or archaeological materials would be uncovered during necessary subsurface excavations for the construction of the Project. To ensure no significant impacts would result, COA CUL-1 is required in the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading. It requires that the Project proponent shall retain a qualified professional (i.e., archaeologist) to evaluate the significance of the finding and appropriate course of action. Implementation of COA CUL-1 would ensure that the potential for the destruction of any significant archaeological resources would be less than significant.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact. There is no indication that human remains are present within the project site, and the SCCIC records search does not indicate evidence of human remains within the 0.5-mile search radius of the site. However, construction activities may unearth previously undiscovered human remains.

In compliance with State and federal regulations, if human remains are encountered during excavation activities, all work shall halt at the site and or any nearby areas reasonably suspected to overlie adjacent remains, and the County Coroner shall be notified (COA CUL-2). The Coroner shall determine whether the remains are of forensic interest within two working days of receiving notification. If the Coroner, with the aid of the qualified archaeologist, determines that the remains are prehistoric, the Coroner shall contact the NAHC within 24 hours of the determination. The NAHC shall be responsible for designating the most likely descendant (MLD),

who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code. Compliance with COA CUL-2 would ensure that impacts on human remains would be less than significant. No mitigation is required.

Standard Conditions of Approval

The following mitigation measures from The Fullerton Plan PEIR are applicable to the proposed Project and incorporated herein as standard conditions of approval.

COA CUL-1 In the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Fullerton, to evaluate the significance of the finding and appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

COA CUL-2 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American.

COA GEO-1 from Section 4.7, Geology and Soils is applicable to this analysis.

Mitigation Measures

MM 3-1 and MM 3-1 of the FTC Specific Plan Program EIR, listed above, are applicable to this analysis (historic resources). With implementation of these measures, potential impact to historic resources would be less than significant. No additional mitigation is required.

MM 8-7 of the FTC Specific Plan Program EIR from Section 4.13, Noise, is applicable to this analysis. With implementation of MM 8-7 potential impacts to Cultural Resources would be less than significant. No additional mitigation is required.

4.6 ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Energy was not included in the Appendix G Environmental Checklist Form of CEQA Guidelines as a separate topic, thus energy as a separate topic was not included in the PEIR. However, Threshold 12.5 in Section 4.12, Utilities and Service Systems, was based on Appendix F of the CEQA Guidelines, which sets forth guidelines to address impacts of a project on energy resources. Threshold 12.5 focuses on “Encourage the wasteful or inefficient use of energy.”

The analysis in PEIR determined that a net increase in electricity and natural gas demand would result from future development under the FTC Specific Plan. However, with implementation of SCs 12-1 and 12-2 related to compliance with Title 24 and PDFs 13-1, 13-5, and 13-6 related to energy efficient aspects of the Project, and PDF 12-3 related to a net zero water requirements, a less than significant impact would occur with respect to the wasteful or unnecessary use of energy. No mitigation would be required.

For informational purposes, the PDF and SCs from the PEIR are provided below.

Project Design Features

PDF 12-3 In compliance with Section 4.7.10 of the Regulating Code for the FTC Specific Plan, and as described in Section 3, Project Description, proposed development within the FTC Specific Plan shall have a net-zero demand on the City’s water supply sources. To implement this standard, development projects shall fund water conservation projects in other locations of the City, participate in water conservation programs that directly benefit City residents, and/or obtain water from a completely new source of water. A development project in the FTC Specific Plan could also participate in regional water conservation efforts and/or projects when it can be shown to achieve a direct and quantifiable effect on the City’s water supply. Examples of methods that may be used to achieve this goal include but are not limited to (1) use of artificial turf to replace natural turf in parks or recreation areas; (2) replacement of existing inefficient water fixtures with low water-use fixtures; and (3) development of a facility and system to collect, treat, and distribute recycled water. The City of Fullerton Water Manager and Community Development Director shall approve all net-zero water solutions proposed by developers within the FTC Specific Plan area.

Standard Conditions and Requirements

- SC 12-1** Prior to the issuance of a building permit for residential or commercial structures, the Property Owner/Developer shall be required to demonstrate that the project meets the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The 2008 standards, which were applicable January 1, 2010, are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction, and the use of energy saving appliances, air conditioning systems, water heating, and lighting. Plans submitted for building permits shall include written notes demonstrating compliance with energy standards and shall be reviewed and approved by the Community Development Department prior to building permit issuance.
- SC 12-2** Prior to the issuance of a building permit for residential or commercial structures on the project sites, the Property Owner/Developer shall be required to demonstrate that the project meets the applicable California Green Building Standards Code (24 CCR, Part 11).

PDFs 13-1, 13-5, and 13-6 in Section 4.13, Greenhouse Gas Emissions, of the PEIR related to energy efficient aspects of the Project were also applicable.

Impact Analysis

Energy calculations and data are provided in Appendix C to this IS/MND.

Would the Project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

Less than Significant Impact. Southern California Edison (SCE) and the Southern California Gas Company (SCGC) are utility companies that currently provide and would continue to provide electrical and natural gas services to the project site. Compliance with energy efficiency and conservation policies and regulations is discussed in this section.

The City of Fullerton has adopted The Fullerton Plan which serves as the City's General Plan pursuant to State law. The Fullerton Plan has developed attainable conservation goals and policy actions that would assist in energy conservation within the community. These conservation goals and policy actions include:

- **Goal 1: Resilient and vital neighborhoods and districts.**

P1.12 Energy- and Resource-Efficient Design

Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects. (See Chapter 19: Open Space and Natural Resources for related policies.)

- **Goal 3: A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.**

Policy Action 3.18 Encourage Sustainability and Green Building Practices.

The City has acknowledged the community's concerns regarding the use and conservation of energy resources and embraces the concept of sustainability and "green building" practices in new and existing residential development, the City shall continue to monitor industry trends, technologies, and techniques that encourage the sustainable use of resources in new housing development and the retrofit of existing housing and encourage the incorporation of sustainability in new and existing residential development. The City shall determine the appropriateness of offering incentives or other mechanisms to further encourage the incorporation of sustainability in residential development.

Policy Action 3.20 Efficient Use of Energy Resources in Residential Development.

The City shall continue to encourage housing developers to maximize energy conservation through proactive site, building and building system design, materials, and equipment. The City's goal is to provide the opportunity to exceed the provisions of Title 24 of the California Building Code. The City shall continue to support energy conservation through encouraging the use of Energy Star-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering Incentives or other strategies that encourage energy conservation.

The State of California has also adopted efficiency design standards within the Title 24 Building Standards and CALGreen requirements. Title 24 of the California Code of Regulations (CCR, specifically, Part 6) is California's Energy Efficiency Standards for Residential and Non-residential Buildings (COA ENE-1). Title 24 was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and to provide energy efficiency standards for residential and non-residential buildings. The 2019 California Green Building Standards Code (24 CCR, Part 11), also known as the CALGreen Code, contains mandatory requirements for new residential and nonresidential buildings throughout California (COA ENE-2). The development of the CALGreen Code is intended to (1) cause a reduction in GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the directives by the Governor. The Code is established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction. The regulation of energy efficiency for residential and non-residential structures is established by the CEC and its California Energy Code.

Construction

Project construction would require the use of construction equipment for demolition, grading and building activities. All off-road construction equipment is assumed to use diesel fuel. Construction also includes the vehicles of construction workers and vendors traveling to and from the project site.

Off-road construction equipment use was calculated from the equipment data (mix, hours per day, horsepower, load factor, and days per phase) provided in the CalEEMod construction output files included in Appendix C to this IS/MND. The total horsepower hours for the Project was then multiplied by fuel usage estimates per hours of construction activities included in the Off-Road Model.

Fuel consumption from construction worker, vendor, and delivery/haul trucks was calculated using the trip rates and distances provided in the CalEEMod construction output files. Total vehicle miles traveled (VMT) was then calculated for each type of construction-related trip and divided by the corresponding miles per gallon factor using CARB's EMissions FACtor (EMFAC) 2017 model (CARB 2017a, 2017b). EMFAC provides the total annual VMT and fuel consumed for each vehicle type. Construction vendor and delivery/haul trucks were assumed to be heavy-duty diesel trucks.

As shown in Table 4-9, Energy Use During Construction, a total of 124,286 gallons of gasoline and 23,257 gallons of diesel fuel is estimated to be consumed during Project construction.

**TABLE 4-9
ENERGY USE DURING CONSTRUCTION**

Source	Gasoline - gallons	Diesel Fuel - gallons
Off-road Construction Equipment	17,919	19,186
Worker commute	93,031	442
Vendors	13,333	223
On-road haul	4	3,407
Totals	124,286	23,257
Sources: based on data from CalEEMod, OffRoad and EMFAC2017. Energy data can be found in Appendix C to this IS/MND.		

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The Project would also implement best management practices such as requiring equipment to be properly maintained and minimize idling. Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Energy used in the construction of the Project would enable the development of buildings that meet the latest energy efficiency standards as detailed in California's Title 24 building standards (COA ENE-1). Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

Operations

The proposed Project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 and CALGreen). The project site is currently developed with parking lots. The proposed Project is required to comply with the latest adopted building energy efficiency standards adopted by the State of California. The estimated energy consumption attributable to the Project is shown in Table 4-10, below.

TABLE 4-10
ENERGY USE DURING OPERATIONS

Land Use	Gasoline	Diesel	Natural Gas (kBtu/yr)	Electricity (kWh/yr)
Project Land Uses	151,832	12,813	7,439,644	2,229,964
Sources: Energy data can be found in Appendix C of this IS/MND.				

The CEC anticipates the new 2019 Building Energy Efficiency Standards would result in a reduction of energy use as compared to previous energy standards (CEC 2018). Therefore, the new buildings would be more energy efficient than the existing buildings to be demolished. In terms of whether the operations phase would result in a wasteful, inefficient, or unnecessary consumption of energy resources, during Project operation, the Project would add new energy efficient units to the housing inventory within Orange County. Therefore, the proposed Project would not result in an inefficient, wasteful, or unnecessary consumption of energy. There would be a less than significant impact, and no mitigation is required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The Project would be required to comply with the State of California's Title 24 Energy Efficiency Standards and Title 24 Building Standards (COA ENE-1 and COA ENE-2, respectively). As discussed previously, the latest building standards would incorporate the CEC's building energy efficiency standards, which would reduce energy consumption through the incorporation of energy efficiency requirements. This would result in efficient use of electricity, natural gas, and water as compared to older buildings developed under less stringent Title 24 requirements. As such, the development of new Project-related buildings would result in greater energy efficiency by providing buildings that meet the energy efficiency goals of The Fullerton Plan.

Overall, the Project is an infill development. The project site is located adjacent to railroads that serve Amtrak and Metro thus providing mass transit options close to the proposed residential and hotel uses. The Project's uses would also result in trip reductions due to the project site's proximity to nearby commercial uses, which are within walking distance of the project site. Therefore, the Project would promote pedestrian activity in an area with complementary uses and mass transit, which would reduce reliance on single-passenger vehicles.

In addition, Orange County had declared a housing shortage (Orange County 2018). The Project would assist in increasing available housing within the City and County, which would provide housing options to employees who work within Orange County and may result in decreased worker commutes and consumption of transportation fuels. Shorter vehicle trip lengths would

also reduce the amount of traffic congestion, which is consistent with the City's Transportation and Mobility Strategy and Sustainable Regional Revitalization Efforts of the Climate Action Plan.

As the Project complies with the latest energy efficiency standards and provides additional housing capacity within the City, which results in savings of transportation fuels, the Project would be consistent with energy conservation goals established in The Fullerton Plan and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. There would be a less than significant impact, and no mitigation is required.

Standard Conditions of Approval

COA ENE-1 The Project must be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.

COA ENE-2 The Project is subject to the California Green Building Standards Code (CALGreen) (CCR, Title 24, Part 11). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.

Mitigation Measures

Project implementation would not result in significant impacts related to Energy; therefore, no mitigation measures are required.

4.7 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic groundshaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

The analysis in the PEIR identified that the “potentially active” Norwalk Fault was below a portion of the FTC Specific Plan area and there were other active faults within 30 miles of the project area. Potentially significant impacts related to the strong seismic ground shaking and secondary seismic effects, including liquefaction and liquefaction-induced settlement, would be less than significant with compliance with SC 4-1 and implementation of MM 4-1 and MM 4-2.

It was indicated that there were no known potentially significant on-site hazards related to soil stability. With compliance with SC 4-1, all potential impacts related to the unstable soils would be less than significant.

Future compacted fill materials derived from on-site excavations were anticipated to have medium expansion potential. Potentially significant impacts related to expansive soils would be less than significant with implementation SC 4-1 and MM 4-1 and MM 4-2. On-site soils were considered corrosive to buried metals. Implementation of MM 4-1 and MM 4-2 would reduce potential impacts to a less than significant level.

The FTC Specific Plan area would be subject to strong seismic ground shaking and secondary seismic effects, including liquefaction, and liquefaction-induced settlement. No known potentially significant on-site hazards related to soil stability was identified. Future compacted fill materials derived from on-site excavations were anticipated to have medium expansion potential. On-site soils were considered to be corrosive to buried metals.

For informational purposes, the PDF, SCs, and MMs from the PEIR are provided below.

Project Design Features

PDF 12-3 In compliance with Section 4.7.10 of the Regulating Code for the FTC Specific Plan, and as described in Section 3, Project Description, proposed development within the FTC Specific Plan shall have a net-zero demand on the City's water supply sources. To implement this standard, development projects shall fund water conservation projects in other locations of the City, participate in water conservation programs that directly benefit City residents, and/or obtain water from a completely new source of water. A development project in the FTC Specific Plan could also participate in regional water conservation efforts and/or projects when it can be shown to achieve a direct and quantifiable effect on the City's water supply. Examples of methods that may be used to achieve this goal include but are not limited to (1) use of artificial turf to replace natural turf in parks or recreation areas; (2) replacement of existing inefficient water fixtures with low water-use fixtures; and (3) development of a facility and system to collect, treat, and distribute recycled water. The City of Fullerton Water Manager and Community Development Director shall approve all net-zero water solutions proposed by developers within the FTC Specific Plan area.

Standard Conditions and Requirements

SC 4-1 Geotechnical design considerations for the implementation of the FTC Specific Plan are governed by the Fullerton Building Code, as set forth in Title 14 of the Municipal Code, which incorporates by reference the California Building Code, 2007 Edition (i.e., 2007 California Building, Plumbing, Mechanical, Electrical and Existing Building Codes). Project implementation shall comply with all applicable requirements of the 2007 CBC, the Fullerton Municipal Code, and any applicable building and seismic codes in effect at the time the grading plans are approved.

Mitigation Measures

MM 4-1 Prior to issuance of each grading permit and in compliance with Section 16.05.065, Soils Report, of the *City of Fullerton Municipal Code*, the property owner/developer shall have a site-specific final geotechnical investigation prepared by a qualified licensed soils/engineering geologist and/or geotechnical engineer (geotechnical consultant). The geotechnical consultant shall determine if additional subsurface geotechnical field work (e.g., borings, CPT tests), laboratory testing, and/or geotechnical analysis is necessary in order to provide site-specific geotechnical design recommendations that ensure compliance with the Fullerton Municipal Code and the most recently adopted CBC in effect at the time of building permit issuance. These site-specific recommendations would be

in addition to those identified in the 2008 Preliminary Geotechnical Evaluation dated July 24, 2008. Recommendations from site-specific geotechnical investigations shall be incorporated into the project site preparation and building design specifications of the project. Compliance with this requirement shall be verified by the City of Fullerton Building Official.

MM 4-2 The project site preparation and building design specifications shall include: (1) recommendations from the 2008 Preliminary Geotechnical Evaluation dated July 24, 2008; (2) recommendations from the August 4, 2009 Supplemental Geotechnical Information Memorandum; and (3) recommendations from the site-specific geotechnical studies required by MM 4-1. These recommendations shall include specifications for the following:

- Site Earthwork
 - Site Preparation
 - Over-excavation and Recomposition
 - Fill Placement and Compaction
 - Subterranean Foundation Excavation
 - Trench Backfill and Compaction
- Foundation Recommendations
 - Lateral Earth Pressures for Subterranean Walls
 - Lateral Earth Pressures for Shoring Design
 - Foundations (Slab-on-Ground and Footings)
- Vapor Retarder and Sand Below Slabs
- Non-structural Concrete Flatwork
- Pavement Recommendations
- Control of Surface Water and Drainage Control
- Construction Observation, Testing and Geotechnical Plan Review
- Geotechnical Plan Review

The project site preparation and building design specifications shall be verified by the City of Fullerton Building Official prior to issuance of a grading permit.

Introduction

A Preliminary Geotechnical Investigation Report (Geotechnical Investigation) has been prepared by Geoquake, Inc. (August 2019) for the proposed Project summarizing current subsurface soil conditions and findings, infiltration tests, laboratory testing, engineering analysis, and presenting foundation and earthwork recommendations for the proposed development. (Geoquake 2019). The findings of the Geotechnical Investigation are summarized below, and the report is included as Appendix D to this IS/MND.

Impact Analysis

Would the Project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Less Than Significant Impact. Ground rupture occurs when movement on a fault breaks through the surface. The State of California has established Earthquake Fault Zones for the purpose of mitigating the hazard of fault rupture by prohibiting the location of most human occupancy structures across the traces of active faults. The project site is not included within an Earthquake Fault Zone as created by the Alquist-Priolo Earthquake Faulting Zone Act. A review of published geologic literature and maps pertaining to the site vicinity indicates that there are no known or potentially active faults with the potential for surface rupture crossing or projecting towards the site. Additionally, fault rupture through the site is not anticipated. However, because of the high tectonic activity of the region and proximity of the Puente Hills Blind Thrust Fault system and other faults such as the Elsinore Fault system the potential for surface rupture cannot be precluded. The nearest known major active fault is the Puente Hills (Coyote Hills) thrust located approximately 0.17 miles (0.27 kilometers) away from the project site. Other faults close to the site are the Elsinore Fault located approximately 5.26 miles (8.4 kilometers) away, and the Puente Hills (Santa Fe Springs) Fault located approximately 7.05 miles (11.3 kilometers) away. It should be noted that the Southern California region is an area of moderate to high seismic risk and it is not considered feasible to render structures fully resistant to seismic related hazards. The minimum seismic design should comply with the 2019 California Building Code (CBC) and ASCE 7-10 using seismic parameters recommended in the Geotechnical Investigation. Impacts associated with surface rupture from an Alquist-Priolo Fault Zone would be less than significant, and no mitigation is required.

ii) Strong seismic groundshaking?

Less than Significant Impact. As stated under Threshold 4.7(a)(i), the project site is not located within a designated State of California Earthquake Fault Zone. Ground rupture is generally considered most likely to occur along preexisting active faults of Holocene age. Based on review of existing geologic information, no active or potentially active faults are known to cross within or immediately adjacent to the project site. As such, the potential for ground rupture at the project site is considered low. Surface fault rupture resulting from the movement of nearby major faults is unknown and uncertain. However, due to the proximity of known active and potentially active faults, severe ground shaking should be expected during the life of the proposed structures.

To reduce the effects of ground shaking, the Project would be designed in accordance with all applicable current codes and standards utilizing the appropriate seismic design parameters to reduce seismic risk as defined by California Geological Survey (CGS) Chapter 2 of Special Publication 117a and the 2019 California Building Code (COA GEO-1). Per COA GEO-1, all buildings and other structures constructed as part of the Project would be designed in

accordance with applicable requirements of the CBC in effect at the time of grading plan submittal, and any applicable building and seismic codes in effect at the time the grading plans are submitted. The Geotechnical Investigation concludes that the proposed Project is feasible from a geotechnical standpoint. Therefore, there would be a less than significant impact from strong seismic groundshaking, and no mitigation is required.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction is a soil behavior phenomenon in which loose, saturated soil loses a substantial amount of strength due to high excess pre pressure generated during cyclic loading imposed by strong earthquake ground shaking. The amount of pressure generation and subsequent loss of strength in the materials is dependent on the density and other characteristics of the soil and the level of duration of shaking experienced. As a result, the soil mass is distorted, and inter-particulate effective stresses are reduced to zero, the soil behaves temporarily as viscous fluid (liquefaction) and, consequently, loses its capacity to support the structures founded thereon.

Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, and fine to medium-grained sands. Empirical evidence indicates that loose to medium-dense gravels, silty sands, and low to moderate plasticity silts and clays may be susceptible to liquefaction. In addition, sensitive high-plastic soils may be susceptible to significant strains and/or strength loss as a result of significant cyclic loading. The current practice categorizes the behavior of the fine-grained materials during failure into “sand-like” behavior and “clay-like” behavior. The term liquefaction is applicable to materials with the “sand-like” behavior during the seismic loading, and the term cyclic softening is applicable to materials with “clay-like” behavior during a seismic event.

According to current Seismic Hazard Zones map for the Anaheim Quadrangle published by the California Division of Mines and Geology (CDMG) the project site is located in an area delineated as having potential for liquefaction. However, groundwater was encountered at the site at a depth of approximately 71.5 feet below ground surface (bgs). Based on the Geotechnical Investigation liquefaction analysis prepared for the Project, the potential for liquefaction at the project site under a design seismic event is deemed low. Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to seismic-related ground failure, including liquefaction. There would be a less than significant impact, and no mitigation is required.

iv) Landslides?

No Impact. The project site and surrounding area are located in a generally flat, urbanized portion of the City, with the ground elevations on the project site at approximately 158 feet above mean sea level (msl). The potential for seismically induced landslides to occur at the project site is not considered a hazard due to the absence of slopes at the project site. In addition, based on the State’s Seismic Hazard Zones Map for the Anaheim Quadrangle, the project site is not located within an area susceptible to seismically induced landslides. Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to landslides. No impact would occur, and no mitigation is required.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. The project site is fully developed with surface parking, a parking structure, and associated site improvements and has a relatively flat topography. During demolition and construction activities, temporary soil erosion may occur due to soil disturbance and the removal of parking structure and paved surfaces. In addition, soil erosion due to rainfall and wind may occur if unprotected soils are exposed during construction. The project site is located within an alluvial plain that is comprised of a mixture of soils including sand, silt, clay, and gravel. The project area includes multiple alluvial soils associated with the Santa Ana River System.

As the project site has over one acre of land area, it would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities or coverage under the NPDES Construction General Permit. The Construction General Permit requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance best management practices (BMPs) to reduce the potential for soil and wind erosion during construction activities (see COA HYD-1, in Section 4.10).

Most of the project site is currently covered in impervious surfaces (90.18 percent), and Project implementation would also result in an increase of impervious surfaces, to 92.31 percent coverage. There would be minimal areas of exposed soils following completion of the proposed Project where erosion could occur. Site improvements and landscaping would also prevent long-term erosion. Therefore, long-term soil erosion would be less than significant, and no mitigation is required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact. As discussed above, the project site is not located in a potential landslide zone, and therefore, the Project would not result in on-or off-site landslides. The project site is located within a State-mapped Liquefaction Hazard Zone. However, groundwater was encountered at the site at a depth of approximately 71.5 feet below ground surface (bgs). Based on the Geotechnical Investigation liquefaction analysis prepared for the Project, the potential for liquefaction at the project site under a design seismic event is deemed low. Seismically induced lateral spreading involves lateral movement of earth materials due to the ground shaking. Lateral spreading is characterized by near-vertical cracks with predominately horizontal movement of the soil mass involved. In consideration of relatively flat ground level and absence of nearby slopes the potential for lateral spreading at project site is considered negligible. As such, there would be a less than significant impact regarding lateral spreading and liquefaction, and no mitigation is required.

Ground accelerations generated from a seismic event can produce settlements in sands or in granular earth materials both above and below the groundwater table. This phenomenon is often referred to as seismic settlement and is most common in relatively clean sands, although it can also occur in other soil materials. As indicated in the Geotechnical Investigation, the total and differential seismically induced settlements are anticipated to be on the order of 1½ inch and ¾ inch in 30 feet. The Geotechnical Investigation determined that with adherence with standard

structural design requirements from the current building code (COA GEO-1) potential impacts pertaining to seismically induced settlement and collapse would be less than significant, and no mitigation is required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than Significant Impact. Expansive soils are characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. Expansive soils contain significant amounts of clay particles that swell considerably when wet and shrink when dried. Changes in soil moisture content can result from rainfall, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors, and may cause unacceptable settlement or heave of structures, concrete slabs supported on-grade, or pavements supported over these materials. Depending on the extent and location below finished subgrade, these soils could have a detrimental effect on the proposed construction.

As stated previously, the project site is located within an alluvial plain that is comprised of a mixture of soils including sand, silt, clay, and gravel. The project area includes multiple alluvial soils associated with the Santa Ana River System. The expansion potential of selected materials was evaluated by the Expansion Index Testing as per ASTM D 4826. An Expansion Index (EI) of 25 indicates a low expansion potential. However, based on variable expansiveness of the fill materials, additional expansion tests should be performed in the field during grading. Furthermore, Project construction would be required to comply with 2019 California Building Code (COA GEO-1). Therefore, Project impacts related to expansive soils would be less than significant, and no mitigation is required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The use of septic tanks or alternative wastewater disposal systems is not proposed by the Project. Therefore, no impact would result, and no mitigation is required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact. The project site is located in the Downey Plain within the southeastern margin of the Los Angeles Basin, a large structural depression within the Peninsular Ranges geomorphic province of California. In general, the Downey Plain is bordered by the Coyote and Peralta Hills on the north, the Santa Ana Mountains and Tustin Plain to the east, the Pacific Ocean to the south, and Los Angeles Coastal Plain to the west. Several broadly warped coastal mesas represent uplifted areas along the active Newport-Inglewood structural fault zone. These mesas are separated by erosional gaps, which were created by historic routes of the Santa Ana River.

The site lies near the lower reaches of the Santa Ana River and associated floodplain. Historical accounts, documents, and results further support widespread sheet flooding and marine transgression as being the dominant depositional process associated with the Santa Ana River floodplain.

This analysis is based on the results of a literature review and records check conducted through the Natural History Museum (LACM) of Los Angeles County and a review of geologic maps and aeriels of the project site. The paleontological records search was completed on May 19, 2021. The record search included a thorough search of the LACM paleontology collection records for the locality and specimen data for the project site and surrounding area. The record search did not identify any fossil localities within the site. However, six localities were located nearby from the same sedimentary deposits that occur in the project site, either at the surface or at depth. As indicated above, the project site is generally underlain by Quaternary-aged young Holocene alluvial soils, which could contain unknown fossils. However, the site history and geotechnical analysis indicates these earthmoving activities would take place in previously disturbed soils, which consist of re-deposited alluvial soil and artificial fill.

Nevertheless, while paleontological resources are not anticipated to be discovered during excavations, if grading activities encounter unknown paleontological resources, implementation of COA CUL-1 would ensure this impact be less than significant. Therefore, this impact would be less than significant, and no mitigation is required.

Standard Conditions of Approval

COA GEO-1 The Project Applicant shall adhere to the 2019 California Building Code (California Code of Regulations, Title 24, Part 2), including but not limited to structural design requirements that provide minimum standards for mitigating the effects of seismic shaking and adverse soil conditions.

COA CUL-1 from Section 4.5, Cultural Resources, are applicable to this analysis.

Mitigation Measures

MM 3-1 of the FTC Specific Plan Program EIR from Section 4.5, Cultural Resources, is applicable to this analysis. With implementation of this measure potential impacts to Geology and Soils would be less than significant.

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4.8 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the analysis in the PEIR, the estimated total construction related and operational GHG emissions from the proposed FTC Specific Plan would be less than the significance thresholds of 4.6 MTCO₂e/yr/SP and 25,000 MTCO₂e/yr total emissions, and therefore the impact were considered less than significant.

Additionally, it was determined that the Project would not conflict with an applicable plan, policy, or regulation of State, regional, or local agencies. This impact was also considered less than significant.

For informational purposes, the PDFs and SCs from the PEIR are provided below.

Project Design Features

PDF 13-1 The California Energy Commission (CEC) considers compact development forms beneficial for minimizing energy consumption that leads to GHG emissions. The CEC's report on the connections between land use and climate change identifies density as the project feature that best predicts the number of vehicle trips and vehicle miles traveled (VMT) by project occupants. The proposed project is within the mixed-use downtown area of the City of Fullerton (which includes parks, schools, and civic uses) and involves implementation of a mixed-use development including high density residential, office, hotel, and retail/commercial uses near a transportation center (transit-oriented development). On a regional basis, this PDF will reduce VMT.

PDF 13-2 The proposed project would develop high density residential, office, hotel, and retail/commercial uses near the Fullerton Transportation Center, which is served by Metrolink and Amtrak passenger rail services and Orange County Transportation Authority (OCTA) bus services, including the bus transfer terminal. Therefore, the proposed project would facilitate walking and non-passenger car travel to a greater extent than would be the case for a similar development in outlying areas without transit availability. In addition, with the high density development, there would be a greater number of potential residents that could use or engage in alternative modes of travel than in a lower-density development within the project area.

PDF 13-3 In compliance with Sections 2.3.3, 4.2.19, and 4.6.4 of the Regulating Code for the FTC Specific Plan, trash and recycle receptacles shall be provided near all benches and near high traffic areas such as parks, plazas, transit stops, and retail and dining establishments.

PDF 13-4 In compliance with Section 4.3.2 of the Regulating Code for the FTC Specific Plan, in all landscaped spaces, both public and privately owned:

- Planting species selected shall be drought tolerant.
- All landscape areas shall include automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data. Sensors, either internal or auxiliary, shall be installed to suspend or alter irrigation operation during unfavorable weather conditions. Drip irrigation and other low water use technologies shall be used to the maximum extent feasible to reduce water consumption.
- Planter pots shall be irrigated by automatic irrigation systems.

PDF 13-5 In compliance with Section 4.3.2 of the Regulating Code for the FTC Specific Plan, energy-efficient lighting shall be used in all civic spaces.

PDF 13-6 As identified in Section 1.1.2, Sustainability, of the FTC Specific Plan, the Specific Plan is designed to achieve the equivalency of certification under the Leadership in Energy and Environmental Design Rating System for neighborhood Development (LEED-ND). Additionally, in compliance with Sections 4.4.2, 4.4.3, 4.4.4, and 4.4.5 of the Regulating Code for the FTC Specific Plan, in Additional Building Types, Mixed Use Buildings A, B and C, the design of each building and site shall incorporate sustainable design features to demonstrate the equivalency to a certified project under the U.S. Green Building Council's (USGBC) LEED Rating System for New Construction. The version of LEED for New Construction that is in effect when the application is deemed complete shall be utilized. Official or formal certification by the USGBC is not required by the City of Fullerton due to associated administrative costs. However, the project shall be designed with measures in place to meet the equivalency of a LEED-certified building. To implement this standard, the design team for the project shall include at least one LEED Accredited Professional.

Prior to issuance of each building permit, the Project Applicant shall submit the following to the City of Fullerton Community Development Department: (1) a final LEED Checklist that documents how the project shall meet the equivalency of a certified project under the USGBC's LEED Rating System for New Construction; (2) a signed declaration from the Project Applicant's Project Architect and LEED Accredited Professional declaring that the plans and plan details have been prepared in accordance with the submitted LEED Checklist; and (3) stamped and signed plans that include the LEED Checklist and the Signed Declaration on the front page of the plan set. The above items shall be reviewed and approved by the City of Fullerton Building Official prior to issuance of building permits.

PDF 13-7 In compliance with Section 4.7.4 of the Regulating Code for the FTC Specific Plan, the proposed project shall provide bicycle parking spaces for residential, commercial, general office, lodging, and institutional facilities. Section 4.7.4 establishes minimum

bicycle parking requirements that are appropriate for an urban, mixed-use, transit-oriented neighborhood. In addition to setting requirements for the number of spaces, the regulation requires that bicycle spaces for residents and employees be easily accessible, secure, enclosed spaces and that spaces for visitors and customers be visible from the primary building entrance, illuminated at night, and protected from damage from moving and parked vehicles. Alternatively, an in-lieu fee may be paid to the City. In-lieu fees shall be used to fund bicycle facilities in the FTC Specific Plan, such as a bike-n-ride station or public bike racks/lockers.

PDF 11-2, in Section 4.11 of the of the PEIR, also described improvements that would be made to improve bicycle access and encourage bicycle use and is also applicable to the GHG emissions analysis presented in this section.

PDF 12-3 was also applicable.

Standard Conditions and Requirements

The Project would comply with Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR, Part 6) and applicable requirements of the California Green Building Standards Code (24 CCR, Part 11).

Introduction

A Greenhouse Gas (GHG) Emissions analysis was prepared by Psomas for the proposed Project. The findings are included below, and the data is included in Appendix A to this IS/MND.

Existing Setting

Climate change refers to any significant change in measures of climate (e.g., average temperature, precipitation, or wind patterns) over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface; this is attributed to an accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere which, in turn, increases the Earth's surface temperature. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emissions of GHGs through fossil fuel combustion in conjunction with other human activities are associated with global warming.

GHGs, as defined under California's Assembly Bill (AB) 32, include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). General discussions on climate change often include water vapor, atmospheric ozone, and aerosols in the GHG category. Water vapor and atmospheric ozone are not gases that are formed directly in the construction or operation of development projects, nor can they be controlled in these projects. Aerosols are not gases. While these elements have a role in climate change, they are not considered by either regulatory bodies, such as the California Air Resources Board (CARB), or climate change groups, such as the California Climate Action

Registry, as gases to be reported or analyzed for control. Therefore, no further discussion of water vapor, atmospheric ozone, or aerosols is provided.

Regulatory Background

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, which calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

The principal overall State plan and policy adopted for the purpose of reducing GHG emissions is Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on statewide GHG emissions. AB 32 recognizes that California is the source of substantial amounts of GHG emissions. The statute states the following:

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

In order to avert these consequences, AB 32 establishes a State goal of reducing GHG emissions to 1990 levels by the year 2020, codifying the goal of EO S-3-05.

CARB approved a Climate Change Scoping Plan as required by AB 32 in 2008; this plan is required to be updated every five years. The Climate Change Scoping Plan proposes a “comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health” (CARB 2008). The Climate Change Scoping Plan has a range of GHG-reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation regulation to fund the program. On February 10, 2014, CARB released the Draft Proposed First Update to the Climate Change Scoping Plan (CARB 2014). The board approved the final First Update to the Climate Change Scoping Plan on May 22, 2014. The first update describes California’s progress towards AB 32 goals, stating that “California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32” (CARB 2014). The latest update occurred in January 2017 and incorporates the 40 percent reduction to 1990 emissions levels by 2030.

The Sustainable Communities and Climate Protection Act of 2008, Senate Bill (SB) 375, established a process to coordinate land use planning, regional transportation plans, and funding priorities in order to help California meet the GHG reduction goals established in AB 32. SB 375 required the SCAG to incorporate the Sustainable Communities Strategy (SCS) into its Regional Transportation Plans (RTPs) that will achieve GHG emission reduction targets through several measures, including land use decisions. SCAG’s SCS is included in the SCAG 2020–2045 RTP/SCS

(SCAG 2020). The goals and policies of the RTP/SCS that reduce vehicle miles traveled (VMT) focus on transportation and land use planning that include building infill projects; locating residents closer to where they work and play; and designing communities so there is access to high quality transit service.

On April 29, 2015, Governor Brown signed EO B-30-15, which ordered an interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. Five key goals for reducing GHG emissions through 2030 include (1) increasing renewable electricity to 50 percent; (2) doubling the energy efficiency savings achieved in existing buildings and making heating fuels cleaner; (3) reducing petroleum use in cars and trucks by up to 50 percent; (4) reducing emissions of short-lived climate pollutants; and (5) managing farms, rangelands, forests and wetlands to increasingly store carbon. EO B-30-15 also directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

On September 8, 2016, the Governor signed Senate Bill 32 (SB 32) to codify the GHG reduction goals of EO B-30-15, requiring the State to reduce GHG emissions by 40 percent below 1990 levels by 2030 (Health and Safety Code Section 38566). As stated above, this goal is expected to keep the State on track to meeting the goal set by EO S-3-05 of reducing GHG emissions by 80 percent below 1990 levels by 2050.

AB 197 was signed at the same time to ensure that the SB 32 goals are met by requiring CARB to provide annual reports of GHGs, criteria pollutants, and TACs by facility, City and sub-county level, and sector for stationary sources and at the County level for mobile sources. It also requires the CARB to prioritize specified emission reduction rules and regulations and to identify specified information for emission reduction measures (e.g., alternative compliance mechanism, market-based compliance mechanism, and potential monetary and nonmonetary incentive) when updating the Scoping Plan.

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 is the implementation of some of the goals of EO B-30-15. The objectives of SB 350 are as follows:

1. To increase from 33 percent to 50 percent, the procurement of our electricity from renewable sources
2. To double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation

The text of SB 350 sets a December 31, 2030, target for 50 percent of electricity to be generated from renewable sources. SB 350 also requires the State to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. Additionally, SB 350 sets requirements for large utilities to develop and submit integrated resources plans (IRPs), which detail how utilities would meet their customers' resource needs, reduce GHG emissions, and integrate clean energy resources (CEC 2022a).

On September 10, 2018, Governor Brown signed SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 requires renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. This policy requires the transition to zero-carbon electric

systems that do not cause contributions to increase of GHG emissions elsewhere in the western electricity grid (CEC 2022b). SB 100 also creates new standards for the Renewable Portfolio Standard (RPS) goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly owned utilities from 50 percent to 60 percent by 2030.

Further, on September 10, 2018, Governor Brown also signed California EO B-55-18, which sets a new statewide goal of carbon neutrality as soon as possible, and no later than 2045 and achieve net negative emissions thereafter. EO B-55-18 was added to the existing Statewide targets of reducing GHG emissions, including the targets previously established by Governor Brown of reducing emissions to 40 percent below 1990 levels by 2030 (EO B-30-15 and SB 32), and by Governor Schwarzenegger of reducing emissions to 80 percent below 1990 levels by 2040 (EO S-3-05).

The Fullerton Plan Climate Action Plan (CAP) provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate (City of Fullerton 2012c). The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California, including AB 32, and presents strategies for each category of GHG emissions (e.g., transportation, emergency consumption, water consumption and waste disposal) that will make it possible for the City to meet the recommended targets.

The CAP also suggests best practices for implementation and makes recommendations for measuring progress. The Fullerton Plan CAP states the following (City of Fullerton 2012c):

One of the primary uses for a CAP is to establish significance thresholds for reviewing projects under CEQA. CEQA requires the City to identify the significant environmental impacts of its discretionary actions and to avoid or mitigate those impacts if feasible. The CEQA Guidelines, as updated pursuant to SB 97, acknowledges that climate change is an environmental issue that requires analysis under CEQA and encourages the use of a plan consistency threshold for cumulative impacts on climate change. Projects that demonstrate consistency with the strategies, actions, and emission reduction targets contained in the CAP would have a less than significant impact on climate change.

When the City undertakes a discretionary action, such as approval of a proposed development project, plan, policy, or code change, the City will evaluate whether that action would result in a significant climate change impact.

Project consistency with the CAP is discussed under Threshold 4.8(b) below. It is accepted as very unlikely that any individual development project such as the size and character of the proposed project would have GHG emissions of a magnitude to directly impact global climate change; therefore, any impact would be considered on a cumulative basis.

Thresholds of Significance

Because the City has a CAP, which demonstrates how it will meet AB 32 requirements, the determination of whether a project would generate GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions can be made by determining the consistency of that

project with the CAP. However, the City's CAP does not address recent requirements established by SB 32 to reduce GHG emissions by 40 percent below 1990 levels by 2030. Therefore, in addition to establishing the Project's consistency with the CAP, the determination as to whether the proposed Project would generate GHG emissions that may have a significant impact on the environment is also determined by comparing the Project's emissions to the suggested South Coast Air Quality Management District (SCAQMD) threshold for all land use projects, discussed below.

On December 5, 2008, the SCAQMD Governing Board presented the staff proposal for a tiered threshold approach wherein Tier 1 determines if a project qualifies for an applicable CEQA exemption, Tier 2 determines consistency with GHG reduction plans, and Tier 3 proposes a numerical screening value as a threshold. At their September 28, 2010, meeting, the Working Group suggested a Tier 3 threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year for all land use types (SCAQMD 2010). Tier 4 determines if the project meets performance standards. Tier 4 has three options: Option 1—percent emission reduction target; Option 2—early implementation of applicable measures, and Option 3—sector-based standard. Tier 5 determines mitigation for CEQA offsets.

In the absence of adopted thresholds, the Tier 3 standard of 3,000 MTCO_{2e} per year is used for this analysis. The development of project-level thresholds in accordance with CEQA is an ongoing effort at the State, Regional, and County levels, and significance thresholds may differ for future projects based on new or additional data and information that may be available at that time for consideration. The City of Fullerton has not officially adopted any GHG CEQA significance threshold. The City defers to assessment methods and significance thresholds developed by the SCAQMD. This impact analysis evaluates consistency with regulatory programs designed to reduce GHG emissions and that contribute to the achievement of AB 32's and SB 32's goals as the primary significance criterion. In addition, this impact analysis also evaluates the Project's estimated emissions compared to the Tier 3 threshold for impacts related to GHG emissions proposed by staff of the SCAQMD, but not adopted by the SCAQMD Board.

Impact Analysis

Would the Project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. Project GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 computer program (CAPCOA 2022). CalEEMod is designed to model construction and operational emissions for land development projects and allows for the input of project- and County-specific information. For modeling purposes, construction of the Project was based on the Project's construction assumptions and default assumptions derived from CalEEMod. The input for operational emissions was based on the vehicle trip generation rates provided in the transportation impact analysis and the proposed building area. Additional input details are included in Appendix A.

The estimated construction GHG emissions for the proposed Project would be 1,788 MTCO_{2e}, as shown in Table 4-11, Estimated Greenhouse Gas Emissions from Construction.

**TABLE 4-11
ESTIMATED GREENHOUSE GAS
EMISSIONS FROM CONSTRUCTION**

Year	Emissions (MTCO₂e)
Year 1	190
Year 2	936
Year 3	662
Total	1,788
MTCO ₂ e: metric tons of carbon dioxide equivalent	
Notes:	
<ul style="list-style-type: none"> Totals may not add due to rounding variances. Detailed calculations in Appendix A. 	

Operational GHG emissions would come primarily from vehicle trips; other sources including electricity and water consumption; natural gas for space and water heating; and gasoline-powered landscaping and maintenance equipment. Table 4-12, Estimated Annual Greenhouse Gas Emissions from Project Operation, shows the annual GHG emissions from proposed Project's operations.

**TABLE 4-12
ESTIMATED ANNUAL GREENHOUSE GAS
EMISSIONS FROM PROJECT OPERATION**

Source	Emissions (MTCO₂e/yr)
Area	5
Energy	983
Mobile	1,343
Stationary	1
Waste	102
Water	97
Total Operational Emissions	2,532
MTCO ₂ e/yr: metric tons of carbon dioxide equivalent per year	
Notes:	
<ul style="list-style-type: none"> Totals may not add due to rounding variances. Detailed calculations in Appendix A. 	

Because impacts from construction activities occur over a relatively short period of time, they contribute a relatively small portion of the overall lifetime Project GHG emissions. In addition, GHG emission reduction measures for construction equipment are relatively limited. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime so that GHG reduction measures address construction GHG emissions as part of the operational GHG reduction strategies (SCAQMD 2008). Therefore, construction and operational emissions are combined by amortizing the construction and operations over an assumed 30-year Project lifetime. This combination is shown in Table 4-13, Estimated Total Project Annual Greenhouse Gas Emissions, using the proposed Project's amortized construction and operational emissions.

**TABLE 4-13
ESTIMATED TOTAL PROJECT ANNUAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions (MTCO₂e/yr^a)
Construction (Amortized)	60 ^a
Operations (Table 4-12)	2,532
Total^b	2,592
SCAQMD-Recommended Threshold (Tier 3)	3,000
Exceeds Threshold?	No
MTCO ₂ e/yr: metric tons of carbon dioxide equivalent per year	
^a Total derived by dividing construction emissions (see Table 4-9) by 30.	
^b Total annual emissions are the sum of amortized construction emissions and operational emissions.	

As discussed above, there are no established applicable quantitative federal, State, regional, or local CEQA significance criteria for GHG emissions for non-industrial projects in the SoCAB. The SCAQMD has proposed, but not adopted, a threshold of 3,000 MTCO₂e per year for non-industrial land use projects. As shown, the estimated GHG emissions from the Project, without taking credit for the GHG emissions from existing uses that would be removed with Project implementation, would be less than this suggested threshold. The impact would be less than significant, and no mitigation is required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact.

On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for a tiered threshold approach wherein Tier 1 determines if a project qualifies for an applicable CEQA exemption; Tier 2 determines consistency with GHG reduction plans; and Tier 3 proposes a numerical screening value as a threshold. At their September 28, 2010, meeting, the Working Group suggested a Tier 3 threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year for all land use types. Tier 4 determines if the project meets performance standards.

Since the City of Fullerton has an adopted and certified Climate Action Plan, the SCAQMD's Tier 2 approach could be used. As identified in the City's CAP, when determining whether a proposed project is consistent with the CAP, the following should be considered:

Step 1: Consider the consistency of the discretionary project (magnitude and location of growth) with The Fullerton Plan's year 2030 growth projections, which are the basis of the GHG emissions inventory projects. If the project is consistent with The Fullerton Plan projections, the project is consistent with the CAP.

The CAP then states, "If the discretionary project is not consistent with The Fullerton Plan's year 2030 growth projections, the project is not necessarily inconsistent with the CAP" and prescribes Steps 2, 3, and 4 to be addressed. The following analyzes the Project's consistency in accordance with Step 1.

The proposed Project would be located in the Fullerton Town Center (FTC) Focus Area D-Harbor Gateway in The Fullerton Plan and is consistent with the growth projections for this Focus Area. As indicated in Table 3-4, Projected Land Use Change—Focus Areas, of The Fullerton Plan PEIR, the land use buildout assumptions for this Focus Area forecast over 2,549 dwelling units of additional residential uses, and over 1,438,580 sf of additional non-residential uses (City of Fullerton 2012b). As indicated in Table 5.2-10, Forecast Employment Growth – Focus Area, of The Fullerton Plan, the City anticipated 4,022 new employees in the Harbor Gateway Focus Area (16.7 percent of the total employment growth in the City) (City of Fullerton 2012c). The proposed Project would create employment opportunities during construction and long-term operations in the Harbor Gateway Focus Area. The Project's 3,570 sf of non-residential (retail) uses would generate approximately 11 employees, which is based on the average space utilization of 324.3 square feet of retail/wholesale space per employee (NAIOP 2009) and 6 employees for management of the multi-family residential uses. This is 0.6 percent of the anticipated employment growth in the Harbor Gateway Focus Area. The Project would result in 286 dwelling units, which is 4 percent of the City's projections for the Harbor Gateway Focus Area. The proposed Project would result in development and employment that has been envisioned by the City for the Harbor Gateway Focus Area. The Project's employment and dwelling units would not exceed and would be consistent with The Fullerton Plan's year 2030 employment and population growth projections. The Project is consistent with the CAP based on the Step 1 analysis. Therefore, the employment and population growth resulting from the Project would be consistent with the CAP, resulting in a less than significant impact related to GHG emissions and requiring no mitigation.

Section 15183.5 (b) (2) states, "An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project."

The Fullerton CAP includes four strategies:

1. *Transportation and Mobility Strategy* - Promote a balanced transportation system that promotes the use of public transportation and bicycles, reduces congestion, and helps encourage residents to engage in healthy and active lifestyles.
2. *Energy Use and Conservation Strategy* - Reduce the carbon footprint of municipal operations to serve as a leader for the community and support the construction of buildings that are energy efficient and incorporate clean, renewable energy sources.
3. *Water Use and Efficiency Strategy* - Conserve and protect water resources and promote efficiency through public education.
4. *Solid Waste Reduction and Recycling Strategy* - Manage solid waste generation and diversion in order to achieve a zero-waste future.

The City has identified specific GHG reduction measures for these strategies, along with implementation actions for each measure. The implementation actions are City efforts that do not directly relate to development projects. However, the Project would comply with pertinent programs and regulations that have been or will be developed as part of these implementation actions and would support City efforts.

Table 4-14, The Fullerton Plan Climate Action Plan GHG Reduction Measures, lists the City's CAP strategies and related GHG reduction measures and provides a general discussion of Project features and regulations that support the CAP.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
Transportation and Mobility Strategy	
T-1: Reduction of Single Occupant Vehicle Trips Support regional and sub-regional efforts to increase alternatives to and infrastructure supporting a reduction of single occupant vehicle trips.	The Project is a mixed-used development within the Fullerton Town Center and Harbor Gateway Focus Area, which consists of residential and retail uses proximate to other retail, office, and related uses. The vision of The Fullerton Plan for the Harbor Gateway Focus Area is high density development, which would consist of residential, commercial, and mixed-uses with convenient access to regional transportation. The placement of residential uses proximate to commercial, office, and related uses would reduce use of single occupant vehicle trips. The Project is located within a Transit Priority Area since it is located within 0.1 miles of the Fullerton Train Station. This train station provides access to both Amtrak and Metrolink trains which would provide additional transportation options outside of single occupant vehicles. The project site is also located adjacent to an existing OC bus stops for the 24, 26 and 43 lines. Additionally, the Project would provide secure bicycle storage spaces for future residents and visitors at the project site, which would also support regional and sub-regional efforts to increase alternatives to and infrastructure supporting a reduction of single occupant vehicle trips.
T-2: Inter-Jurisdiction Connections Support efforts to maintain, expand and create new connections between the Fullerton bicycle network and the bicycle networks of adjacent cities, Orange County, and the region.	There is an existing Class III bike route approximately 800 feet north of the project site. Additionally, there is an existing multi-purpose path approximately 500 feet south of the project site. There is a planned Class II Bike Lane on Orangethorpe Avenue to the south of the site and a planned Class III Bike Route on Lemon Street, east of the site (City of Fullerton 2012). The Project would not preclude the future development of these bike lanes and routes.
T-3: Bicycle Transportation Plan Support projects, programs, and policies to maintain and update as necessary a Bicycle Transportation Plan prepared and approved pursuant to the California Streets and Highways Code to maintain eligibility for funding for State Bicycle Transportation Account funds.	There is an existing Class III bike route approximately 800 feet north of the project site. Additionally, there is an existing multi-purpose path approximately 500 feet south of the project site. There is a proposed Class II Bike Lane on Orangethorpe Avenue to the south of the site and a proposed Class III Bike Route on Lemon Street, east of the site (City of Fullerton 2012). The Project would not preclude the future development of these bike lanes and routes. The Project Applicant would provide 70 secure bicycle storage spaces for future residents and visitors at the project site.
T-4: Bicycle Use on All Streets Support projects, programs, policies and regulations to recognize that every street in Fullerton is a street that a bicyclist can use.	The Project would not preclude the future development of the City's proposed bicycle lanes, discussed above. The Project Applicant would provide secure bicycle storage spaces for future residents and visitors at the project site.
T-5: Bicycling Safety and Convenience Support projects, programs, policies, and regulations that make bicycling safer and more convenient for all types of bicyclists.	The Project is a mixed-used development within the Fullerton Town Center Harbor Gateway, which consists of residential and retail uses proximate to other retail, office, and related uses. The Project would promote pedestrian and bicycle activity and provide secure bicycle storage and parking at the site for convenience.
T-6: Circulation Between Cities Support regional and sub-regional efforts to implement programs that coordinate the multi-modal transportation needs and	The Project would not conflict with the Commuter Bikeways Strategic Plan since no bikeways are existing or proposed along the site boundaries. As discussed above, the nearest existing and proposed bikeways are an existing Class III bike route approximately 800 feet

**TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES**

MEASURE	PROJECT SUPPORT
requirements across jurisdictions, including but not limited to the Master Plan of Arterial Highways, the Commuter Bikeways Strategic Plan, the Signal Synchronization Master Plan, the Orange County Congestion Management Plan, and the Growth Management Plan.	north of the project site, an existing multi-purpose path approximately 500 feet south of the project site, a proposed Class II Bike Lane on Orangethorpe Avenue to the south of the site, and a proposed Class III Bike Route on Lemon Street, east of the site (City of Fullerton 2012). Also, no conflict with the Master Plan of Arterial Highways (MPAH) would occur since the needed street improvements would not change the roadway configurations. The Project would result in less trips than existing uses and would therefore not significantly impact Congestion Management Plan (CMP) intersections based on CMP thresholds of significance. No conflict with the Growth Management Plan is anticipated since employment growth from the Project would be within The Fullerton Plan and SCAG forecasts.
T-7: Infrastructure for Low and Zero Emission Vehicles Support projects, programs, policies, and regulations to encourage the development of private and/or public infrastructure facilitating the use of alternative fuel vehicles.	The Project Applicant would meet CALGreen requirements (COA ENE-2) and provide electric vehicle charging parking spaces at the project site for light-duty vehicles and infrastructure to facilitate future electric charging.
T-8: Rail and Rapid Transit Participate in the planning efforts for regional and inter-state rail and rapid transit projects to represent the interests of the City.	The Project would not preclude planning efforts for regional and inter-state rail and rapid transit projects. The Project is located within a Transit Priority Area since it is located within 0.1 miles of the Fullerton Train Station. This train station provides access to both Amtrak and Metrolink trains which would provide additional transportation options outside of single occupant vehicles.
T-9: Car Sharing Pilot Program Explore the potential for a car sharing pilot program to be implemented in one or more of the City's Focus Areas.	The Project Applicant would meet CALGreen requirements (COA ENE-2) and provide electric vehicle charging parking spaces at the project site for light-duty vehicles and infrastructure to facilitate future electric charging.
Energy Use and Conservation Strategy	
E-1: GHG Emissions from Electrical Generation Support regional and sub-regional efforts to reduce greenhouse gas emissions associated with electrical generation through energy conservation strategies and alternative/renewable energy programs.	The Project would comply with pertinent requirements in the 2019 California Building Code (CBC) (or latest applicable code), including the Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). Additionally, residential uses are required to have updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); ventilation requirements; and lighting requirements, via COA ENE-1.
E-2: Energy- and Resource-Efficient Design Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects.	The Project would comply with Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). These RRs would lead to the planning and design of the Project with considerations for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.
E-3: Energy Efficient Retrofits Prepare guidance to homeowners on energy efficient retrofits of existing dwellings.	This measure is not applicable to the Project because it would be a new development.
E-4: Efficient Use of Energy Resources in Residential Development The City shall encourage housing developers to maximize energy conservation through proactive site, building and building systems design, materials, and equipment. The City's goal is to provide the development community the opportunity to exceed the	The Project would comply with pertinent requirements in the 2019 California Building Code (CBC) (or latest applicable code), including the Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). Additionally, the Project is a mixed-use development which places residents and retail uses proximate to commercial, retail uses and the Fullerton Station, which reduces energy consumption from vehicles.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
provisions of Title 24 of the California Building Code. The City shall continue to support energy conservation through encouraging the use of Energy Star-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering incentives or other strategies that encourage energy conservation.	
E-5: Sustainable Regional Revitalization Efforts Support regional and sub-regional efforts pertaining to community revitalization that are rooted in sustainable development principles.	The Project would also incorporate sustainable practices, as required under the CALGreen Code (COA ENE-2). The Project is located within a Transit Priority Area since it is located within 0.1 miles of the Fullerton Train Station. This train station provides access to both Amtrak and Metrolink trains which would provide additional transportation options outside of single occupant vehicles. The project site is also located proximate to OC bus lines 24, 26 and 43. The presence of bus and rail services proximate to the project site will encourage the use of mass transit.
Water Use and Efficiency Strategy	
W-1: Conservation Efforts Support regional and subregional efforts to promote water efficiency and conservation.	The Project would comply with Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). The Project would also participate in the City's water conservation programs and comply with existing water conservation regulations.
W-2: Sustainable Water Practices in New Development Support projects, programs, policies, and regulations to encourage water efficient practices in site and building design for private and public projects.	The Project would comply with the water conservation measures in the CALGreen Code (COA ENE-2) and with the City's existing water conservation regulations (e.g., Water Supply Shortage Conservation Plan and Landscape Ordinance). The City's Landscape Ordinance, as contained in Section 15.50 of the Fullerton Municipal Code, require the use of water efficient irrigation systems. Specifically, the Project would be designed to reduce the water consumption through efficient irrigation systems and the use of water-efficient fixtures, such as low flush toilets and aerators on sinks and showerheads within individual buildings.
W-3: GHG Emissions from Water Conveyance Support regional and subregional efforts to reduce greenhouse gas emissions associated with water conveyance through water conservation strategies and alternative supply programs.	The City does not receive recycled water from the Orange County Sanitation District and there is no recycled water infrastructure near the site. However, the City has several water conservation programs and supports recycled water projects by indirectly providing treated water for the Orange County Groundwater Replenishment System.
Waste Reduction and Recycling Strategy	
SW-1: Regional Waste Management Support regional and sub-regional efforts on recycling, waste reduction, and product reuse.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling and organic waste containers.
SW-2: Waste Reduction and Diversion Support projects, programs, policies, and regulations to promote practices to reduce the amount of waste disposed in landfills.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling containers and organic waste.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
SW-3: Waste Stream Separation and Recycling Support projects, programs, policies and regulations to expand source separation and recycling opportunities to all households (including multi-family housing), businesses, and City operations.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling and organic waste containers.
SW-4: Food-Waste Processing Facility Explore the feasibility of a food-waste processing facility to serve the City's food-service and food-processing businesses and large institutions.	The Project does not propose a food waste processing facility or other waste treatment and disposal facility.
SW-5: GHG Emissions from Waste Support projects, programs, policies, and regulations to reduce greenhouse gas emissions from waste through improved management of waste handling and reductions in waste generation.	The Project would comply with waste reduction measures in the CALGreen Code and the mandates of SB 341 and AB 1826 for on-site recycling and organic waste containers.
Source: City of Fullerton 2012c.	

The City of Fullerton is implementing its CAP and is realizing GHG reductions as a result of this implementation. As discussed above, the Project would include features or would comply with regulations that would support the CAP strategies and GHG reductions measures listed in the City of Fullerton's CAP and, thus, would reduce GHG emissions when compared with projects that would not have these features. Project design and compliance with requirements would reduce vehicle trips due to mass transit options provided by nearby bus lines and the Fullerton Station, energy and water consumption, and solid waste disposal and, in turn, reduce GHG emissions. Thus, the Project would support the CAP's strategies and related GHG reduction measures, and would be consistent with the City's CAP. Since the Project is consistent with the policies and goals of The Fullerton Plan and the City's CAP, which in turn, were adopted in compliance with AB 32 and included in the growth projections used in the SCAG RTP/SCS, the Project would not conflict with the GHG reduction goals of these regulations and plans.

On a statewide level, the State policy and standards adopted for the purpose of reducing GHG emissions that are applicable to the proposed Project are EO S-3-05, AB 32, the California Global Warming Solutions Act of 2006 and SB 32. The quantitative goal of these regulations is to reduce GHG emissions to 1990 levels by 2020 to 80 percent below 1990 levels by 2050, and for SB 32, to 40 percent below 1990 levels by 2030. Statewide plans and regulations (such as GHG emissions standards for vehicles, the Low Carbon Fuel Standard, Cap-and-Trade, and renewable energy) are being implemented at the statewide level, and compliance at a project level is not addressed.

Overall, the Project is an infill development project proximate to existing commercial and retail uses as well as transit options provide by nearby buses and trains. Therefore, the Project would promote pedestrian activity in an area with complementary uses, which would reduce reliance on single-passenger vehicles. The proposed Project would not conflict with an applicable plan,

policy or regulation adopted for the purpose of reducing GHG emissions. The impact would be less than significant, and no mitigation is required.

Standard Conditions of Approval

COA ENE-1 and COA ENE-2, in Section 4.6, Energy, are applicable to this topic.

Mitigation Measures

Project implementation would not result in significant impacts related to GHG Emissions; therefore, no mitigation measures are required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Development of the FTC Specific Plan would involve demolition, grading and construction activities that would have the potential to encounter hazardous materials resulting from historical and/or current land uses on or near the project area. As discussed in the PEIR, the Specific Plan area contained documented releases of various contaminants, primarily petroleum hydrocarbons, and a regional volatile organic compound (VOC)-impacted groundwater plume beneath the project area. At least 23 properties within the project area would have buildings that may contain asbestos containing material (ACM) and/or lead based paint (LBP) and there was potential to encounter polychlorinated biphenyls (PCBs) during demolition and grading activities. These potentially significant impacts would be mitigated to less than significant with implementation of SC 5-1, and MM 5-1 through MM 5-5. Handling and transport of contaminated or otherwise hazardous materials could result in potential accidental exposure of the public or construction workers. SC 5- 2 would require the transportation of hazardous materials to be managed pursuant to the Hazardous Materials Transportation Act, and this impact would be less than significant.

For informational purposes, the SCs and MMs from the PEIR are provided below.

Standard Conditions and Requirements

Asbestos and Lead

SC 5-1 Pre-demolition surveys, inspections, and analyses for asbestos-containing materials (ACM) and lead-based paint (LBP) for applicable structures, as required by MM 5-2, shall be performed by fully licensed and qualified individuals in accordance with all applicable federal, State, and local regulations, including, but not limited to: ASTM E 1527-05; 40 CFR (Subchapter R, Toxic Substances Control Act); CalOSHA requirements; and South Coast Air Quality Management District (SCAQMD) Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). The ACM survey shall be performed in accordance with the requirements of the Asbestos Hazard Emergency Response Act (AHERA). Dependent on the results of the surveys, ACM and LBP abatement or management measures shall be implemented in accordance with all applicable regulations, summarized below.

Any damaged ACM shall be removed, repaired, encapsulated, or enclosed. The EPA recommends that all ACM be removed prior to any demolition or renovation activities that may impact the material. Removal of materials reported to contain detectable amounts of asbestos shall be performed by a licensed asbestos abatement contractor prior to demolition activities. In addition, asbestos-containing waste shall be disposed of by a licensed asbestos abatement contractor and manifested as hazardous waste. Dry sawing, sanding, and drilling of ACM shall be avoided to minimize airborne asbestos exposure. Building materials containing asbestos may be exposed during demolition activities, and shall be sampled and analyzed prior to further disturbance.

Should LBP be identified in any of the surveyed buildings intended for demolition, workers shall comply with the requirements of Title 8 of the California Code of Regulations 1532.1, which provides exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. LBP debris and other waste shall be managed and disposed of in accordance with the applicable provision of the *California Health and Safety Code*.

The requirement to adhere to all applicable regulations shall be included in the contractor specifications, and such inclusion shall be verified by the City of Fullerton Community Development Department prior to issuance of the first demolition permit.

Hazardous Waste Transportation

SC 5-2 Any contaminated soils or other hazardous materials removed from the FTC Specific Plan area shall be transported only by a Licensed Hazardous Waste Hauler, who shall be in compliance with all applicable State and federal requirements, including the U.S. Department of Transportation regulations under 49 CFR (Hazardous Materials Transportation Act), California Department of

Transportation (Caltrans) standards, Occupational Safety and Health Administration (OSHA) standards, and under 40 CFR 263 (Subtitle C of Resource Conservation and Recovery Act). The City of Fullerton Community Development and/or Engineering Departments shall verify that only Licensed Haulers who are operating in compliance with regulatory requirements are used to haul hazardous materials.

Mitigation Measures

Phase 1 ESAs, Site Assessments and Remediation Plan

MM 5-1 As part of acquisition and development of any remaining privately-owned property within the FTC Specific Plan area and/or prior to redevelopment of on-site properties, the Property Owner/Developer(s) shall implement all applicable recommendations provided in the Phase I Environmental Site Assessment, Fullerton Transportation Center, Fullerton, California (Kennedy/Jenks Consultants 2009), as summarized below. Not all recommendations are applicable to all properties. The Property Owner/Developer(s) shall provide evidence to the City of Fullerton that the recommendations appropriate to that property have been implemented, and compliance with these recommendations shall then be verified by the City of Fullerton.

These recommendations are fully described in the Phase I ESA included in Appendix F of this IS/MND.

- **Complete Phase I ESA for Properties to be Acquired and/or Developed –** Prior to filing of a development application with the City, the Property Owner/Developer shall have a qualified contractor complete an updated Phase I ESA for those properties owned by the City or the Project Applicant that were fully reviewed in the *Phase I Environmental Site Assessment, Fullerton Transportation Center, Fullerton, California* (Kennedy/Jenks Consultants 2009). This includes properties at Map ID Nos. 16, 21, 26, 28, 29, 32, 37, and 38. For the remaining properties in the project area, the Property Owner/Developer shall have a qualified contractor complete all elements of the Phase I ESA standard practice (ASTM E 1527-05).
- **Develop and Implement a Site Assessment Plan –** Site assessment plans shall be developed and implemented for all properties to be developed that have RECs, Notable Findings, or may be adversely affected by other properties in the area, based either on the findings of the Phase I ESA already completed or the Phase I ESA documentation that would be completed as part of individual project applications (as required above). This includes consideration of VOC impacts related to the OCWD North Basin Groundwater Protection Project. The Property Owner/Developer shall provide the City of Fullerton with documentation of site assessment for soil vapor, soil, and/or groundwater contamination, as applicable, prior to the issuance of grading permits. Assessment activities shall be developed and implemented to adequately address all Phase I ESA findings that warrant subsurface characterization.

Site assessment plans may involve evaluation of soil vapor, soil, and/or groundwater quality beneath applicable properties. Assessment activities shall be conducted in accordance with the process of procedures identified in 40 CFR (Subpart J, Part 300, National Oil and Hazardous Substance Pollution Contingency Plan) and *California Health and Safety Code*, Chapter 6.8 of Division 20, commencing at Section 25300, Hazardous Substances Account). In addition, all applicable assessment guidance documents developed by the United States Environmental Protection Agency (USEPA) and the California Department of Toxic Substances Control (DTSC) shall be followed. Assessment documentation shall be prepared by a qualified environmental professional registered in California (e.g., a Registered Environmental Assessor II, a Professional Engineer, a Geologist, Certified Engineering Geologist, or a Licensed Hazardous Substance Contractor). Soil vapor survey activities shall be performed in accordance with current California regulatory guidance (i.e., DTSC/RWQCB Active Soil Gas Advisory dated January 2003 [DTSC/RWQCB, 2003]). Soil and groundwater sampling activities shall be conducted following industry-standard drilling, sampling, and analytical protocols and guidelines established by the appropriate oversight agency. The plans shall be developed on a case-by-case basis depending on the nature of the finding (REC or Notable Finding) and the intended use of the property (e.g., residential versus commercial).

If impacted soil or groundwater conditions are identified at a given property during preparation of the site assessment plan, the Property Owner/Developer shall enter into a voluntary cleanup program with the applicable regulatory oversight agency(ies) such as the Orange County Health Care Agency (OCHCA). Other regulatory agencies (i.e., City of Fullerton, RWQCB, and/or DTSC) may have input or wish to take the lead regarding the course of environmental action taken for the project area. If one or more of these agencies chooses to become involved in oversight, then the implementation of the FTC Specific Plan would be subject to the regulatory requirements of those agencies.

The City of Fullerton shall review, or have reviewed by a qualified Contractor, site assessment documentation provided by the Property Owner/Developer to evaluate whether or not subsurface impacts, if determined present, have been fully delineated both laterally and vertically based on the intended land use of the property. Prior to issuance of grading permits, results of the site assessment effort shall be evaluated against designated clean-up goals (e.g., California Human Health Screening Levels [CHHSLs], EPA Regional Screening Levels [RSLs], EPA Maximum Contaminant Levels [MCLs]), or the regulatory oversight agency(ies) approved site-specific levels based on property-specific land uses and layout. A site assessment plan has been developed for the developer-owned property at 336 E. Santa Fe Avenue; however, property conditions shall be re-evaluated once the final land use plan for the property is established to determine if additional investigation/remediation is appropriate.

If hazardous materials are identified for any property that exceeds established clean-up goals, then appropriate response/remedial action shall be

determined by the regulatory oversight agency and implemented by the Property Owner/Developer to the satisfaction of the regulatory oversight agency in accordance with applicable requirements and regulations. A likely response to identified chemical impacts at a property is the performance of a property-specific human health risk assessment (HHRA) to evaluate health risk associated with exposure to such impacts (short- and long-term scenarios). The HHRA shall be performed using industry standard modeling programs and/or statistical analysis and shall be reviewed and approved by the regulatory oversight agency prior to submittal to the City of Fullerton.

- **Develop and Implement Remediation Plans for Impacted Properties –** Prior to the issuance of grading permits, mitigation plans shall be developed for properties that are determined to have contamination above established clean-up levels, as determined during the site assessment process described above. Mitigation plans shall be developed on a property-specific basis based on the condition and intended use of the property. The remediation plan shall be submitted to the City of Fullerton. Possible remedies for identified impacts include soil excavation and off-site disposal (likely remedy for properties slated for sub grade development), in situ remediation, soil vapor and/or groundwater extraction, engineering controls for future buildings (i.e., vapor barriers, sub slab passive ventilation layers, sub grade parking with active ventilation systems), and institutional controls (i.e., deed restrictions and land covenants).

Prior to issuance of the first occupancy permits, the Property Owner/Developer shall: (1) demonstrate that any abatement techniques identified in the regulatory oversight agency-approved HHRA and associated remedial strategy for a property have been fully installed, as verified through an on-site inspection by the City of Fullerton or a qualified Contractor designated by the City and (2) provide a Post-Remedial Report documenting that the property has been appropriately remediated for review and approval by the City of Fullerton. The City of Fullerton shall review, or have reviewed by a qualified Contractor, the Post-Remedial Report and make a determination that the property is safe for occupancy prior to issuance of the first occupancy permit. The property is deemed safe for occupancy when the calculated risk posed by any remaining contaminants, based on a residential land use scenario, is demonstrated not to exceed the applicable SCAQMD TAC thresholds (which are currently a carcinogenic risk of one excess case of cancer in a population of one million and a toxicity that is not greater than a Hazard Index of 1.0).

Post-remediation assessment activities shall be conducted in accordance with the procedures identified in 40 CFR (Subpart J, Part 300, National Oil and Hazardous Substance Pollution Contingency Plan) and California Health and Safety Code, Section 25300 et seq. (Chapter 6.8 Hazardous Substances Account). In addition, all applicable site assessment, HHRA, and remediation guidance documents developed by the USEPA and the California DTSC shall be followed in the preparation of the Post-Remedial Report. The Post-Remedial Report shall be prepared by a qualified environmental professional registered in California (e.g., a Registered Environmental Assessor II, Professional

Engineer, Geologist, Certified Engineering Geologist, or a Licensed Hazardous Substance Contractor).

Sub-Grade Developments

MM 5-2 Properties that require sub-grade excavation shall be adequately assessed prior to issuance of grading permits to reduce the likelihood that significant unexpected volumes of impacted soil are encountered. A Soil Management Plan (SMP) shall be developed and submitted to the City of Fullerton prior to the issuance of any grading permits for properties that require sub-grade excavation and implemented under applicable requirements of the regulatory oversight agency to ensure worker protection during construction activities that might encounter and disturb impacted soil (e.g., excavation, backfilling, and grading activities). An SMP includes guidelines for managing soil known in advance to be impacted and also sets forth appropriate response actions in the event that previously unknown impacted soils are encountered. The following items shall be addressed in the SMP prepared for the FTC Specific Plan area:

- Site-Specific Health and Safety
- Field Screening
- Air Monitoring
- Impacted Soil Excavation and Segregation
- Confirmation Sampling
- Stockpile Management and Sampling
- Impacted Soil Disposal
- Backfill
- Import Soil Sampling and Tracking

On-Going In-Situ Remedial Actions

Three properties were under active in-situ remediation for fuel-related impacts during preparation of the PEIR.

MM 5-3 The Property Owner/Developer shall develop a plan that allows remedial actions and redevelopment to take place concurrently for any properties in which remedial actions would continue after development. Such a plan may include additional assessment, alternative remediation options, or engineered controls to allow construction of habitable structures at these properties. The City of Fullerton shall verify compliance with this mitigation measure, when applicable, prior to issuance of demolition or grading permits, whichever comes first.

Prior to the issuance of occupancy permits, the Property Owner/Developer shall coordinate with the property's regulatory oversight agency(ies) to define a monitoring and maintenance program for any abatement features installed at the property. Subsequent to occupancy, the Property Owner/Developer shall allow

access to monitor and maintain the abatement features on the property as per the agreement made with the regulatory oversight agency(ies). The Property Owner/Developer shall fully respond, as soon as feasible, to any and all issues associated with on-site abatement features, if identified during the course of monitoring, pursuant to any regulatory agency(ies) recommendations.

MM 5-4 Prior to the issuance of a demolition permit for any structure constructed prior to 1980, the City of Fullerton shall verify that pre-demolition surveys for asbestos containing materials (ACM) and lead-based paint (LBP) have been performed in accordance with all applicable regulations, as described in SC 5-1. The requirement to adhere to all applicable regulations shall be included in the contractor specifications, and such inclusion shall be verified by the City of Fullerton prior to issuance of the first demolition permit.

If the pre-demolition surveys/inspections identify ACM or LBP, all such materials shall be handled in accordance with SC 5-1. The developer shall provide documentation to the City of Fullerton as part of the application for a demolition permit that appropriately qualified individuals have been retained to manage the identified materials in accordance with all applicable regulations.

If the pre-demolition surveys/inspections do not identify ACM or LBP, the developer shall provide documentation of the survey/inspection, and its determination that no further abatement actions are required, to the City of Fullerton as part of the application for a demolition permit.

MM 5-5 In accordance with the guidelines set forth in the property-specific SMP (refer to MM 5-2, all soils encountered during demolition and earth-moving activities having the potential to contain polychlorinated biphenyls (PCBs) (this includes property within 25 feet of a possible historic source of PCBs or where visual and/or other evidence of contamination is noted) shall be tested for PCBs using U.S. Environmental Protection Agency (EPA) Method 8082. If detectable concentrations of PCBs are identified, these shall be compared to appropriate regulatory screening levels (i.e., EPA Regional Screening Levels [RSLs] or California Human Health Screening Levels [CHHSLs]). In addition, coordination with the applicable regulatory oversight agency(ies) shall be initiated and the agency(ies) direction regarding the proper abatement and disposal of PCB-impacted soil shall be implemented. This requirement shall be included in the construction contractor's specifications, and its performance shall be the responsibility of the Property Owner/Developer. The Property Owner/Developer shall provide documentation to the City of Fullerton as part of the application for a demolition or grading permit, whichever comes first, that appropriately qualified individuals have been retained to manage the identified materials in accordance with all applicable regulations.

Introduction

A Phase I Environmental Site Assessment (Phase I ESA) and Phase II Environmental Site Characterization Report (Phase II ESA) were prepared by Terradyne, Engineering, Inc. in 2019 and are summarized below; the reports are included as Appendix E and F to this IS/MND (Terradyne 2019 a,b).

Impact Analysis

Would the Project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact. Demolition and construction activities for the proposed Project would involve the use of chemical substances such as solvents, paints, fuel for equipment, and other potentially hazardous materials. Hazards to the environment or the public would typically occur with the transport, use, storage, or disposal of hazardous materials. Demolition and construction activities would be relatively short-term and the transport, use, and disposal of hazardous materials as part of these activities would be temporary. The contractor would be required to comply with existing regulations for the transport, use, storage, and disposal of hazardous materials to prevent public safety hazards. These regulations include the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act (RCRA), California Hazardous Waste Control Act (HWCA), and California Accidental Release Prevention Program (CalARPP), among others.

Once constructed, the proposed residential, hotel, and retail/commercial uses would use hazardous materials (e.g., paint, pesticides, cleansers, and solvents) for maintenance activities. However, these uses would not utilize, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public. Impacts would be less than significant, and no mitigation is required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. Based on records provided by Environmental Data Resources (EDR), the two southern parcels have been used as a parking area since around 2002. Previously the eastern half of these parcels was used as a light industrial area, and the western half was a parking area for the train station and part of a storage area for lumber, judging from aerial photographs dating back to 1927.

According to the Phase I ESA, the two southern parcels have been used for many different light industrial uses in the last 100 years, and it is possible that limited pockets of contamination may be discovered during site development activities. However, most of the land has been used as a parking area for many years and hydrocarbons and solvents naturally degrade over time. The main concern was the former Leaking Underground Storage Tank (LUST) site located on the eastern half of these parcels at 210 East Santa Fe Avenue. It was discovered that the site formerly contained a waste oil tank and an underground storage tank that was used to store gasoline. The

gasoline tank had leaked, and remediation was performed by removing the contaminated soil. Although the site was considered closed (no further action needed) in 1997, hydrocarbon levels were high enough (21,000 parts per million [ppm] or 2.1 percent) that migration could have occurred. The tanks were located approximately 100 feet from the east edge of the property line. Soil borings were drilled, and the lab results would determine whether more exploratory borings would be needed to delineate the LUST site. The Phase I ESA recommended that a limited Phase II Study be undertaken near Railroad Museum and the former loading dock area of the railroad station to verify that there is no contamination on the south side of the property near the railroad right-of-way.

A subsurface investigation was conducted as part of the Phase II ESA on November 19, 2019. The results from the soil testing showed that there were no environmental issues that were caused by the railroad operations at the site. Based on the conclusions and recommendations of the Phase II ESA, no further action is required. As such, there would be a less than significant impact, and no mitigation is required.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than Significant Impact. There is one school, Maple Elementary School, located 0.2 mile to the south of the project site. During construction, a potential exists for the accidental release or spill of hazardous substances such as gasoline, oil, hydraulic fluid, diesel fuel, or other liquids associated with construction equipment operation and maintenance. However, use of these materials would be in limited quantities as typical during the operation and maintenance of construction equipment and would be conducted in compliance with applicable federal, State, and local regulations. Additionally, the contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release or spill of such substances into the environment. Therefore, the level of risk associated with the accidental release of hazardous substances during demolition and construction would be less than significant, and no mitigation is required.

Residential, hotel and retail/commercial activities associated with occupancy of the proposed dwelling units, hotel rooms and retail/commercial spaces would be similar to other land uses surrounding the site and would not generate hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste in quantities that may impact students at schools within 0.25 mile of the site, more specifically Maple Elementary School. There would be a less than significant impact, and no mitigation is required.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. According to the Phase I ESA and review of the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List – Site Cleanup (Cortese List) (DTSC 2022), the project site is not included on a list of hazardous material sites compiled pursuant to California Government Code Section 65962.5. Therefore, the Project does not have the potential to create a significant hazard to the public or the environment due to presence of an existing hazardous materials site identified on the Cortese List. No impact would occur, and no mitigation is required.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The project site is not located within two miles of a public airport or public use airport. The nearest airport is the Fullerton Municipal Airport, which is located 3.2 miles west of the project site. Thus, no impact pertaining to safety hazard or excessive noise for people residing or working in the project area would occur, and no mitigation is required.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. As discussed in Section 2.2.2, Effects Found Not to be Significant, of the FTC Specific Plan PEIR, during preparation of the Initial Study, the City of Fullerton determined that the proposed FTC Specific Plan would not interfere with an adopted emergency response plan or evacuation plan. Therefore, no impacts or less than significant impacts would occur. As identified in Section 5.9, Hazards and Hazardous Materials, of The Fullerton Plan PEIR, construction activities that involve roadway improvements or excavation activities in the public right-of-way could reduce the number of lanes or temporarily close certain street segments during a typical day-to-day emergency situation. Additionally, the City's Emergency Operations Plan anticipates that all major streets within the City would serve as evacuation routes, and City highways and arterial streets that connect to the Artesia Freeway (SR-91) and the Orange Freeway (SR-57) would serve as potential evacuation routes in the event of an extraordinary emergency situation.

The proposed Project involves re-development of a 2.82-acre site with apartment units, hotel, retail, restaurant, and parking. Access to the project site is provided by East Santa Fe Avenue and South Pomona Avenue. Construction activities associated with the Project could temporarily impact street traffic adjacent to the project site during the construction phase. This could reduce the number of lanes during a typical day-to-day situation. Any such impacts would be limited to the construction period and would affect only adjacent streets or intersections. With implementation of COA HAZ-1, which requires preparation of a Traffic Control Plan, impacts to emergency access would be reduced to less than significant. The Traffic Control Plan would be prepared for implementation during the construction phase and would ensure that at least one unobstructed lane shall be maintained in both directions and that temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls be implemented, if needed. The lane closures would be temporary and would not block all travel lanes. With implementation of the COA HAZ-1, construction impacts would be less than significant.

In the long-term, the Project would provide access off South Pomona Avenue and East Santa Fe Avenue that would be used for emergency response to the site and for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during operation, and no mitigation is required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The project site is located in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that may pose wildfire hazards. The site and the surrounding areas are not located in designated Very High Fire Hazard Severity Zones (VHFHSZ), as identified by the California Department of Forestry and Fire Prevention (CAL FIRE 2011). Rather, the site is within a Non-VHFHSZ area. Implementation of the Project would not expose people or structures directly or indirectly to a significant risk of loss or death associated wildland fires. No impact would occur, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measure from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

COA HAZ-1 Prior to construction, the Applicant shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer. The Plan may include the following provisions, among others:

- At least one unobstructed lane shall be maintained in both directions on surrounding roadways.
- At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions.
- If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage indicating detours/alternative routes.

Mitigation Measures

Project implementation would not result in significant impacts related to Hazards and Hazardous Materials and therefore, no mitigation measures are required.

4.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

The analysis in the PEIR identified that implementation of the FTC Specific Plan would result in both short-term, construction-related water quality impacts and long-term operational water quality impacts. Compliance with SC 6-1, which requires the incorporation of BMPs and water quality monitoring pursuant to the National Pollutants Discharge Elimination Systems (NPDES) Construction General Permit, would ensure that short-term construction impacts would be less than significant. Incorporation of PDF 6-1 through PDF 6-6 (which include low impact development [LID] features) and compliance with SC 6-2 (which mandates compliance with the applicable NPDES MS4 permit and associated DAMP/LIP requirements) would ensure that long-term water quality impacts would be less than significant.

Implementation of the FTC Specific Plan would increase the amount of pervious area within the project limits. Increased pervious area, in conjunction with water quality BMPs related to LID, would reduce the amount of storm water runoff from the project area and decrease demands on the existing storm drain system. The analysis concluded that there would be no adverse impacts to the storm drain system, and no mitigation would be required.

The project design ensures that impacts associated with the project site's location within the FEMA 100-year flood plain would be less than significant through incorporation of PDF 6-7.

The City of Fullerton Water System Management Division would provide domestic water service for the Specific Plan area. Construction and operation of the project would not substantially deplete groundwater supplies or interfere with the local groundwater table; the project would not increase the amount of impervious surface on site and the site is not on a groundwater recharge zone. Following completion of the project, the site would consist largely of impervious surfaces and the limited landscaped areas would not result in a substantial increase in the amount of erosion or sedimentation from the site. The project area is not within an inundations zone and there are no levees or dams in the project vicinity. There are no water bodies proximate to the project area that would subject the site to seiches or tsunamis, and no hillside areas that would generate mudflow.

For informational purposes, the PDFs, SCs, and MMs from the PEIR are provided below.

Project Design Features

- PDF 6-1** In compliance with Section 4.6.2, Planting Standards, of the Regulating Code for the FTC Specific Plan, landscaping with drought-tolerant plantings shall be required in all common open space areas, edge yards surrounding buildings (excluding paved walkways), and surface parking lots.
- PDF 6-2** In compliance with Section 4.6.3, Irrigation Standards, of the Regulating Code for the FTC Specific Plan, all landscaped areas shall include automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data. Sensors, either internal or auxiliary, shall be installed to suspend or alter irrigation operation during unfavorable weather conditions. Drip irrigation and other low water use technologies shall be used to the maximum extent feasible to reduce water consumption. Planter pots shall be irrigated by automatic irrigation system or irrigation bladders. Unless using an irrigation bladder, such pots shall be positively drained through an underground drainage system or shall use a waterproof tray to avoid staining the pavement.
- PDF 6-3** In compliance with Section 4.6.4, Common Open Space Standards, of the Regulating Code for the FTC Specific Plan, common open spaces shall include a combination of paved surfaces and landscaped areas, and at least 40 percent of the open space area shall consist of landscaped surfaces.
- PDF 6-4** In compliance with Section 4.6.4, Common Open Space Standards, of the Regulating Code for the FTC Specific Plan, planters and landscaped areas within common open space areas shall be designed to receive and filter storm water runoff from adjacent roofs.
- PDF 6-5** In compliance with Section 4.6.5, Surface Parking Lot Standards, of the Regulating Code for the FTC Specific Plan, private surface parking lots shall include fast-growing trees provided at a rate of one tree per three parking spaces and be located to maximize the even distribution of shade over the parking lot surface. Trees planted within surface parking lots on private property shall be provided in

curbed islands, flush mounted tree grates with tree guards, or bioswales with tire stops (or other appropriate source of protection from vehicles). Parking stalls in surface parking lots (not parking garages) shall be designed with permeable pavers, ribbon drives, and/or turf block to minimize storm water runoff by decreasing impervious surfaces. Drive aisles may also be designed with permeable pavers.

PDF 6-6 In compliance with Section 4.2.3, Sustainable Design Features, of the Regulating Code for the FTC Specific Plan, storm water runoff from streets shall be treated by bio-retention cells that are installed within public sidewalks at select locations throughout the FTC Specific Plan project area. Preliminary locations are identified in Exhibit 3.3-13 in Section 3, Project Description.

PDF 6-7 In compliance with Section 3.6.2, of the FTC Specific Plan, habitable buildings within the project area shall be designed and constructed 1 foot minimum above the 100-year flood water surface elevation to ensure that the structure(s) shall be protected from flooding events.

Standard Conditions and Requirements

SC 6-1 Prior to the issuance of a grading permit for each development project, the Property Owner/Developer shall file a Permit Registration Document (PRD) with the State Water Resources Control Board (SWRCB) in order to obtain coverage under California's General Permit for Storm Water Discharges Associated with Construction Activity (NPDES No. CAR000002 or the latest approved general permit), which was approved on September 2, 2009. The Project Applicant/Developer shall provide documentation of coverage under the Construction General Permit to the City of Fullerton Community Development Department. The PRD consists of: Notice of Intent (NOI); Risk Assessment; Site Map; Storm Water Pollution Prevention Plan (SWPPP); annual fee; and a signed certification statement. Pursuant to the permit requirements, the Property Owner/Developer shall develop and incorporate Best Management Practices (BMPs) for reducing or eliminating construction-related pollutants in the site runoff.

SC 6-2 Prior to the issuance of a grading permit for each development project, the Project Applicant/Developer shall submit a water quality management plan (WQMP) to the City of Fullerton Community Development Department for review and approval. The WQMP shall demonstrate compliance with the Drainage Area Management Plan/Local Implementation Plan (DAMP/LIP) pursuant to the Santa Ana RWQCB's Municipal Permit (MS4 Permit, Order No. R8-2002-0010, NPDES No. CAS618030, adopted January 2002) or the newly adopted fourth-term General MS4 Permit, (Order No. R8-2009-0030), whichever is applicable at the time of the WQMP submittal. The WQMP shall include a statement that the project will incorporate appropriately sized source-control and treatment-control BMPs targeted to address the pollutants of concern and to achieve the required level of treatment to prevent pollutants from entering receiving waters to the maximum extent practicable.

Mitigation Measures

Although no significant impacts would result and no mitigation be required, the analysis in the PEIR recommended measures to ensure that water quality impacts would remain less than significant.

MM 6-1 Prior to issuance of grading permits for individual projects, the following requirements shall be included in the WQMP:

“The construction site shall be maintained in such a condition that a storm does not carry wastes or pollutants off the site. Discharges other than storm water (non-storm water discharges) are authorized under California’s General Permit for Storm Water Discharges Associated with Construction Activity only where they: (1) do not cause or contribute to a violation of any water quality standard and (2) are controlled through implementation of appropriate BMPs for elimination or reduction of pollutants. Non-storm water discharges must be eliminated or reduced to the extent feasible.

Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives, and asbestos fibers, paint flakes or stucco fragments, fuels, oils, lubricants and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes, wastes from street cleaning; and super-chlorinated potable water line flushing and testing.

During construction, disposal of such materials should occur in a specified and controlled temporary area on the site that is physically separated from potential storm water runoff, with ultimate disposal in accordance with local, State and federal requirements.”

Inclusion of these requirements in the WQMP shall be confirmed by the Community Development Department.

Introduction

A Preliminary Water Quality Management Plan (PWQMP) was prepared by Plump Engineering, Inc. in 2019 and is summarized below; the report is included as Appendix G to this IS/MND (Plump 2019).

Existing Conditions

The project site is level/flat with an average elevation of 164.4 ft and sloping of roughly 3 percent. Landscaping is located along the north side of the site facing East Santa Fe Avenue. The existing site currently drains to two locations. Stormwater from the parking lot to the east of the site sheet flows to the curb and gutter on Santa Fe Avenue leading to an existing facility (30-inch reinforced concrete (RC) pipe catch basin). Stormwater from the parking lot on the west side of the site sheet flows to an on-site v-gutter that leads to a catch basin on the site. The catch basin connects to a 24-inch storm drainpipe that discharges to the curb and gutter on East Walnut Avenue.

Impact Analysis

Would the Project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. Implementation of the Project would involve demolition of the existing surface parking lot, parking structure, and associated site improvements, and construction of the proposed apartment units, hotel, retail, restaurant, and parking. Therefore, the Project has the potential to result in short-term construction impacts to surface water quality from demolition, grading, and construction-related activities. Storm water runoff from the construction site would contain loose soils, organic matter, and sediments. Spills or leaks from heavy equipment and machinery, such as fuel, oil and grease, and heavy metals, could also enter the runoff. Building construction would involve the use of hazardous materials (e.g., paints, solvents, cleansers) that, if not properly handled, may enter the stormwater runoff.

The Clean Water Act (CWA) establishes a framework for regulating potential water quality impacts from construction activities, as well as new development and major redevelopment, through the National Pollutant Discharge Elimination System (NPDES) program. Construction activities that disturb one acre or more of land are required to obtain an NPDES permit or coverage under the NPDES Construction General Permit. This is accomplished by completing and filing Permit Registration Documents (PRD) (including a Notice of Intent [NOI], a Storm Water Pollution Prevention Plan [SWPPP], an annual fee, and a signed certification) with the State Water Resources Control Board (SWRCB) prior to start of construction activities, per COA HYD-1. The Best Management Programs (BMPs) in the SWPPP are implemented during construction to reduce storm water pollutants to the maximum extent practicable.

Additionally, the Project would comply with COA HYD-2, which requires that, prior to the issuance of any grading or building permits, if construction dewatering or discharges from other specific activities are required, the Project Applicant would notify the Santa Ana Regional Water Quality Control Board (RWQCB), and any discharges into surface waters would be conducted in compliance with the Santa Ana RWQCB's Order No. R8-2015-0004 (NPDES No. CAG998001).

Stormwater pollutants that would be generated by the Project in the long-term include sediment, trash and debris, oil and grease, bacterial indicators, nutrients, and pesticides that would come from landscaped areas, drive aisles, parking areas, and outdoor residential activities. In accordance with the NPDES program and Chapter 12.18, Water Quality Ordinance, of the Fullerton Municipal Code, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) (COA HYD-3). As stated above, a Preliminary WQMP (PWQMP) was prepared for the Project. The PWQMP is intended to comply with the requirements of the County of Orange NPDES Stormwater Program, which requires preparation of the PWQMP. PWQMPs are required for all significant redevelopment projects, where significant redevelopment is defined as the addition or replacement of 5,000 or more square feet of impervious surface on an already-developed site. The City would review and approve the plan prior to construction and operation of the Project. The WQMP or Stormwater Mitigation Plan would include low impact development (in the form of proprietary vegetated biotreatment systems), non-structural BMPs and source control BMPs. Additionally, the use of hazardous materials (e.g., cleaning solvents, pesticides, fertilizers, paint, oil, and grease) would be in limited

quantities and in accordance with existing regulations, as discussed in Section 4.9, Hazards and Hazardous Materials. This would not result in soil, surface water, or groundwater contamination.

Compliance with COA HYD-1 through COA HYD-3 would reduce the risk of water degradation from soil erosion and other pollutants related to construction activities, and potential violations of water quality standards would be minimized through required BMPs. Therefore, the Project would not violate water quality standards or waste discharge requirements. Impacts would be less than significant, and no mitigation is required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impede sustainable groundwater management of the basin?

Less than Significant Impact. The Project would not involve direct or indirect withdrawals of groundwater. Domestic water service would be provided by the City of Fullerton, as described in Section 4.19, Utilities and Service Systems. Also, the Project would not deplete groundwater supplies or interfere substantially with groundwater recharge. Most of the project site is currently covered in impervious surfaces (90.18 percent), and Project implementation would result in an increase of impervious surfaces, to 92.31 percent coverage. Therefore, there would be an increase in groundwater recharge, impacts would be less than significant, and no mitigation is required.

c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in substantial erosion or siltation on- or off-site;

Less than Significant Impact. As indicated in Response 4.10a, the Project would be required to obtain a NPDES permit for construction activities or coverage under the NPDES Construction General Permit. The Construction General Permit requires preparation of a SWPPP and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance BMPs to reduce the potential for soil and wind erosion during construction activities (COA HYD-1). With compliance with these regulations, construction-related erosion would be less than significant, and no mitigation is required.

There would be minimal areas of exposed soils following completion of the proposed Project where erosion could occur. Site improvements and landscaping would also prevent long-term erosion (COA HYD-3). Therefore, operation-related erosion would be less than significant, and no mitigation is required.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than Significant Impact. Currently, approximately 90 percent of the project site is covered with impervious surfaces, which would increase to approximately 92 percent with implementation of the proposed Project. In the proposed condition, stormwater to the east of the site would sheet flow from the parking structure to the landscape areas north of the parking structure. Modular wetlands provided within the landscape area would filter the stormwater and discharge it to the curb and gutter on East Santa Fe Avenue. Storm water runoff from the hotel rooftop would drain directly to a modular wetland on the north side of the site. Similarly, the modular wetland would discharge to the curb and gutter on East Santa Fe Avenue. The stormwater on the west and south side of the proposed hotel would sheet flow from the parking lot to the landscape areas. Modular wetlands provided within the landscape area would filter the stormwater and discharge it to an existing 24-inch storm drainpipe. The 24-inch storm drainpipe would discharge the water under the railroad to the curb and gutter on East Walnut Avenue. These encroachments would occur in compliance with City regulations. Any right-of-way dedication and public infrastructure improvements would also be done in accordance with the City's Municipal Code. Off-site improvements would include storm drain improvements, parkway improvements, and utility connections (water, sewer, electricity, natural gas, and telecommunication lines). The proposed changes resulting from the project site would not substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite. Impacts would be less than significant, and no mitigation is required.

iv) impede or redirect flood flows?

Less than Significant Impact. The Federal Emergency Management Agency (FEMA) designates most of Fullerton, including the project site, as Zone X, which is an area subject to flooding from the 500-year flood (0.2 percent annual chance of flooding) (FEMA 2022). As stated above, modular wetlands provided within the landscape areas would filter the stormwater and discharge it to an existing 24-inch storm drainpipe. This would reduce the potential for flooding to occur as a result of the Project. Additionally, implementation of temporary and permanent erosion control BMPs in the Project's SWPPP and WQMP or Stormwater Mitigation Plan (see COA HYD-1 and COA HYD-3) would ensure that substantial erosion or siltation would not occur on- or off-site during short-term construction and long-term occupancy of the dwelling units or hotel. Thus, the Project would not result in erosion or siltation that would alter the drainage pattern of the area, impede, or redirect flood flows. Project impacts would be less than significant, and no mitigation is required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. A seiche is the resonant oscillation of a body of water caused by earthquake shaking (waves). Seiche hazards exist where ground shaking causes water to splash out of the body of water and inundate nearby areas and structures. The site is not located near a large body of water that may be subject to seiche. Additionally, tsunamis are seismic sea waves generated by

undersea earthquakes or landslides. The City of Fullerton is not located along the coast, and the project site is approximately 14 miles from the Pacific Ocean. Further, the project site is relatively flat. There are no hillside areas on site or in the surrounding area that could generate mudflow. As a result, no impacts related to seiche, tsunami, or mudflow would occur, and no mitigation is required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. As discussed above in Response 4.10a, the Project would comply with applicable water quality regulations for short-term and long-term impacts. Specifically, the Project would have coverage under the NPDES Construction General Permit and implementation of the Project's SWPPP (see COA HYD-1) would ensure that short-term, construction-related water quality impacts would be less than significant. For long-term water quality impacts, in accordance with Chapter 12.18, Water Quality Ordinance, of the Fullerton Municipal Code, prior to issuance of a grading or building permit, the Project would prepare a WQMP or Stormwater Mitigation Plan, which includes BMPs, in accordance with the Orange County DAMP (COA HYD-3). Thus, with implementation of permanent BMPs in the WQMP or Stormwater Mitigation Plan, the project site would generate less stormwater pollutants than under existing conditions.

There are no groundwater wells on the project site and no wells are proposed as part of the Project. The proposed Project would not involve direct withdrawals of groundwater, nor would it interfere with groundwater recharge such that it would result in a net deficit in aquifer volume or lowering of the local groundwater table levels. As stated previously, the project site is located within a plume protection boundary (North Basin Groundwater Protection Project); infiltration is prohibited within a plume protection boundary (Plump 2019.) Excavation activities would not extend into the underlying groundwater. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts are less than significant, and no mitigation is required.

Standard Conditions of Approval

Mitigation measures HYD-1 and HYD-3 from The Fullerton Plan PEIR are applicable to the proposed Project and incorporated herein as standard conditions.

COA HYD-1 Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana RWQCB providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts.

- COA HYD-2** Prior to the issuance of any grading or building permits, if construction dewatering or discharges from other specific activities (e.g., dewatering from subterranean seepage, potable water system maintenance discharges, fire hydrant flushing, etc.) are required, the Project Applicant will notify the Santa Ana RWQCB, and any discharges into surface waters will be conducted in compliance with the Santa Ana RWQCB's Order No. R8-2015-0004 (NPDES No. CAG998001), which includes General Waste Discharge Requirements (WDRs) for discharges to surface water that pose an insignificant (de minimis) threat to water quality. The General WDRs include provisions mandating notification, testing, and reporting of dewatering and testing-related discharges, and contain numeric and performance-based effluent limits depending upon the type of discharge.
- COA HYD-3** Prior to issuance of any Grading Permit, the Applicant shall provide, to the satisfaction of the Director of Engineering, a Water Quality Management Plan or Stormwater Mitigation Plan, which includes Best Management Practices (BMPs), in accordance with the Orange County DAMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The Applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts.

Mitigation Measures

Project implementation would not result in significant impacts related to Hydrology and Water Quality; therefore, no mitigation measures are required.

4.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the analysis in the PEIR, implementation of the FTC Specific Plan, including PDF 7-1 through PDF 7-4, would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. To the extent that there is an inconsistency with the [then] existing land uses authorized in the City's General Plan and Zoning Ordinance, as discussed in Section 3 of the PEIR, the amendments to the General Plan and Zoning Ordinance that were part of the Project description (PDF 7-5 and PDF 7-6) would result in project compliance consistent with the goals and policies in effect in the City's General Plan. Additionally, the analysis concluded that the proposed land uses would be compatible with onsite uses within the Specific Plan area off-site land uses surrounding the project area. No significant impacts would result, and no mitigation was required.

For informational purposes, the PDFs and SCs from the PEIR are provided below.

Project Design Features

PDF 7-1 The City of Fullerton shall administer the provisions of Chapter 4, Regulating Code, of the FTC Specific Plan, which serves as the zoning, development and design standards, and design guidelines for all parcels within the project area, with the exception of legal non-conforming uses that were established prior to the adoption of the FTC Specific Plan. The Regulating Code sets forth the Form-Based Code regulations that dictate the following: Streets and Alleys (refer to PDF 1-1), Civic Spaces (refer to PDF 1-2), Building Types (refer to PDF 1-3), Architectural Standards and Guidelines (refer to PDF 1-4), and Landscape Standards and Guidelines (refer to PDF 1-5). The Regulating Code also sets forth the Design Review process, which includes review by the City of Fullerton Town Architect and the Director of the Community Development Department (refer to PDF 1-6).

PDF 7-2 Section 4.7.5 of the Regulating Code for the FTC Specific Plan ensures the compatibility of residential and non-residential uses within individual buildings and on adjacent properties through the following standards:

- No use, activity, or process shall produce vibrations or noxious odors that are perceptible without instruments by the average person at the property line of the site or within the interior of residential units on the site.

- Loading and unloading of major delivery vehicles on the site shall not occur between the hours of 5:00 PM and 7:00 AM. For the purposes of this Regulating Code, major delivery vehicles include any vehicle with a commercial license plate that has a gross vehicle weight over 10,000 pounds. This standard does not apply to the loading and unloading of other delivery vehicles, such as pick-up trucks and small vans.
- Outdoor lighting associated with commercial uses shall provide sufficient illumination for access and security purposes. Lighting shall be directed and shielded away from residential windows and outdoor spaces, and shall not be a distraction or nuisance for vehicle traffic.

PDF 7-3 Section 4.4.4, Mixed-Use B (Mass and Height), of the Regulating Code for the FTC Specific Plan allows towers with up to 3 additional floors on Mixed-use B buildings developed on properties along the northern side of Santa Fe Avenue (maximum of 100 feet).

PDF 7-4 Section 4.4.5, Mixed-Use C (Mass and Height), of the Regulating Code for the FTC Specific Plan requires that Mixed-Use C development east of Lemon Street shall not exceed 32 feet in height within 15 feet of the rear alley/rear property line, and may not exceed 46 feet in height within 30 feet of the rear alley/rear property line, in order to require a transition in building height and to respect the scale of the existing residential neighborhood south of the alley.

PDF 7-5 As identified in Section 3.3.3 of the Project Description, the proposed project includes an amendment to the General Plan Downtown Mixed-Use designation to: (1) amend the General Plan text to create a new designation of “Fullerton Transportation Center Specific Plan” and (2) change the land use map designation for the project area to the new designation of “Fullerton Transportation Center Specific Plan” (refer to Exhibit 3.3-16, Existing and Proposed General Plan Land Use Designations).

PDF 7-6 As identified in Section 3.3.4 of the Project Description, the proposed project involves an amendment to the City of Fullerton Zoning Ordinance and Zoning Map to change the zoning for the area within the FTC Specific Plan Boundaries to “Specific Plan District (SPD)”. The changes to the Zoning Ordinance would state that the FTC Specific Plan document, Chapter 4, Regulating Code, will serve as the zoning, development, and design standards for all projects within the SPD zone. Additional text amendments to FMC Title 15 will be made to ensure consistency between the existing Zoning Ordinance and the FTC Specific Plan. The existing and the proposed zoning are presented in Exhibit 3.3-15, Existing and Proposed Zoning.

Standard Conditions and Requirements

SC 7-1 As set forth in Section 5.3.4 of the FTC Specific Plan, conditional use permits (CUPs) and Administrative Restaurant Use Permits (ARUPs) shall be required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be

designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. CUPs shall be granted in accordance with procedures outlined in Chapter 15.70 of the Municipal Code before a conditionally permitted use can be allowed within the FTC Specific Plan area. ARUPs shall be granted in accordance with procedures outlined in Chapter 15.71 of the Municipal Code before a conditionally permitted use can be allowed within the Specific Plan Area.

SC 7-2 As set forth in Section 4.1.3 of the FTC Specific Plan, legal nonconforming industrial and manufacturing uses within the project area shall be required to continue to be in compliance with Chapter 15.40.080 of the *Fullerton Municipal Code*, which addresses “environmental pollution” requirements.

Mitigation Measures

No mitigation measures were required.

Introduction

One aspect of land use planning considered under CEQA is the consistency of a project with relevant planning documents, which include the Southern California Association of Governments’ (SCAG’s) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the Regional Comprehensive Plan (RCP). Additionally, the Project is subject to the City of Fullerton’s land use jurisdiction, including the City’s plans, policies and regulations and are required to be consistent with the City’s General Plan (The Fullerton Plan), Fullerton Municipal Code, and other City imposed requirements.

Information presented in this section is based on field reconnaissance; review of aerial photographs; and review of the relevant planning documents identified in this section. Project consistency with existing and planned land uses in the vicinity is evaluated through review of the land use goals and policies contained in The Fullerton Plan and The Fullerton Plan PEIR, both adopted in May 2012 (City of Fullerton 2012a, 2012b).

Existing Setting

The Fullerton Plan identifies twelve Focus Areas that present opportunities where land use and design change can help fully implement the Fullerton Vision. The Fullerton Vision establishes a community-based foundation, which captures the qualities, values, and characteristics of the City of Fullerton now and in the future. The project site is located in one of these areas, Focus Area F: Transportation Center. The Transportation Center Focus Area is located south of the Downtown, east of Harbor Boulevard and north of the railroad tracks. This Focus Area is situated as a gateway to the Downtown and is heavily used by City residents and commuters. The Fullerton Transportation Center is one of the busiest in Orange County, providing access to Amtrak and Metrolink rail service, the Orange County Transportation Authority (OCTA) bus system, private taxi service, and secure bicycle storage. The Transportation Center Focus Area is envisioned as a major activity hub for both the City and the region, characterized by development that encourages use of the regional transportation options available here. The Transportation Center would contain compact, mixed-use development providing housing, as well as open space. Increased transit, bicycle, and pedestrian access would support the area’s role as a destination

and place of interest for City residents and visitors alike. A Specific Plan for the Fullerton Transportation Center and its associated PEIR were adopted by the City Council in November of 2010.

Fullerton Transportation Center Specific Plan

The overall purpose and intent of the FTC Specific Plan is to create a sustainable transit-oriented neighborhood near the Santa Fe Train Depot. The Specific Plan is intended to, among other things, focus growth and development around the train depot to link land use and transit. The main goals of the FTC Specific Plan are to: (1) create buildings, public spaces, streets, and infrastructure that contribute to a sustainable built environment; (2) create a mixed-use neighborhood that contributes toward a sustainable Downtown economy; (3) create a mixed-use and transit-oriented neighborhood that contributes to a sustainable natural environment; and (4) develop and promote a framework for a sustainable community lifestyle. The Specific Plan also encourages the inclusion of affordable housing in proximity to public transit and new employment opportunities and is intended to accommodate a portion of the City's housing obligation related to the Regional Housing Needs Assessment (RHNA).

Impact Analysis

Would the Project:

a) Physically divide an established community?

No Impact. With respect to the proposed Project, the two southern parcels are located to the south of East Santa Fe Avenue, and the northern parcel is at the northeast corner of South Pomona Avenue and East Santa Fe Avenue. Local access to the project site is provided by East Santa Fe Avenue and South Pomona Avenue.

With respect to the proposed Project, the parcels to the south of East Santa Fe Avenue are currently developed with surface parking and the northern parcel is developed with a parking structure. The two southern parcels are bound by East Santa Fe Avenue to the north, Metrolink and Amtrak Transportation corridor to the south, Terry's Automotive to the east, and an asphalt paved parking lot to the west. The northern parcel is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. Refer to Exhibit 1-2, Aerial Photograph.

No residential uses currently occur on the project site that would be impacted or divided by development of the proposed Project. Therefore, the Project would not divide or disrupt the physical arrangement of the existing adjacent residential neighborhoods. No impact would occur on an established community, and no mitigation is required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. With respect to regional planning, SCAG is the metropolitan planning organization (MPO) for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. As the designated MPO, the federal government mandates SCAG to prepare

plans for growth management, transportation, air quality, and hazardous waste management. In addition, SCAG reviews projects of regional significance for consistency with the existing regional plans. SCAG's regional planning programs, including the RCP, Regional Housing Needs Assessment (RHNA), and RTP/SCS, are not directly applicable to the proposed Project because the Project is not of Statewide, regional, or area-wide significance, as defined by Section 15206 of the CEQA Guidelines.

The Project would contribute to new housing development in the City of Fullerton. Local plans and programs relevant to the Project and the consistency of the proposed Project with these plans and programs are discussed below.

City of Fullerton General Plan

The Fullerton Plan was adopted by City Council on May 1, 2012 (City of Fullerton 2012a) and is organized into four Master elements, which include the elements as noted parenthetically:

- (A) The Fullerton Built Environment (Community Development and Design, Housing, Historic Preservation, Mobility, Bicycle, Growth Management, Noise Elements);
- (B) The Fullerton Economy (Economic Development, Redevelopment and Revitalization Elements);
- (C) The Fullerton Community (Public Safety, Public Health, Parks and Recreation, Arts and Culture, Education, Community Involvement Elements); and
- (D) The Fullerton Natural Environment (Water, Air Quality and Climate Change, Integrated Waste Management, Open Space and Natural Resources, Natural Hazards Elements).

The housing element (2013-2021 Housing Element) was adopted under a separate cover on May 5, 2015 (City of Fullerton 2015). Each element contains the City's goals and policies related to that element. An evaluation of the Project's consistency with applicable goals, policies, and actions of each element is provided in following Table 4-15, Proposed Project General Plan Consistency Analysis.

**TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Goal		Consistency Analysis
The Fullerton Built Environment—Community Development and Design		
Goal 1	Resilient and vital neighborhoods and districts.	Consistent. The Project would assist to implement this goal by re-developing the site, currently developed with surface parking and a parking structure, with apartment units, hotel, retail, restaurant, and parking, thereby revitalizing this section of the FTC Specific Plan area. Therefore, the Project would be consistent with this Policy.
Goal 2	A positive identity and distinctive image.	Consistent. In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that the Project as part of the FTC Specific Plan, complements the existing buildings in the surrounding area. Therefore, the Project would be consistent with this Policy.

TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Goal		Consistency Analysis
The Fullerton Built Environment—Housing		
Goal 3	A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.	Consistent. The intent of this goal is to assist in the provision of adequate housing to meet the needs of the community, including the needs of both renter and owner households. The Project implements this goal by proposing a multi-story development 6 stories in height, with 286 residential units in a well-designed community. Additionally, 15 percent of the units (43 units) would be affordable housing. Development is compatible with the surrounding neighborhoods and provides housing opportunities at different income levels. Therefore, the Project would be consistent with this Policy.
The Fullerton Built Environment—Historic Preservation		
Goal 4	Valued and preserved historic resources.	Consistent. As discussed in Section 4.5, Cultural Resources, no historic resources were identified on the project site or vicinity. As such, the Project would comply with preserving historic resources in the City. Therefore, the Project would be consistent with this Policy.
The Fullerton Built Environment—Mobility		
Goal 4	A balanced system promoting transportation alternatives that enable mobility and an enhanced quality of life.	Consistent. The Project is a transit-oriented development with a prime location adjacent to transit. The Project complies with the Specific Plan vision of encouraging alternative modes of mobility.
The Fullerton Built Environment—Bicycle		
Goal 6	A bicycle-friendly city where bicycling is a safe and convenient alternative to motorized transportation and a recreational opportunity for people of all ages and abilities.	Consistent. There is a proposed Class I Bike Path along the Union Pacific Right-of-Way, south of the site; a proposed Class III Bike Route on Commonwealth Avenue, north of the site; and a proposed Class III Bike Route on Lemon Street, east of the site. The Project would not preclude the future development of the City's proposed bicycle lanes, discussed above. The Project Applicant would provide bicycle storage for future residents and visitors at the project site.
The Fullerton Built Environment—Growth Management		
Goal 7	Growth and development aligned with infrastructure capabilities.	Consistent. As discussed in Section 4.19, Utilities and Service Systems, water, wastewater/storm drainage, electricity, natural gas, telecommunications would comply with the Fullerton Municipal Code, and the goals, policies, and actions in The Fullerton Plan. Also, development and redevelopment within the Specific Plan area, which include the project site, has been aligned with existing infrastructure capabilities, and improvements proposed, as needed. Additionally, the Project would be required to comply with COA UTL-1 and COA UTL-2. Therefore, the Project would be consistent with this Policy.

TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Goal		Consistency Analysis
The Fullerton Built Environment—Noise		
Goal 8	Protection from the adverse effects of noise.	Consistent. As discussed in Section 4.13, Noise, the Project would be constructed in accordance with the City's Municipal Code Section 15.90.050 and would occur during the least noise-sensitive portions of the day. This shall ensure that the project site and architectural design features comply with the City's interior noise standard and provide an interior noise level of 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings. As such, the Project would not result in generation of substantial temporary or permanent increases in noise. Therefore, the Project would be consistent with this Policy.
The Fullerton Economy—Revitalization		
Goal 11	Revitalization activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.	Consistent. The Project would assist to implement this goal by re-developing the site, currently developed with surface parking and a parking structure, with apartment units, hotel, retail, restaurant, and parking, thereby revitalizing this section of the FTC Specific Plan area. Therefore, the Project would be consistent with this Policy.
The Fullerton Community—Parks and Recreation		
Goal 15	Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.	Consistent. The proposed Project would include private open space for its residents. The Project would also include on-site amenities, such as a pool, outdoor cabanas, pet area/wash station, outdoor fitness center, playground, outdoor BBQ, putting green, and nature garden. Additionally, the Project Applicant would be responsible for paying park fees for the acquisition, development, and improvement of public parks and recreational facilities in the City. Therefore, the Project would be consistent with this Policy.
The Fullerton Natural Environment—Water		
Goal 20	A healthy watershed and clean urban runoff.	Consistent. As discussed in Section 4.10, Hydrology and Water Quality, the Project would minimize runoff and pollution of water through the preparation of a SWPPP and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance BMPs to reduce the potential for soil and wind erosion during construction activities (see COA HYD-1, in Section 4.10). Therefore, the Project would be consistent with this Policy.
The Fullerton Natural Environment—Air Quality and Climate Change		
Goal 21	Protection and improvement of air quality.	Consistent. As discussed in Section 4.3, Air Quality, the Project's emissions would be less than the SCAQMD's thresholds for criteria pollutants. Through compliance with COA AQ-1, for fugitive dust control, COA AQ-1, for nuisance emissions, all impacts would be less than significant, and the Project would minimize adverse impacts of the Project on air quality.

TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Goal		Consistency Analysis
Goal 22	Participation in regional efforts to address climate change and its local impacts.	Consistent. As discussed in Section 4.8, Greenhouse Gas Emissions, the Project's emissions would be less than the SCAQMD's recommended thresholds GHG emissions. Through compliance with COA ENE-1, Title 24 Energy Efficiency Standards, and COA ENE-2, CALGreen code, the Project would minimize GHG emissions. Additionally, the Project would reduce vehicle miles traveled (VMT) by providing residential uses adjacent to commercial uses, thereby reducing GHG emissions from mobile emissions.

Source: City of Fullerton 2015.

As demonstrated in Table 4-15, the Project would be consistent with The Fullerton Plan's applicable goals. Additionally, the Project would provide residential, hotel and commercial/retail development to the surrounding community and would revitalize the site. Therefore, in light of the above, there would be no conflict with the goals and policies of The Fullerton Plan.

Additionally, the Project being part of the FTC Specific Plan would be consistent with the Specific Plan and contribute to achieving the following planning objectives of the Specific Plan: (1) provide for higher density residential development; (2) enhance the center as a destination for residents and visitors alike; (3) promote a mix of uses accompanied by design that encourages walkability; (4) maintain adequate capacity for parking needs, while increasing connecting transit and bicycle and pedestrian access; and (4) link with other areas of the City including the Civic Center, Downtown and Harbor Gateway. By providing apartment units and parking the Project would assist in increasing housing density while providing additional street-adjacent commercial/retail in a transit-rich area. Further, the proposed hotel use, in proximity to Metrolink and Amtrak Transportation station, would enhance the area for visitors.

Compatibility with Surrounding Land Uses

As discussed previously, the project site is surrounded by development, and the general area consists of commercial, residential, retail, office space, manufacturing, and industrial uses. More specifically, the two southern parcels are bound by East Santa Fe Avenue to the north, Metrolink and Amtrak Transportation corridor to the south, Terry's Automotive to the east, and an asphalt paved parking lot to the west. The parcel at the northeast corner of South Pomona Avenue and East Santa Fe Avenue is bound by a US Postal Service office to the north and commercial/retail uses to the east. The Fullerton City Lights, a multi-family residential development is located to the northeast. Refer to Exhibit 1-2, Aerial Photograph.

The proposed Project land uses are within the FTC Specific Plan area, which includes residential, industrial, retail, restaurants, public services, religious assembly, offices, and public parking. The Project proposes re-development of the site with apartment units, hotel, retail, restaurant, and parking.

The Fullerton Plan identifies the Transportation Center Focus Area “as a major activity hub for both the City and the region, characterized by development that encourages use of the regional transportation options available here. The Transportation Center would contain compact, mixed-use development providing housing, as well as open space. Increased transit, bicycle and pedestrian access would support the area’s role as a destination and place of interest for City residents and visitors alike.” As part of the FTC Specific Plan, the Project would comply with density and intensity of this area and is of similar character, scale, and massing as envisioned in the Specific Plan document. Therefore, the proposed development would be compatible with the planned development and redevelopment within the FTC Specific Plan area and the Focus Area F: Fullerton Transportation.

In light of the above, the proposed Project would be compatible with the planned development and redevelopment within the FTC Specific Plan. The potential land use compatibility impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

None has been identified.

Mitigation Measures

Project implementation would not result in significant impacts related to Land Use and Planning; therefore, no mitigation measures are required.

4.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan Project EIR

This topic was focused out from detail analysis in the PEIR because it was determined that the project was not in an area classified with locally important or known mineral resources and would not result in the loss of availability of a known mineral resource. Therefore, no impact would occur.

No PDFs, SCs, or MMs were identified nor required.

Impact Analysis

Would the Project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The California Geological Survey (CGS) designates Mineral Resources Zones (MRZs) according to the presence of or potential for underlying mineral resources. MRZ-1 is an area with no significant mineral deposits; MRZ-2 is an area with significant mineral deposits; and MRZ-3 is an area containing known mineral resources of undetermined significance. The project site is designated by the CGS as MRZ-1, which applies to areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence (DMG 1994). The project site is developed with an existing parking structure in the northern parcel, and surface parking lots in the southern parcels, and there are no mining activities or mineral extraction uses on or near the project site. As identified in The Fullerton Plan and associated PEIR, commercially productive mineral resources do not occur in the City of Fullerton (City of Fullerton 2012b). Additionally, The Fullerton Plan does not identify any known State or locally designated mineral resources or locally important mineral resource recovery sites in the City (City of Fullerton 2012a). Thus, the Project would not result in the loss of availability of locally important mineral resources. No impacts would occur, and no mitigation is required.

There are no past or ongoing oil or gas drilling activities on or near the site. Review of the California Division of Oil, Gas, and Geothermal Resources' (DOGGR's) Well Finder shows no oil or gas wells are located on the project site or in the vicinity of the site. The nearest well is a dry, plugged hole approximately 1.15 miles northwest of the site (DOGGR 2022). Therefore, redevelopment of the site would not result in the loss of availability of regional mineral resources. No impacts would occur, and no mitigation is required.

Standard Conditions of Approval

None has been identified.

Mitigation Measures

Project implementation would not result in significant impacts related to Mineral Resources; therefore, no mitigation is required.

4.13 NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the analysis in the PEIR, construction equipment for the Project would have the potential to generate temporary noise impacts above the existing ambient noise levels. When construction would occur within 80 feet of sensitive receptors, noise levels could be substantially greater than existing ambient noise level, resulting in a significant short-term impact. MMs 8-1 and 8-2 would minimize construction noise effects on sensitive receptors to the maximum extent feasible but would not reduce noise levels to receptors on the second floor and above. The short-term impact would be significant and unavoidable.

Implementation of the Project would expose proposed uses, including residential units and civic spaces, to traffic and train noise levels in excess of 70 dBA CNEL levels, and noise from stationary sources, including commercial and civic spaces, fire station operations, and mechanical equipment. Compliance with the FTC Specific Plan noise standards (refer to PDF 8-3) and required 45 dBA CNEL interior noise levels for residential uses (SC 8-2) would ensure these impacts would be less than significant. MMs 8-3 and 8-5, which required final noise studies for residential and park uses, and MM 8-4 which required resident notification of train operations would further ensure these impacts would remain less than significant.

Project-related traffic noise would not increase noise levels in the areas adjacent to the project site and adjacent to roadways and intersections evaluated in the traffic study more than 0.3 dBA under each traffic scenario analyzed; this increase would not be perceptible. Existing ambient traffic noise would mask most noise from the project area to off-site receptors resulting in a less than significant impact. PDF 8-3 and MM 8-6 would further ensure impacts would be less than significant.

The vibration levels expected as a result of construction activities within the project area may be perceptible at immediately adjacent existing uses but would not be excessive and would not result in structural damage. Train vibration would have the potential to generate perceptible

vibration levels at the residential buildings proposed to be constructed as near as 75 feet from the BNSF rail line. Due to the vibration reduction provided by the building foundation and structure, it was anticipated that the vibration impacts would be less than significant. However, MM 8-8 required a detailed vibration analysis to be performed for each building to be constructed within 200 feet of the railroad tracks to ensure that vibration impacts would be less than significant.

Further, it was determined that the Project would not have a significant impact pertaining to excessive noise levels in proximity to a public airport and a private airstrip.

For informational purposes, the PDFs, SCs, and MMs from the PEIR are provided below.

Project Design Feature

- PDF 8-1** In compliance with Section 4.7.5 of the Regulating Code for the FTC Specific Plan, the owner of each commercial space shall require that no use, activity, or process shall produce vibrations that are perceptible without instruments by the average person at the property line of the site or within the interior of residential units on the site.
- PDF 8-2** In compliance with Section 4.7.5 of the Regulating Code for the FTC Specific Plan, the owner of each commercial space shall require that loading and unloading of major delivery vehicles on the site shall not occur between the hours of 5:00 pm and 7:00 am. This standard does not apply to the loading and unloading of other delivery vehicles, such as pick-up trucks and small vans.
- PDF 8-3** In compliance with Section 4.7.11 of the Regulating Code for the FTC Specific Plan, noise standards shown in Table 4.8-8 shall be applicable for development within the FTC Specific Plan area.

Standard Conditions of Approval

- SC 8-1** Prior to approval of grading plans and/or prior to issuance of building permits, contractor specifications shall include a note indicating that noise-generating project construction activities shall take place between the hours of 7:00 AM and 8:00 PM on any day and are not permitted on Sundays or a City-recognized holiday. This requirement is identified in Section 15.90.050 of the City of Fullerton's Noise Ordinance.
- SC 8-2** The project shall comply with Title 24 of the California Code of Regulations, also known as the California Building Standards Code, which establishes building standards applicable to all occupancies throughout the state. Title 24 requires that residential structures, other than detached single-family dwellings, be designed to prevent the intrusion of exterior noise so that the interior noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA CNEL in any habitable room.

Mitigation Measures

Construction-Related Noise Impacts

MM 8-1 Prior to issuance of each grading permit or building permit, whichever occurs first, the Property Owner/Developer shall submit evidence to the Director of Community Development that the following noise reduction measures are stated as requirements on the construction plans and specifications:

- Construction traffic shall be limited to haul routes established by the City of Fullerton.
- Stationary equipment (such as generators and air compressors) shall be located as far from residences, including hotel rooms, as feasible.
- Equipment maintenance and staging areas shall be located as far away from residences as feasible.
- Construction equipment shall be fitted with manufacturer's standard, or better, noise-shielding and muffling devices to reduce noise levels to the maximum extent feasible.
- The Project Owner/Developer shall designate a Construction Complaint Manager for the project. A telephone contact number shall be clearly posted at all active access points.

MM 8-2 Prior to issuance of each grading permit or building permit, whichever occurs first, and if the center of the construction area is within 80 feet of an occupied residential land use, including hotels, the Property Owner/Developer shall submit evidence to the Director of Community Development that the construction plans include, where feasible, a temporary 12 foot high noise barrier between the construction site and the residential land use. The barrier should be solid from the ground to the top and should have a weight of at least 3 pounds per square foot. This measure is not required if the construction is linear, such as for utility installation, or if the construction work within 80 feet would not exceed 3 consecutive days.

Long-term Operational Noise Impacts

MM 8-3 Prior to issuance of each building permit, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to the Community Development Department for residential structures. This report shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided in the architectural plans, and any upgrades required to meet the City's interior noise standards (Title 24 [Building Code] of the California Code of Regulations), as applicable. Required upgrades may include, but not be limited to: upgraded dual glazed windows, mechanical ventilation/air conditioning, exterior wall/roof assemblies free of cut-outs or openings, and upgraded exterior wall assemblies. The building upgrades described in the report shall be incorporated into the

architectural plans for the buildings and implemented with building construction and shall be verified by the City's Planning Division.

- MM 8-4** Prior to the issuance of each occupancy permit for residential property adjacent to and within the line of sight of the railroad tracks, each Property Owner/Developer shall demonstrate to the City Community Development Department how documents would inform residents that the property may be subject to potentially disturbing noise levels due to train pass-bys. This notification procedure shall include initial and subsequent residents.
- MM 8-5** Prior to the approval of the development plans for the North and South Neighborhood Parks, the Property Owner/Developer or the City, if the City is the developer, shall prepare an acoustical analysis demonstrating that the exterior noise levels in the park would be in the normally acceptable or conditionally acceptable range established in the Fullerton General Plan.
- MM 8-6** A detailed assessment of the noise generated by mechanical equipment for proposed structures shall be prepared by a qualified acoustical consultant prior to the issuance of building permits. The assessment shall utilize noise data provided by the manufacturer(s) of the equipment utilized by the project or noise measurements from substantially similar equipment to project noise levels at the noise sensitive uses (on- and off-site). Compliance with the FTC Specific Plan noise standards (refer to PDF 8-3) shall be demonstrated and any measures required to meet the noise standards shall be described and incorporated into the building plans for the project. These measures may include, but not be limited to: selection of quiet models of equipment, construction of barriers, equipment enclosures, and placement of the equipment.

Vibration Impacts

- MM 8-7** A detailed vibration analysis shall be performed when precise grading plans and architectural plans are available for each building to be constructed within 200 feet of the railroad tracks. These buildings shall be designed to eliminate vibration amplifications due to resonances of floors, walls, and ceilings. The detailed analysis shall be submitted to the Planning Division as part of the final building design showing that the vibration levels would be below 72 VdB.

Introduction

Noise and Vibration Concepts

Noise

"Sound" is a vibratory disturbance created by a moving or vibrating source and is capable of being detected. "Noise" is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance; interference with speech communication; sleep disturbance; and, in the extreme, hearing impairment (Caltrans 2013).

Sound pressure levels are described in units called the decibel (dB). Decibels are measured on a logarithmic scale. A doubling of the energy of a noise source (such as doubling of traffic volume) would increase the noise level by 3 dB. The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale was devised; the A-weighted decibel scale (dBA) approximates the frequency response of the average healthy ear when listening to most ordinary everyday sounds and is used in this analysis.

Human perception of noise has no simple correlation with acoustical energy. Due to subjective thresholds of tolerance, the annoyance of a given noise source is perceived very differently from person to person. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at 3 feet is approximately 60 dBA, while loud jet engine noises at 1,000 feet equate to 100 dBA, which can cause serious discomfort. Table 4-16 shows the relationship of various noise levels in dBA to commonly experienced noise events.

TABLE 4-16
NOISE LEVELS FOR COMMON EVENTS

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110	Rock Band
Jet fly-over at 300 m (1,000 ft)	100	
Gas lawn mower at 1 m (3 ft)	90	
Diesel truck at 15 m (50 ft) at 80 km/hr (50 mph)	80	Food blender at 1 m (3 ft); garbage disposal at 1 m (3 ft)
Noisy urban area, daytime gas lawn mower at 30 m (100 ft)	70	Vacuum cleaner at 3 m (10 ft)
Commercial area, heavy traffic at 90 m (300 ft)	60	Normal speech at 1 m (3 ft)
Quiet urban daytime	50	Large business office, dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library
Quiet rural nighttime	20	Bedroom at night, concert hall (background)
	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing
dBA: A-weighted decibels; m: meter; ft: feet; km/hr: kilometers per hour; mph: miles per hour		
Source: Caltrans 2013.		

Two noise sources do not “sound twice as loud” as one source. As stated above, a doubling of noise sources results in a noise level increase of 3 dBA. It is widely accepted that (1) the average healthy ear can barely perceive changes of a 3 dBA increase or decrease, (2) a change of 5 dBA is readily perceptible, and (3) an increase (decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

From the source to the receiver, noise changes both in the level and frequency spectrum. The most obvious change is the decrease in noise level as the distance from the source increases. Sound from a small, localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern. For point sources, such as heating, ventilation, and air conditioning (HVAC) units or construction equipment, the sound level attenuates (or drops off) at a rate of 6 dBA for each doubling of distance (i.e., if the noise level is 70 dBA at 25 feet, it is 64 dBA at 50 feet). Vehicle movement on a road makes the source

of the sound appear to emanate from a line (line source) rather than a point when viewed over some time interval. The sound level attenuates or drops off at a rate of 3 dBA per doubling of distance for line sources.

A large object in the path between a noise source and a receiver can significantly attenuate noise levels at that receiver location. The amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain or landform features as well as man-made features (e.g., buildings and walls) can significantly alter noise exposure levels. For a noise barrier to work, it must be high enough and long enough to block the view from the receiver to a road or other noise source. Effective noise barriers can reduce outdoor noise levels at the receptor by up to 15 dBA.

Several rating scales (or noise “metrics”) exist to analyze effects of noise on a community. These scales include the equivalent noise level (L_{eq}), including L_{max} and L_{min} , which are respectively the highest and lowest A-weighted sound levels that occur during a noise event, and the Community Noise Equivalent Level (CNEL). Average noise levels over a period of minutes or hours are usually expressed as dBA L_{eq} , which is the equivalent noise level for that period of time. The period of time averaging may be specified; for example, $L_{eq(3)}$ would be a three-hour average. Noise of short duration (i.e., substantially less than the averaging period) is averaged into ambient noise during the period of interest. Thus, a loud noise lasting many seconds or a few minutes may have minimal effect on the measured sound level averaged over a one-hour period.

To evaluate community noise impacts, CNEL was developed to account for human sensitivity to nighttime noise. CNEL represents the 24-hour average sound level with a penalty for noise occurring at night. The CNEL computation divides a 24-hour day into three periods: daytime (7:00 AM to 7:00 PM), evening (7:00 PM to 10:00 PM), and nighttime (10:00 PM to 7:00 AM). The evening sound levels are assigned a 5-dBA penalty, and the nighttime sound levels are assigned a 10-dBA penalty prior to averaging with daytime hourly sound levels.

Vibration

Vibration is an oscillatory motion through a solid medium in which the motion’s amplitude can be described in terms of displacement, velocity, or acceleration. Vibration is normally associated with activities such as railroads or vibration-intensive stationary sources but can also be associated with construction equipment such as jackhammers, pile drivers, and hydraulic hammers. Vibration displacement is the distance that a point on a surface moves away from its original static position. The instantaneous speed that a point on a surface moves is described as the velocity, and the rate of change of the speed is described as the acceleration. Each of these descriptors can be used to correlate vibration to human response, building damage, and acceptable equipment vibration levels. During construction of a project, the operation of construction equipment can cause groundborne vibration. During the operational phase of a project, receptors may be subject to levels of vibration that can cause annoyance due to noise generated from vibration of a structure or items within a structure. Analysis of this type of vibration is best measured in velocity and acceleration.

The three main wave types of concern in the propagation of groundborne vibrations are surface or Rayleigh waves, compression or P-waves, and shear or S-waves.

- Surface or Rayleigh waves travel along the ground surface. They carry most of their energy along an expanding cylindrical wave front, similar to the ripples produced by throwing a rock into a lake. The particle motion is more or less perpendicular to the direction of propagation (known as retrograde elliptical).
- Compression or P-waves are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal, in a push-pull motion. P-waves are analogous to airborne sound waves.
- Shear or S-waves are also body waves, carrying their energy along an expanding spherical wave front. Unlike P-waves, however, the particle motion is transverse, or perpendicular to the direction of propagation.

The peak particle velocity (ppv) or the root mean square (rms) velocity is usually used to describe vibration amplitudes. The ppv is defined as the maximum instantaneous peak of the vibration signal and the rms is defined as the square root of the average of the squared amplitude of the signal. The ppv is more appropriate for evaluating potential building damage and also used for evaluating human response.

The units for ppv velocity are normally inches per second (in/sec). Often, vibration is presented and discussed in dB units in order to compress the range of numbers required to describe the vibration. In this study, all ppv velocity levels are in in/sec and all vibration levels are in dB relative to one microinch per second.

The threshold of perception is approximately 0.3 ppv in/sec. Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration. Even the more persistent Rayleigh waves decrease relatively quickly as they move away from the source of the vibration. Manmade vibration problems are, therefore, usually confined to short distances (500 feet or less) from the source.

Construction generally includes a wide range of activities that can generate groundborne vibration. In general, blasting and demolition of structures and pile driving generate the highest vibrations. Heavy trucks can also generate groundborne vibrations, which vary depending on vehicle type, weight, and pavement conditions. Potholes, pavement joints, discontinuities, differential settlement of pavement, and other anomalies all increase the vibration levels from vehicles passing over a road surface. Construction vibration is normally of greater concern than vibration of normal traffic on streets and freeways with smooth pavement conditions. Trains generate substantial quantities of vibration due to their engines, steel wheels, and heavy loads.

Existing Setting

The existing noise environment in the project area is primarily influenced by traffic noise on nearby roads, train noise, and to a much lesser extent stationary sources of noise from local industrial and commercial uses. The roadways contributing the most noise to the project site are E. Commonwealth Avenue, S. Harbor Boulevard, Santa Fe Avenue, and Lemon Street. For the purpose of this noise analysis, the study area includes the project site, the areas immediately

adjacent to the project site, and the land uses adjacent to the roadway segments where the Project adds vehicular trips to the roadway system.

Psomas conducted ambient noise surveys on September 28, 2022 for the Project. Noise level measurements were taken using a Larson Davis Laboratories SoundTrack LxT sound level meter (LD LxT). The sound level meter was placed proximate to each of the project site's property lines, approximately five feet above the ground and equipped with a windscreen. Short-term noise measurements were taken proximate to the southern, western, northern, and eastern property lines. Noise levels at each location were affected by different noise sources.

**TABLE 4-17
NOISE LEVELS FOR LOCATIONS 3 AND 4**

	Primary Noise Sources	Minimum (dBA L_{min})	Average (dBA L_{eq})	Maximum (dBA L_{max})
Southern Property Line	Intercom at train station	44.0	49.2	65.5
Western Property Line	Intercom at train station, passing buses	46.0	60.9	82.6
Northern Property Line	Traffic along Commonwealth Avenue	52.3	58.4	67.4
Eastern Property Line	Traffic along Lemon Street, idling vehicles at automobile repair	45.4	61.9	77.8

Sensitive Receptors

The State of California defines noise-sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions (State of California 2015). The land use categories requiring the lowest noise thresholds are schools, libraries, churches, hospitals, and residences. Schools, libraries, churches, hospitals, and residences proximate to the project site are referred to as the Project's "noise sensitive receptors" due to sensitivity of these uses to noise exposure. The closest noise-sensitive receptors to the project site include multifamily residences located approximately 20 feet to the north of the project site at E. Commonwealth Avenue.

Regulatory Setting

Public agencies have established noise guidelines and standards to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise.

State of California

Title 24 of the *California Code of Regulations*, also known as the California Building Code (CBC), establishes building standards applicable to all occupancies throughout the state. The most recent building standards adopted by the legislature and used throughout the State is the 2019

version. The State of California codifies noise insulation standards in the CBC. Section 1206.4, Allowable interior noise levels, states “Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (L_{dn}) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.” (DGS 2021). These noise standards are for new construction in California for the purposes of interior compatibility with exterior noise sources. The regulations specify that acoustical studies must be prepared for new buildings with habitable rooms that are near major transportation noises, and where such noise sources create an exterior noise level of 60 dBA CNEL/ L_{dn} or higher.

City of Fullerton

The City of Fullerton has established guidelines and standards in the General Plan (Fullerton Plan 2012) and the Municipal Code (Fullerton 2001).

The Fullerton Plan

The Fullerton Built Environment (specifically, Part II. A, Chapter 7) functions as the General Plan Noise Element and provides a basis to control and abate environmental noise and to protect citizens from excessive exposure (City of Fullerton 2012). The corresponding tables and exhibits include the noise compatibility guidelines from the State General Plan Guidelines, shown in Table 4-18. These guidelines are used to evaluate the proposed project’s compatibility with the ambient noise level.

TABLE 4-18
LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS

Land Use Category	CNEL (dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low-Density, Single-Family, Duplex, Mobile Homes	50–60	55–70	70–75	75–85
Residential – Multiple Family	50–65	60–70	70–75	70–85
Transient Lodging – Motel, Hotels	50–65	60–70	70–80	80–85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50–70	60–70	70–80	80–85
Auditoriums, Concert Halls, Amphitheaters	NA	50–70	N/A	65–85
Sports Arenas, Outdoor Spectator Sports	NA	50–75	N/A	70–85
Playgrounds, Neighborhood Parks	50–70	NA	67.5–77.5	72.5–85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50–70	NA	70–80	80–85
Office Buildings, Business Commercial, and Professional	50–70	67.5–77.5	75–85	N/A
Industrial, Manufacturing	50–75	70–80	75–85	N/A
CNEL: community noise equivalent level; dBA: A-weighted decibels; N/A: not applicable. Normally Acceptable: Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements. Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning, will normally suffice. Normally Unacceptable: New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features must be included in the design. Clearly Unacceptable: New construction or development should generally not be undertaken. Source: Office of Planning and Research, California, General Plan Guidelines, October 2003.				

City of Fullerton Municipal Code

Chapter 15.90 of the City of Fullerton Municipal Code, Noise Standards and Regulation, is the City's Noise Ordinance (City of Fullerton 2016b). The following sections from the Noise Ordinance are applicable to the proposed project:

Section 15.90.030(A) defines the interior and exterior noise level limits for residential land uses; this is shown in Table 4-19, City of Fullerton Noise Ordinance Standards for Residential Land Uses. The City does not have specific noise level limits for commercial or industrial zones.

TABLE 4-19
CITY OF FULLERTON NOISE ORDINANCE STANDARDS
FOR RESIDENTIAL LAND USES

Time Period	Noise Level (dBA) at Property Line*	
	Exterior	Interior
7:00 AM–10:00 PM	55	55
10:00 PM–7:00 AM	50	45
dBA: A-weighted decibels. * Applicable to all property within the Residential Noise Zone. A Residential Noise Zone includes all properties with a residential zone classification. Source: City of Fullerton 2001 (Chapter 15.90).		

Section 15.90.030(B) further defines the applicability of the noise level limits for a sensitive use. Section 15.90.030(B) defines a sensitive use as a private or public school, hospital, residential care facility for the elderly, or religious institution. According to Section 15.90.030(B), it is unlawful for any person within the incorporated area of the City to create any noise that causes the noise level at any sensitive use to exceed the noise limits specified for the Residential Noise Zone; notwithstanding, the sensitive use may be located outside of the Residential Noise Zone.

Section 15.90.030(C) identifies how the sound level limits identified in Section 15.90.030(A) (see Table 4 above) will be enforced. Section 15.90.030(C) states the following:

It shall be unlawful for any person at any location within the incorporated area of the city to create any noise which can be classified as being continuous, reoccurring, predictable, or whose operation of noise-generating capability can be stopped or started at a specified time, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on the property, either incorporated or unincorporated, to exceed:

1. The noise standard for a cumulative period of more than 30 minutes in any hour;
2. The noise standard plus 5 dBA for a cumulative period of more than 15 minutes but less than 30 minutes in any hour;
3. The noise standard plus 10 dBA for a cumulative period of more than 5 minutes but less than 15 minutes in any hour;
4. The noise standard plus 15 dBA for a cumulative period of more than 1 minute but less than 5 minutes in any hour; and
5. The noise standard plus 20 dBA for a cumulative period of less than 1 minute in an hour.

Section 15.90.030(D) states that “in the event the ambient noise level exceeds any of the five noise limit categories listed in Subsection C, the cumulative period applicable to the category shall be increased to reflect the ambient noise level”.

Section 15.90.040(A)7 exempts noise from vehicular traffic on public streets from the noise level standards specified in Chapter 15.90.

Construction Noise

Section 15.90.050, Activities with Special Provisions, is the relevant ordinance controlling construction noise. Subsection A states the following:

The following activities shall be exempt from the noise level standards specified by this chapter provided they take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday.

1. Noise sources associated with construction, repair, remodeling, or grading of any real property; . . .
3. Noise sources associated with the maintenance of real property, including normal maintenance and repair by city and utility crews.

Subsection B states that “Installation of air conditioning, refrigeration and pool equipment shall be certified to be within the provisions of this chapter for night and day operation noise levels”.

Chapter 15.90 does not set specific noise level limits on construction-related activity.

Impact Analysis

Would the Project:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

The analysis in this section is divided into the following categories: Off-site Noise Generated by Project Traffic, Noise Generated by On-Site Project Sources and Project Construction Noise.

Off-Site Noise Generated by Project Traffic

Less than Significant Impact. Project-related off-site noise sources (i.e., roadway traffic noise) have the potential to increase noise levels on local roadways proximate to the project site. The City of Fullerton has not established an acceptable level of traffic noise increases. As such, a noticeable increase of 3 dBA in CNEL was used for the traffic noise analysis. A 3 dBA change in noise levels is considered to be the smallest change in noise levels that is detectable by human hearing.

Operation of the proposed Project would result in an increase in 2,286 trips per day and 153 trips in the a.m. peak hour and 178 in the p.m. peak hour. Table 4-21 shows the changes in traffic noise levels at the analyzed roadways. Because the Project would not result in an audible increase in traffic noise levels, it would result in less than significant noise impacts related to traffic noise.

**TABLE 4-20
CHANGE IN TRAFFIC NOISE WITH PROJECT**

Street Segment		Future No Project (dBA CNEL)	Future With Project Traffic (dBA CNEL)	Change in Noise Levels (dBA CNEL) ¹
Commonwealth Avenue	W/O Harbor Boulevard	71.4	71.5	0.1
	W/O Pomona Avenue	71.4	71.4	0.1
	W/O Lemon Street	71.2	71.3	0.1
	E/O Lemon Street	71.8	71.9	0.1
Santa Fe Avenue	W/O Harbor Boulevard	60.5	60.8	0.3
	W/O Pomona Avenue	61.8	63.2	1.3
	W/O Lemon Street	58.2	60.3	2.1
	E/O Lemon Street	56.0	56.0	0.0
Harbor Boulevard	N/O Commonwealth Avenue	73.1	73.2	0.0
	N/O Santa Fe Avenue	73.6	73.7	0.1
	S/O Santa Fe Avenue	73.7	73.8	0.1
Pomona Avenue	N/O Commonwealth Avenue	62.4	62.5	0.2
	N/O Santa Fe Avenue	61.8	62.9	1.0
Lemon Street	N/O Commonwealth Avenue	72.9	72.9	0.0
	N/O Santa Fe Avenue	73.7	73.7	0.1
	S/O Santa Fe Avenue	73.7	73.8	0.1
¹ Subtracted totals may be affected by rounding of numbers. Source: Psomas using the FHWA RD 77-108 Highway Traffic Prediction Noise Model, 2022.				

On-Site Project Noise Sources

Less than Significant Impact. Operational noise sources associated with the proposed Project would include, but are not limited to, mechanical equipment (e.g., HVAC units and pool pumps); landscape maintenance equipment; vehicles on the local internal roadway; the use of the pool area, courtyard and rooftop terrace areas. The City of Fullerton's Noise Ordinance is designed to control unnecessary, excessive, and annoying sounds from sources on private property by specifying noise levels that cannot be exceeded. Fullerton Municipal Code Section 15.90.030 – Noise Standards. HVAC units and other stationary equipment would be installed to comply with the City of Fullerton's Noise Ordinance. Compliance with the City's Noise Ordinance would minimize these impacts to less than significant levels.

The Project also has outdoor uses such as courtyards and pools. Noise generated by these uses typically include people talking, pool use, and amplified music. Any noise generated within the courtyard would be substantially attenuated by the proposed Project structures and the distance between the outdoor activities and the nearest property line and intervening buildings. All these uses would be subject to the noise limits established in Section 15.90.030 of the Fullerton Municipal Code. Compliance with this noise limit would result in less than significant noise impacts from these noise sources.

Noise from landscape maintenance, vehicles, and residential activities would be similar to noise currently occurring in existing residential neighborhoods and commercial uses. Compliance with the City's requirements specified under Municipal Code Section 15.90.050 would result in noise levels that are acceptable to the City. As such, noise impacts from stationary sources would be less than significant and no mitigation is required.

Project Construction Noise

Less than Significant Impact. The development of the proposed Project would entail construction activities which include noise generated from demolition, grading/excavation, and building construction activities. It is estimated that construction activities would begin in the fourth quarter of 2023 and end in 2025.

Local commercial, industrial, and residential uses would be temporarily exposed to elevated noise levels due to the operation of Project-related construction equipment. Construction activities are carried out in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Construction noise levels reported in the U.S. Environmental Protection Agency's (USEPA's) *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances* were used to estimate future construction noise levels for the Project (USEPA 1971). Typically, the estimated construction noise levels are governed primarily by equipment that produces the highest noise levels. Construction noise levels for each generalized construction phase (ground-clearing/demolition, excavation, foundation construction, building construction, paving, and site cleanup) are based on a typical construction equipment mix for a residential use project and do not include use of atypical, very loud, and vibration-intensive equipment (e.g., pile drivers).

The degree to which noise-sensitive receptors are affected by construction activities depends heavily on their proximity. Estimated noise levels attributable to the development of the proposed Project are shown in Table 4-22, and calculations are included in Appendix H, Noise Data.

**TABLE 4-21
CONSTRUCTION NOISE LEVELS AT NOISE-SENSITIVE USES**

Construction Phase	Noise Levels (Leq dBA)							
	Residential Use to the North of the Project Site		Office Use Northwest of the Project Site		Residential Use Southwest of the Project Site		Commercial/Industrial Uses to the East of the Project Site	
	Max (20 ft)	Avg (220 ft)	Max (105 ft)	Avg (370 ft)	Max (270 ft)	Avg (475 ft)	Max (10 ft)	Avg (85 ft)
Ground Clearing/Demolition	91	70	77	66	68	63	97	78
Excavation	96	75	82	71	73	68	102	83
Foundation Construction	89	68	75	64	66	61	95	76
Building Construction	89	68	75	64	66	61	95	76
Paving and Site Cleanup	96	75	82	71	73	68	102	83
Leq dBA: Average noise energy level; Max: maximum; avg: average; ft: feet								
Note: Noise levels from construction activities do not take into account attenuation provided by intervening structures.								
Source: USEPA 1971.								

Table 4-22 shows both the maximum and average noise levels for construction equipment. Maximum noise levels represent the noise levels from construction equipment occurring nearest to the noise sensitive use/receptor. Average noise levels represent the noise exposure to sensitive uses based on the distance to the center of the project site. Noise levels from general Project-related construction activities would range from 66 to 102 dBA L_{eq} for the maximum noise levels and 61 to 83 dBA L_{eq} for the average noise levels. At the nearest noise sensitive receptors (residences), the average noise level would be 68 to 75 dBA L_{eq} . Noise level reductions from intervening buildings was not included. Noise levels would be approximately 20 dBA less under a windows-closed condition. Noise levels from construction equipment would occur within the allowable hours (7 a.m. to 8 p.m. except Sunday and holidays) for construction activities per Fullerton Municipal Code Section 15.90.050 – Activities with special provisions.

Truck trips are needed for delivery of construction equipment and materials as well as the export of the excavated soils. Noise generated from truck trips would be add to the ambient noise level generated by vehicle traffic. However, noise increases associated with Project truck traffic would be less than the 3-dBA noticeable increase threshold for daily exposures due to the small magnitude of traffic resulting from hauling of grading materials relative to background traffic. In general, a doubling of traffic would be necessary to increase noise levels by 3 dBA. As such, this noise impact would be less than significant because it would result in increases in noise levels below the 3-dBA noise threshold.

Noise from construction activities on site would be clearly audible above the existing ambient noise environment near the project site but would occur during the least noise-sensitive portions of the day as per Fullerton Municipal Code Section 15.90.050 – Activities with special provisions. Because the Project would be limited to the least noise-sensitive hours of the day per Fullerton Municipal Code Section 15.90.050, would not involve extremely loud construction equipment (pile drivers) and would involve heavy offroad construction equipment, noise associated with Project-related construction would not result in significant impacts and no mitigation is required.

Off-Site Noise on Project

As indicated under Existing Conditions, the existing noise environmental in the project area is primarily influenced by traffic noise on nearby roadways, the Fullerton Station and Fullerton Transportation Center. As demonstrated in the *CBIA v. BAAQMD* ruling, the impact of existing environmental conditions on a project is no longer under the purview of CEQA evaluation. The direct effects of exterior noise from nearby noise and vibration sources relative to land use compatibility of a future project are not evaluated under CEQA; however, noise from existing sources is taken into account as part of the baseline. Therefore, a standard condition (COA NOI-1) is included that requires preparation of an Acoustical Study prior to issuance of building permits. The study will identify acoustic controls to limit interior noise in habitable rooms to 45 dBA CNEL/ L_{dn} or less.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact with Mitigation. The proposed Project would not generate or expose persons or structures to excessive groundborne vibration from the construction. There are no applicable City standards for vibration-induced annoyance or building damage from

vibration. The California Department of Transportation (Caltrans) vibration damage potential guideline thresholds are shown in Table 4-23.

TABLE 4-22
VIBRATION DAMAGE THRESHOLD CRITERIA

Building Class	Continuous Source PPV (in/sec)	Single-Event Source PPV (in/sec)
Class I: buildings in steel or reinforced concrete, such as factories, retaining walls, bridges, steel towers, open channels, underground chambers and tunnels with and without concrete alignment	0.5	1.2
Class II: buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, conduits in loose material	0.3	0.7
Class III: buildings as mentioned above but with wooden ceilings and walls in masonry	0.2	0.5
Class IV: construction very sensitive to vibrations; objects of historic interest	0.12	0.3
Source: Caltrans 2013b.		

The building damage threshold for “Class II Buildings” of 0.3 peak particle velocity (ppv) inch per second (in/sec) is selected for retail buildings and Class III buildings are selected residential buildings for this analysis. These thresholds represent the vibration limits for damage to adjacent buildings to the project site from continuous sources of vibration.

The Caltrans vibration annoyance potential guideline thresholds are shown in Table 4-24. Based on the guidance in Table 4-24, the “strongly perceptible” vibration level of 0.9 ppv in/sec is considered as a threshold for a potentially significant vibration impact for human annoyance.

TABLE 4-23
VIBRATION ANNOYANCE CRITERIA

Average Human Response	ppv (in/sec)
Severe	2.0
Strongly perceptible	0.9
Distinctly perceptible	0.24
Barely perceptible	0.035
ppv: peak particle velocity; in/sec: inch(es) per second Source: Caltrans 2013b.	

Pile driving and blasting are generally the sources of the most severe vibration during construction. Neither pile driving nor blasting would be used during Project construction. Conventional construction equipment would be used for demolition and grading activities. Table 4-25 summarizes typical vibration levels measured during construction activities for various vibration-inducing pieces of equipment.

TABLE 4-24
VIBRATION LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment		ppv at 25 ft (in/sec)
Pile driver (impact)	upper range	1.518
	typical	0.644
Pile driver (sonic)	upper range	0.734
	typical	0.170
Vibratory roller		0.210
Large bulldozer		0.089
Caisson drilling		0.089
Loaded trucks		0.076
Jackhammer		0.035
Small bulldozer		0.003
ppv: peak particle velocity; ft: feet; in/sec: inches per second.		
Source: Caltrans 2013b; FTA 2006.		

Demolition, grading, and construction would occur up to the property lines and, as noted above, some land uses identified in Table 4-26 below are relatively close to the property lines. Table 4-26, Vibration Annoyance Criteria at Sensitive Uses, shows the vibration levels from construction-generated vibration activities proposed at the project site.

TABLE 4-25
VIBRATION ANNOYANCE LEVELS AT SENSITIVE USES

Equipment	Vibration Levels (ppv)			
	Residential Use to the North of the Project Site	Office Use Northwest of the Project Site	Residential Use Southwest of the Project Site	Commercial/Industrial Uses to the East of the Project Site
	(ppv @ 20 ft)	(ppv @ 105 ft)	(ppv @ 270 ft)	(ppv @ 5 ft)
Vibratory roller	0.29	0.02	0.01	0.83
Large bulldozer	0.12	0.01	0.00	0.35
Small bulldozer	0.00	0.00	0.00	0.01
Jackhammer	0.05	0.00	0.00	0.14
Loaded trucks	0.11	0.01	0.00	0.30
Criteria	0.9	0.9	0.9	NA
Exceeds Criteria?	No	No	No	No
ppv: peak particle velocity; Max: maximum; avg: average; ft: feet; NA: not applicable				
Source: FTA 2006 (Calculations can be found in Appendix H).				

As shown in Table 4-26, the vibration generated by construction equipment would not exceed the vibration annoyance criteria threshold when construction activities occur under maximum (i.e., closest to the receptor) exposure conditions for vibration sensitive receptors. Vibration levels may potentially exceed the vibration threshold for annoyance at the adjacent industrial use (WM Will Mann, Inc. Precision Sheet Metal Fabrication) to the east of the northern project site and the commercial use (Terry's Automotive) to the east of the southern project site, but

these uses are not considered to be vibration sensitive uses relative to annoyance. However, NOI-1 is prescribed to mitigate vibration related potential issues related any disturbance of manufacturing occurring at WM Will Mann, Inc. Precision Sheet Metal Fabrication.

These vibration levels represent conditions when construction activities occur closest to receptor locations. Construction-related vibration would be substantially less under average conditions when construction activities are located further away. Because vibration levels would be below the vibration annoyance significance thresholds, vibration generated by the Project's construction equipment would not be expected to generate strongly perceptible levels of vibration at the nearest uses and would result in less than significant vibration impacts related to vibration annoyance.

Table 4-27, Building Damage Levels at Sensitive Uses, shows the peak particle velocity levels (ppv) relative to building damage to nearby structures. As shown in Table 4-27, with the exception of the use of a vibratory roller, bulldozer, jackhammering, and loaded trucks at uses located 5 feet or closer of the construction site, all vibration levels would be below the building damage threshold at adjacent off-site structures. Mitigation Measure NOI-2 provides separation distances between those project related construction vehicles and the nearest offsite buildings to minimize offsite vibration exposure. This separation distance is sufficient to avoid cosmetic building damage. With the implementation of Mitigation Measure NOI-2, vibration levels would be below the building damage significance thresholds and would result in less than significant vibration impacts related to vibration induced building damage.

**TABLE 4-26
BUILDING DAMAGE LEVELS AT NEARBY USES**

Equipment	Vibration Levels (ppv) ^{1,2}			
	Residential Use to the North of the Project Site	Office Use Northwest of the Project Site	Residential Use Southwest of the Project Site	Commercial/Industrial Uses to the East of the Project Site
	(ppv @ 20 ft)	(ppv @ 105 ft)	(ppv @ 270 ft)	(ppv @ 5 ft)
Vibratory roller	0.29	0.02	0.01	2.35
Large bulldozer	0.01	0.01	0.02	1.00
Small bulldozer	0.00	0.00	0.00	0.03
Jackhammer	0.01	0.00	0.01	0.39
Loaded trucks	0.01	0.01	0.02	0.85
Criteria	0.3	0.3	0.3	0.3
Exceeds Criteria?	No	No	No	Yes
ppv: peak particle velocity; Max: maximum; avg: average; ft: feet				
Source: FTA 2006 (Calculations can be found in Appendix H).				

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project site is located approximately 3 miles east of the Fullerton Municipal Airport. The Fullerton Municipal Airport is the closest airport to the project site and there are no

other airports located within 5 miles of the project site. The project site is located well outside the existing and projected 65-dBA CNEL noise contour of the Fullerton Municipal Airport. The project site is not located within the vicinity of a private airstrip. Aircraft overflights do not significantly contribute to the noise environment at the project site, and the Project would not expose future Project residents to excessive noise levels. There would be no impact related to aircraft noise exposure at the project site, and no mitigation is required.

Standard Conditions of Approval

COA NOI-1 Per Section 1206 Sound Transmission of the California Building Code, interior noise levels attributable to exterior sources shall not exceed 45 dBA Community Noise Equivalent Level/day-night average sound level (CNEL/L_{dn}) in any habitable room. Prior to issuance of building permits, an Acoustical Study shall be prepared to demonstrate that necessary acoustical controls are incorporated into the design of the Project to limit interior noise in habitable rooms to 45 dBA CNEL/L_{dn} or less.

Mitigation Measures

Project implementation would result in significant impacts related to construction generated vibration. The following mitigation measures are required to attenuate vibration to offsite uses.

MM NOI-1 Prior to the start of construction activities occurring within 25 feet of the WM Will Mann, Inc. Precision Sheet Metal Fabrication. The construction contractor shall coordinate scheduling and activities with the manager at WM Will Mann, Inc. Precision Sheet Metal Fabrication to avoid any manufacturing process that may be affected by vibration from construction activities for the proposed Project.

MM NOI-2 Prior to the issuance of each grading permit, the Project's contractor shall produce evidence acceptable to the Manager of Building & Safety, or designee demonstrating that the equipment to be used for construction or demolition activities that would occur within 25 feet of an occupied structure shall not include vibratory rollers, large bulldozers, loaded trucks or similar heavy equipment that weigh in excess of 24,000 lbs.

Also, MM 3-2 of the FTC Specific Plan Program EIR from Section 4.5, Cultural Resources, is applicable to this analysis.

4.14 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Based on the analysis in the PEIR, the FTC Specific Plan could generate a maximum of 1,560 residential units and approximately 4,569 new residents, under the High Residential/Low Office scenario, which was used as the basis of housing and population analyses above as this scenario would involve greater housing and population growth than the High Office/Low Residential Scenario. Conversely, under the High Office/Low Residential Scenario, which would provide a more conservative analysis of employment and jobs/housing ratios, implementation of the project, combined with the number of employees sustained through the preservation of existing uses, would result in a total of approximately 925 employees within the FTC Specific Plan area (net gain of 113 employees).

Under the High Office/Low Residential scenario, the project would have a jobs/housing ratio of 0.61 (including remaining and new jobs), based on an estimated 925 jobs and 1,513 residential units (lower than the 1,560 units developed under the High Residential/Low Office Scenario). Therefore, the High Office/Low Residential scenario would result in greater benefits for balancing jobs and housing. Project buildout would generate housing and population within City, County, and be consistent with the intent of the [then] recently adopted 2006–2014 Housing Element. However, the project (which includes a General Plan amendment and Zone Change), would exceed the growth anticipated for the project area based on [then] current land use designations. The exceedance of the site's population and housing growth as envisioned in the General Plan was considered a significant and unavoidable impact.

The FTC Specific Plan could generate up to 1,560 residential units and remove 1 existing single-family residence. The project would not displace substantial numbers of existing housing and would not necessitate the construction of replacement housing elsewhere; therefore, impacts would be less than significant.

No PDFs, SCs, or MMs were identified nor required.

Impact Analysis

Would the Project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

Less than Significant Impact. The proposed Project involves the construction 286 residential units, 124 hotel rooms, and 3,570 square feet of retail/commercial uses that would replace the existing surface parking and parking structures on the site. Using Department of Finance (DOF) for the City's 2022 average household size of 2.85 persons per household (DOF 2022), the Project would directly generate 815 residents. This would increase the City's 2022 resident population of 142,732 persons by approximately 0.57 percent to 143,547 residents. Additionally, the City's 2022 housing stock of 50,511 (DOF 2022) would increase by 0.57 percent to 50,797 units.

Jobs that would be created during construction would be short-term and would be typically filled by existing residents of the region. Therefore, the Project would not induce housing demand that would generate indirect population growth near the construction site due to the temporary nature of construction jobs. The proposed Project is anticipated to create both long-term population and operation jobs for the proposed residential, hotel, and commercial/retail uses. As with the temporary construction workers, long-term operation employees are anticipated to be filled by existing residents of the region. The temporary construction crew, long-term population, and operation employees of the Project would not create a significant change in demand for goods and services that would induce business investment, growth, or development in the area. These increases would be within anticipated growth for the City as projected by SCAG at 158,300 residents, 52,900 households, and 85,400 jobs by 2045 (SCAG 2020a, 2020b).

Additionally, the proposed Project functions as a redevelopment project that is surrounded by existing development and is served by existing roads and utility infrastructure. No extension of roads or infrastructure is proposed by the Project, beyond what was anticipated in the FTC Specific Plan, such that would encourage development levels beyond what is already planned elsewhere in the City or indirectly induce growth. Therefore, the Project would not result in substantial unplanned population growth, directly or indirectly. The impacts would be less than significant, and no mitigation is required.

The significant physical impacts on the environment associated with the direct growth have been evaluated in this IS/MND.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

No Impact. The project site is currently developed with surface parking and a parking structure. There are no existing housing and associated residents on the site that would be displaced by the development of the proposed Project. The proposed Project would develop 286 dwelling units and help meet the City's housing goals under SCAG's Regional Housing Needs Assessment (RHNA), as identified in the 2013-2021 Housing Element of The Fullerton Plan (City of Fullerton 2015). The Project would result in demolition of the existing parking structure to accommodate construction of the proposed development; demolition of the said structure would not lead to

the loss of existing housing. Thus, no impact related to displacement of housing and associated residents would occur, and no replacement housing is required. Therefore, no significant impacts would occur, and no mitigation is required.

Standard Conditions of Approval

None has been identified.

Mitigation Measures

Project implementation would not result in significant impacts related to Population and Housing; therefore, no mitigation measures are required.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

The analysis determined that implementation of the project (Phases 1 and 2) would increase the demand for the Fire Department services and equipment and Phase 2 would involve the relocation of Fire of Station No. 1. The new fire station would be operational prior to demolition of the existing fire station and would be developed to the satisfaction of the FFD and the Community Development Department. Acceptable service ratios, response times, and other performance objectives would be maintained with implementation of PDF 10-1, SC 10-1 and MM 10-1 and impacts would be less than significant.

Implementation of the project under both development scenarios would also increase the demand for police protection services; however, it would not result in the need for the construction of new or expanded police facilities. No physical environmental impacts would result, and no significant impacts would occur. No mitigation was required.

Implementation of the project would generate additional students in the FSD and the FJUHSD under both development scenarios. With payment of required development fees (pursuant to Section 65995 of the Government Code), or implementation of a facility and funding agreement pursuant to SC 10-2, these impacts would be less than significant.

Implementation of the project would increase the demand for library services under both development scenarios; however, it would not result in the need for the construction of new or expanded facilities. No physical environmental impacts would result, and no mitigation was required.

Additionally, it was indicated that the FTC Specific Plan would increase the demand and use of existing parks and recreational facilities in the City of Fullerton; however, the existing parkland within the City as a whole, exceeded the park standards (4 acres per 1,000 residents). With implementation of PDFs 10-2 and 10-3, and SC 10-3 impacts to park and recreational facilities

would be less than significant under both development scenarios. No additional impacts would occur related to the construction or expansion of recreational facilities.

The cumulative impacts were also determined to be less than significant for all the above topics.

For informational purposes, the PDFs, SCs, and MMs from the PEIR are provided below.

Project Design Features

PDF 10-1 Prior to demolition of the existing Fire Station No. 1 located at 312 East Commonwealth Avenue, a replacement fire station that provides fire protection to the same service area shall be operational (refer to Chapter 3.7.2 of the FTC Specific Plan).

PDF 10-2 The Regulating Code for the FTC Specific Plan (Section 4.3) includes a variety of parks and civic spaces (totaling approximately 2.49 acres) to be implemented within the FTC Specific Plan (refer to Section 4.3 and Figure 4-2 of the FTC Specific Plan): Transit Plaza (0.45 acre); North Neighborhood Park (0.29 acre); South Neighborhood Park(s) (0.63 acre); Transit Courtyard (0.23 acre); Existing Paseos (0.27 acre); and Proposed Paseos (0.62 acre). Design standards for each civic space are set forth in the Regulating Code and include requirements for the size of the space; the location of both public and private properties; the process for final design and location selection; and the responsible party for maintenance and management. In compliance with Section 4.3 of the Regulating Code, the Transit Plaza shall be a publicly owned and maintained public space. The other civic spaces (excluding the existing paseos) may be owned and maintained by property owner's associations (private) or the City of Fullerton Parks and Recreation Department and Maintenance Services Department (public). Although they may be privately owned, these spaces shall be publicly accessible through public access easements.

PDF 10-3 In compliance with Section 3.5.2 of the FTC Specific Plan, in addition to the civic spaces, each development project within the FTC Specific Plan Area shall include common open spaces for use by the development's residents. The amount of common open space shall be provided at a rate of 50 square feet per residential unit. Private open space for each dwelling unit (such as balconies or patios) is not mandatory but would be allowed. Design standards for common open spaces are provided in Section 4.6.4, Common Open Space Standards, of the Regulating Code for the FTC Specific Plan. The conceptual common open space plan for private properties is illustrated in Exhibit 3.3-14 in Section 3, Project Description.

Standard Conditions and Requirements

SC 10-1 The Property Owner/Developer shall comply with all applicable codes, ordinances and regulations, including the most current edition of the *California Fire Code* and the *City of Fullerton Municipal Code*, regarding fire prevention and (including sprinklers); fire access; water availability; requirements for high rise structures; and other, similar requirements. Prior to issuance of building permits, the City of Fullerton Community Development Department and the Fire

Department shall verify compliance with applicable codes and that appropriate fire safety measures are included in the project design. All such codes and measures shall be implemented prior to occupancy.

SC 10-2 Prior to issuance of a building permit, the Property Owner/Developer shall pay new development fees to the Fullerton School District (FSD) and Fullerton Joint Union High School District (FJUHS) pursuant to *California Government Code*, Section 65995. Under State law, payment of the developer fees provides full and complete mitigation of the project's impacts on school facilities. As an option to the payment of developer fees, the FSD and/or FJUHS and the Property Owner/Developer can enter into a facility and funding agreement, if approved by both parties. Evidence that agreements have been executed shall be submitted to the Community Development Department, or fees shall be paid with each building permit.

SC 10-3 In accordance with Chapter 21.12 of the *City of Fullerton Municipal Code*, prior to the issuance of each building permit, the Property Owner/Developer shall remit the most current park dwelling fee, and/or other negotiated park fees, to the City. All money collected as fees imposed by Chapter 21.12 shall be deposited in the park dwelling fund and shall be used for the acquisition, development and improvement of public parks and recreational facilities in the City, as proposed by the City's Five-Year Capital Improvement Program. The Community Development Department shall confirm compliance with this requirement prior to issuance of a building permit.

Mitigation Measures

The FTC Specific Plan EIR determined that while no significant impacts to fire protection and emergency services would result with implementation of PDF 10-1, the following measure was included to address the relocated Fire Station No.1 associated with Phase 2 and ensure that impacts remain less than significant.

MM 10-1 Prior to the demolition of the Fire Station No. 1, a replacement fire station (temporary or permanent) shall be fully operational with adequate personnel, equipment, and facility space to serve the existing Fire Station No. 1 service area. The new Fire Station No. 1 shall be located on a property that ensures adequate service ratios, response times, or other performance objectives mandated by the Fullerton Fire Department (FFD). The exact location and size of the facility, equipment requirements, staffing requirements, and design and development standards shall be determined to the satisfaction of the FFD and the Community Development Department. A Disposition and Development Agreement (DDA) shall be executed prior to the City processing a development project application for the Fire Department site; the DDA shall specify the Property Owner/Developer's responsibilities related to the relocation of Fire Station No. 1.

Impact Analysis

Would the Project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

Less than Significant Impact. Fire protection services for the project site would be provided by the City of Fullerton Fire Department (FFD). The FFD is composed of three divisions, Administration, Operations, and Prevention. Administration is responsible for the overall leadership, coordination, and direction for the FFD. Operations includes three programs of Suppression, Emergency Medical Services, and Training and is responsible for providing continuous service for fire control and suppression, rescue, and medical aid; emergency response; and training. The Prevention Division serves to protect the public from fire hazards and is responsible for promoting public awareness of fire and life safety and enforcing the California Fire Code, California Code of Regulations, and California Health and Safety Code.

The FFD is part of a mutual aid agreement with all Orange County fire agencies. If a Fullerton engine is busy on a call and a second call comes in, dispatch automatically finds the closest available engine. In many cases, it is closer to have an engine respond from a bordering jurisdiction. The nearest fire station to the project site is Station No. 1, located approximately 0.05-mile northeast of the project site at 312 East Commonwealth Avenue (City of Fullerton 2012b).

The proposed Project would result in a resident population 815 persons, which is a nominal increase in the total number of City residents (estimated at 142,732 in 2022) served by FFD (DOF 2022). The Project would also involve construction of 124 hotel rooms and 3,570 square feet of retail space, which would increase demand for fire protection services. The proposed Project would create the typical range of service calls to the FFD for medical aid, fire response, emergency rescue, traffic collisions, and hazardous material incidents. As identified in The Fullerton Plan PEIR, The Fullerton Plan includes policies and actions to ensure adequate resources are available to respond to health, fire, and police emergencies (Policy 13.2) and that the FFD is actively involved in the review of development projects to ensure the development would comply with fire management policies (Action 24.2). The City and the FFD regularly monitor FFD resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases. The Project would pay the standard taxes that would go toward the City's General Fund, which is FFD's main source of funding. Therefore, development of residential units, hotel rooms, and retail spaces would provide revenue from property tax and sales tax to add to the General Fund, which could be used by the FFD for improvements, maintenance, and addition of fire stations and resources as fire service demands increase.

Further, Title 13 of the Fullerton Municipal Code contains the City's fire prevention regulations, with Chapter 13.20 of the Code adopting by reference the 2019 California Fire Code. The Project

would be required to comply with all applicable codes, ordinances, and regulations (including the City of Fullerton Municipal Code and the CBC) regarding fire prevention and suppression measures, fire hydrants and sprinkler systems, emergency access, premises identification requirements, emergency responder radio coverage requirements, defensible space requirements, and other similar requirements (COA PS-1). The proposed buildings would be equipped with automatic fire sprinkler systems for fire protection. Compliance with COA PS-1 would be confirmed by the FFD during its review of development plans; would prevent the creation of fire hazards at the project site; and would facilitate evacuation and emergency response in the event of a fire. The FFD has reviewed and conditionally approved the project site plans to ensure fire prevention and suppression measures, fire hydrants and sprinkler systems, emergency access, and other similar requirements are met. This would minimize Project demand for fire protection services.

Therefore, no physical impacts associated with the provision of fire protection services would occur. There would be less than significant impacts related to fire protection services, and no mitigation is required.

ii) Police protection?

Less than Significant Impact. Police protection services for the project site are provided by the Fullerton Police Department (FPD). The FPD is charged with enforcing federal, State, and local laws and with protecting lives and property. The FPD operates from one station located at 237 West Commonwealth Avenue, approximately 0.31-mile northwest of the project site. The FPD has approximately 125 sworn officers and 55 civilian employees (FPD 2022). The City participates in a mutual aid program among all Orange County law enforcement agencies at various levels. The mutual aid agreement provides back-up assistance to member departments, as needed.

Funding for staff, facilities, and equipment for police services come primarily from the City's General Funds. Development of residential and hotel units, as well as retail spaces, will provide revenue from property tax and sales tax to add to the General Funds, which could be used by the FPD. The proposed Project would generate new employment opportunities at its retail and hotel uses; however, the new jobs that would be created by the Project would not induce substantial population growth because most of the new jobs would likely be filled by residents of the City and surrounding area. The Project would generate a demand for police protection services once the proposed dwelling units, hotel rooms, and retail uses are occupied. However, the incremental demand of the Project for police protection services is not anticipated to increase FPD response times to the project site or surrounding area. The City and FPD regularly monitor resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future developments and population increases. The Project would not require the construction of new or alteration of existing police protection facilities to maintain an adequate level of service to the project area, and no physical impacts would result. There would be a less than significant impact, and no mitigation is required.

iii) Schools?

Less Than Significant Impact. The project site is within the service areas of both the Fullerton School District (FSD), for elementary and junior high school, and Fullerton Joint Union High School District (FJUHS), for high school. The proposed Project involves the development of 286

dwelling units that would be occupied by 815 residents with potential school-aged children requiring school services from the FSD and FJUHS.

Appropriate developer impact fees, as required by State law, would be assessed and paid by the Project to the school districts. State law establishes three levels of developer fees that may be imposed upon new development by a school district's governing board. These fee levels depend upon meeting certain conditions within a district, such as multi-track year-round schedule, local bond measure, issued debt or incurred obligations, and the use of relocatable classrooms. The fee payment process for schools in the City is administered through FJUHS. FJUHS charges \$4.08 a square foot for residential construction and \$0.66 a square foot for commercial construction (FJUHS 2022).

Based on the student generation rates for multi-family residential land uses from The Fullerton Plan PEIR², the Project may generate 143 elementary and middle school students, and 52 high school students, for a total of 195 students (City of Fullerton 2012b). The Project would pay school development fees to the FJUHS for the improvement of school facilities that would be needed to serve the Project's demand for school services and facilities, per COA PS-2. As provided under Section 17620 of the *California Education Code* and Section 65970-65995 of the *California Government Code*, the payment of statutory school development fees would fully mitigate a Project's impacts on schools. Thus, impacts would be less than significant, and no mitigation is required.

vi) Parks?

Less than Significant Impact. According to The Fullerton Plan PEIR, there are approximately 640.41 acres of public parkland (Fullerton 2012a). The City's standard is to provide 4 acres of parkland per 1,000 residents (Fullerton 2012a). Therefore, based on the existing population of 142,732 residents (DOF 2022), the current parkland demand for the City is approximately 571 acres, and the City has an excess of 69.41 acres of parkland. Conservatively assuming that all 815 residents of the proposed Project are new to the City, the proposed Project would generate the need for 3.3 acres of parkland. However, the Project would provide private open space and amenities for its residents including a pool, outdoor cabanas, outdoor pet area/wash station, outdoor fitness center, playground, outdoor BBQ, putting green, and nature garden. Additionally, the Project Applicant would be required to pay a park fee as set forth in section Chapter 21.12, Fee for Parks on the Construction of Dwelling Units, of the City's Municipal Code (COA PS-2). Given the nominal increase in population and payment of park fees, the potential impact pertaining to provision of parkland would be less than significant, and no mitigation is required. Please refer to Section 4.16, Recreation for a detailed discussion of parks.

vi) Other public facilities?

Less than Significant Impact. The Fullerton Public Library (FPL) provides library services to the City through the Main Library (located at 353 West Commonwealth Avenue) (FPL 2022). The Main Branch is located approximately 0.42-mile northwest of the project site. An increased demand for library services primarily results from an increase in permanent population associated with a residential development; however, an increase in employees from a non-

² The student generation factors in The Fullerton Plan PEIR are 0.3 to 0.5 student per dwelling unit for elementary and middle school, and 0.182 student per multi-family dwelling unit for high school (City of Fullerton 2012b).

residential project, albeit not permanent population, would also result in an increase in demand for library services. The Project would generate a demand for library services that would be served by the FPL and other nearby libraries. Due to the limited number of residents from the Project (815 residents), compared to the City's total 2022 population estimates of 142,732 persons (DOF 2022), the increase in library service demand is expected to be proportionately 0.57 percent of existing demand and would not result in the need for construction of new or expanded library facilities. Additionally, while the proposed Project may increase the use of library facilities, the Fullerton Public Library provides a wide range of electronic and digitized resources that do not require physical library space. Therefore, impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

Mitigation measure PS-2 from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

COA PS-1 All development in the City shall comply with the Fullerton Fire Prevention Ordinance (Chapter 13 of the City's Municipal Code), which addresses fire prevention and includes the City's Fire Code. All development shall also comply with the City's Building Code (Chapter 14 of the City's Municipal Code), which adopts the California Building Code and other codes related to building construction, in order to prevent the creation of fire hazards in the City.

COA PS-2 The Project Applicant shall pay the applicable park fee, in accordance with Chapter 21.12, Fee for Parks on the Construction of Dwelling Units, of the Fullerton Municipal Code, for the purpose of providing park and recreational facilities to serve future residents of the Project development. Prior to the issuance of building permits, the Project Applicant shall submit evidence to the City of Fullerton that legally required school impact mitigation fees have been paid per the mitigation established by the applicable school district.

Mitigation Measures

Project implementation would not result in significant impacts related to Public Services; therefore, no mitigation measures are required.

4.16 RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis

Would the Project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact. The City of Fullerton's Parks and Recreation Department provides a wide range of programs to the community pertaining to leisure and cultural services; special event production; and development and operation of various facilities and parklands. The City contains a range of recreational facilities that include over 50 parks, 19 hiking/walking trails, and other recreational amenities (such as the Fullerton Community Center and Janet Evans Swim Complex) that provide a range of community amenities including playgrounds, picnic areas, sports facilities, bikeways, and recreational trails (City of Fullerton 2022b).

The proposed 286 residential units would result in a population of approximately 815 residents, which would generate a demand for parks and recreational facilities. The Project would provide private open space and amenities for its residents including a pool, outdoor cabanas, outdoor pet area/wash station, outdoor fitness center, playground, outdoor BBQ, putting green, and nature garden. Project residents would also use nearby City parks and other public and regional parks. Union Pacific Park is the nearest City park to the Project, located 0.16 mile southwest of the project site and is likely to be used by residents of the Project. The park has barbecues, basketball, picnic tables, playground, recreation trail(s), and restrooms (City of Fullerton 2022a). Table 4-28, City of Fullerton Public Parks within One Mile of the project site, lists additional City park facilities within one mile of the Project boundary that could be utilized by the residents. This table includes the name, location, distance from the project site, park acreage, and park amenities (City of Fullerton 2022b, 2022c).

TABLE 4-27
CITY OF FULLERTON PUBLIC PARKS WITHIN ONE MILE OF THE PROJECT

Name	Location	Distance from Site Boundary (mile)	Size (acres)	Amenities
Public Neighborhood Parks				
Union Pacific Park	121 W. Truslow Ave.	0.16	1.7	Barbecues, basketball, picnic tables, playground, recreation trail(s), restrooms.
Plaza Park	144 E. Wilshire Ave.	0.17	0.60	Open grass, granite paths, shaded seating, playgrounds, picnic table, doggy bag dispensers.
Truslow Park	401 E. Truslow Ave.	0.19	0.013	Playgrounds, picnic tables, barbecues.
Downtown Plaza	125 E. Wilshire	0.21	1.15	Museum Center, shaded seating, interactive fountain, bandstand, restroom, parking.
Lemon Park	701 S. Lemon St.	0.25	5.09	Playground, spray pool, basketball, softball, soccer, bleacher seating, picnic tables, picnic pavilion, barbecues, activity building, restrooms, parking.
Amerige Park	300 W. Commonwealth Ave.	0.33	7.89	Fullerton Community Center, baseball, soccer bleacher seating, parking, restrooms, parking.
Richman Park	711 S. Highland Ave.	0.46	2.21	Richman Community Center, Playgrounds, baseball/softball, soccer, picnic tables, covered picnic areas, barbecues, activity building, restrooms, parking.
Ford Park	435 W. Wilshire Ave.	0.58	3.16	Baseball, soccer, picnic tables, covered picnic areas, barbecues, parking.
Byerrum Park	501 N. Raymond Ave.	0.81	2.5	Picnic Area, playground, basketball, baseball/softball, soccer.
Hillcrest Park	1200 N Harbor Blvd	0.85	37.8	Barbecues, lawn with fountain, Hillcrest Recreation Center, Hillcrest Terrace, Izaak Walton Cabin, parking, picnic tables, playground, recreation trail(s), Red Cross Building, restrooms.
Woodcrest Park	440 W. Orangethorpe Ave.	0.86	5.28	Playgrounds, softball, bleacher seating, picnic tables, barbecues, restrooms, parking.

**TABLE 4-27
CITY OF FULLERTON PUBLIC PARKS WITHIN ONE MILE OF THE PROJECT**

Name	Location	Distance from Site Boundary (mile)	Size (acres)	Amenities
Independence Park	8-1 West Valencia Drive	0.93	10	Exercise equipment, gymnasium, picnic tables, play areas, playground, raquetball/handball court, restrooms, skate park, swim complex.
Source: City of Fullerton 2022b, 2022c.				

Due to the small number of residents that would be generated by the Project, the increase in the use of existing public park facilities by the residents would not be at a level that would result in physical deterioration of existing parks and other recreational facilities, nor would it require the need for new or physically altered facilities. Additionally, as stated in COA PS-2, the Project Applicant would be responsible for paying park fees for the acquisition, development, and improvement of public parks and recreational facilities in the City. Therefore, impacts would be less than significant, and no mitigation is required.

b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less than Significant Impact. As described above, the Project would provide private open space and amenities for its residents, including a pool, outdoor cabanas, outdoor pet area/wash station, outdoor fitness center, playground, outdoor BBQ, putting green, and nature garden. These areas would be on the project site and the physical impacts resulting from the construction of these facilities have been addressed through the impact analysis presented in this IS/MND document. Additionally, the Project Applicant would pay the park fees to provide funds for parks facilities to serve Project residents (see COA PS-2, above).

As the recreation needs of the residents would be partially met on site in addition to payment of the necessary park fees, the proposed Project would not result in a substantial increased demand for recreational facilities, requiring the construction of new parks that would adversely affect the environment. There are also adequate regional parks and recreational facilities that would serve the Project. Therefore, impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

COA PS-2, from Section 4.15, Public Services, is applicable.

Mitigation Measures

Project implementation would not result in significant impacts related to Recreation; therefore, no mitigation measures are required.

4.17 TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Intersections

With implementation of PDF 11-1, which includes installation of traffic signals, the proposed FTC Specific Plan would have a potentially significant impact at the following intersections:

- Harbor Boulevard/Chapman Avenue (Year 2035)
- Orangethorpe Avenue/Lemon Street (Years 2015, 2020 and 2035) (using ICU methodology)

Feasible mitigation measure to reduce the impact at the intersection of Orangethorpe Avenue/Lemon Street to a less than significant level was identified (MM 11-1). However, improvements to this intersection were not considered feasible, as the intersection was in the City of Anaheim, and the City of Fullerton could not require another agency to implement such improvements. As such these impacts were considered significant and unavoidable for purposes of CEQA analysis.

In addition to payment of Traffic Impact Fees (refer to SC 11-1), the Property Owner/Developer shall pay its fair share cost for the traffic signal at the intersection of Harbor Boulevard/Santa Fe Avenue, and implementation of improvements at the intersection of Harbor Boulevard/Chapman Avenue (MMs 11-2 and 11-3).

Freeway Mainline Impacts

The increases in overall mainline freeway traffic volumes correspond to a D/C increase of 0.1 percent (0.001) to 0.7 percent (0.007), or less than 1.0 percent of the total capacity of the segments included in the analysis. The proposed FTC Specific Plan would have a less than significant impacts to freeway mainline facilities.

Construction Traffic

Short-term construction related-traffic impacts would be reduced to a less than significant level with compliance with SCs 11-2 and 11-3 and implementation of MM 11-4.

No conflict with the Orange County CMP would occur with implementation of the FTC Specific Plan.

Implementation of the FTC Specific Plan (which includes roadway improvements identified in PDF 11-1) would not result in inadequate emergency access during operation. Emergency access would also be maintained during construction (refer to MM 11-4). No significant impacts would occur, and no mitigation is required.

The proposed Project would not conflict with adopted policies, plans, or programs supporting alternative transportation. No impact would occur.

The proposed Project would implement parking strategies to accommodate existing and proposed uses, including parking for transit facilities (refer to PDF 11-4) resulting in a less than significant impact related to parking.

For informational purposes, the SCs and MMs from the PEIR are provided below.

Standard Conditions and Requirements

- SC 11-1** In accordance with Chapter 21.30 of the City of Fullerton Municipal Code, the Property Owner/Developer shall participate in the implementation of the City's Master Plan of Highways through the payment of Traffic Impact Fees. The payment of fees would allow the City to fund and mitigate off-site traffic impacts that would be generated by the development proposed in the project area. Payment of the traffic impact fees at the time of building permit issuance would be required for each development component built at the site.
- SC 11-2** In accordance with Chapter 8.28 of the City of Fullerton Municipal Code, Weight Limits, contractors shall not operate any vehicles, including commercial vehicles that exceed the weight limit established by the City for individual streets (as posted on signs). Commercial vehicles may use restricted streets for the purpose of delivering or picking up materials or merchandise by entering a restricted use street at its intersection with an unrestricted street nearest to the destination, then proceeding by the most direct route to such destination, and then directly to the nearest unrestricted street.
- SC 11-3** In accordance with Chapter 8.30 of the City of Fullerton Municipal Code, Truck Routes and Terminals, construction vehicles exceeding 10,000 pounds shall use designated truck routes to access construction sites. Non-designated truck routes shall be used only as necessary to traverse a street or streets to a destination for the purpose of loading or unloading.

Mitigation Measures

Long-term Operational Impacts

Implementation of the following mitigation measures is required to mitigate project impacts (2010, 2020 and 2035) at the intersections of Orangethorpe Avenue/Lemon Street and Harbor Boulevard/Santa Fe Avenue. As identified previously in PDF 11-1, traffic signals would be installed at the intersections of Lemon Street/Santa Fe Avenue and Lemon Street/Walnut Way as part of the proposed Project.

MM 11-1 Prior to issuance of occupancy permits for Phase 1, improvements shall be made at the Orangethorpe Avenue/Lemon Street intersection to bring the LOS to an acceptable LOS D or better (based on the City of Anaheim ICU methodology). This shall be accomplished by (1) converting the northbound right-turn lane to a third northbound through right lane and restriping the southern leg of the intersection and widening the northern leg of the intersection or (2) implementing alternative improvements agreed to by the City of Fullerton in coordination with the City of Anaheim that meet the same performance standard. Because this intersection is partially within the City of Anaheim, the Property Owner/Developer and City of Fullerton shall coordinate improvements at this intersection with the City of Anaheim, which would need to approve any improvements within its jurisdiction.

MM 11-2 Prior to the issuance of each building permit, the Property Owner/Developer shall pay its fair share cost, or an equivalent contribution, for the traffic signal at the intersection of Harbor Boulevard/Santa Fe Avenue. The traffic signal will be installed by the City of Fullerton. The fair share cost, or an equivalent contribution, shall be determined by the Director of Engineering in consultation with the Property Owner/Developer, and verification of payment shall be provided to the Community Development Department.

Implementation of the following mitigation measure is required to mitigate the project's contribution to impacts in 2035 at the intersection of Harbor Boulevard/Chapman Avenue.

MM 11-3 Pursuant to the City's adopted General Plan Policy (General Plan Policy C-5.2, Program b), in addition to payment of Traffic Impact Fees (refer to SC 11-1), the Property Owner/Developer or subsequent project applicant shall pay the City of Fullerton for its fair share of the cost for implementation of improvements at the intersection of Harbor Boulevard/Chapman Avenue. This intersection is a network intersection covered by the Traffic Impact Fee Program with an established acceptable LOS E. The project contributes more than 10 percent of the future traffic at this intersection that would operate at an unacceptable LOS F during the PM peak hour at General Plan Build-out (Year 2035). The project's share of future PM peak hour traffic at this intersection is estimated at 12.2 percent, and shall be verified by the City of Fullerton Engineering Department prior to payment of the additional Traffic Impact Fee. The necessary improvements could consist of a northbound right-turn lane at the intersection, or acceptable alternative improvements as determined by the City of Fullerton. The actual amount and timing of payments or other financial security for such payments that may be approved by the Director of Engineering shall be

determined prior to approval of the first building permit of any project within the FTC Specific Plan. The cost for the required improvement that serves as the basis for the fair share fee shall not exceed the cost for providing a northbound right-turn lane at the intersection. Evidence of payment or timely compliance with an approved fair share agreement that will ensure the ultimate construction of the required improvements shall be provided to the City of Fullerton Engineering Department prior to issuance of the first certificate of occupancy permit for each individual project.

Short-term Construction Impacts

MM 11-4 Prior to issuance of a grading permit, the property developer shall submit Construction Traffic Management Plans to the City of Fullerton Engineering Department for review and approval. The Traffic Management Plan shall describe traffic-control measures to be implemented to maintain traffic flow in all directions, including where utilities and other improvements are being implemented in existing roadways. The Traffic Management Plans shall include, but not be limited to (1) identification of construction haul routes that follow the City's approved truck routes and avoid residential streets; (2) identification of emergency access points/routes; (3) duration and location of lane closures; (4) location of parking for the public and construction workers during construction phases; (5) use of flagmen; and (6) temporary routes for pedestrians and bicyclists to avoid construction activities. The Construction Traffic Management Plan shall be implemented during all project construction stages. The contractor specifications shall include the requirements outlined in the Traffic Management Plan, and this shall be verified by the City Engineering Department.

Introduction

A Local Transportation Analysis (LTA) and Vehicle Miles Traveled (VMT) were prepared by Associated Transportation Engineers (ATE) in September 2022. The findings of the LTA and VMT are incorporated in the following analyses, and the report is included as Appendix I to this IS/MND.

Impact Analysis

Would the Project:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Trip generation estimates were calculated for the Project based on the steps recommended for mixed-use projects in the Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition.³ Given that the Project includes a mix of land uses (residential, hotel, and retail), the

³ Trip Generation, Institute of Transportation Engineers, 11th Edition, 2017.

trip generation steps include: 1) calculating trip generation based on ITE rates and 2) calculating internal trips that would remain on-site and not affect the adjacent street network.

ITE Rates. The ITE trip rates for Multi-Family Housing (Mid-Rise - Land Use Code #221), Hotel (Land Use Code #310) and Shopping Plaza - No Supermarket (Land Use Code #821), were used in the trip generation analysis for the residential and retail components of the Project.

Internal Capture. A portion of the trips made within the project site between the residential and retail would be internal to the site and not affect the study-area street network. The trip generation analysis assumes that 7 percent of the PM peak hour trips would be internal capture trips. These internal capture rates were determined based on the Transportation Research Board (TRB) National Cooperative Highway Research Program (NCHRP) Report 684: Enhanced Internal Trip Capture Estimation of Mixed-Use Developments.

In addition, the residential units are within walking distance of commercial uses (retail, restaurants, entertainment, etc.) located within a ½-mile radius of the project site. There is also frequent transit service in downtown area of Fullerton to accommodate trips made by residents of the Project. The trip generation analysis therefore assumes a mode split of 10 percent for non-motorized trips and transit mode split for the residential and hotel component. Table 4-29 shows the trip generation estimates for the Project.

**TABLE 4-28
PROJECT TRIP GENERATION**

Land Use	Size	ADT	AM Peak Hour			PM Peak Hour		
			Entering	Exiting	Total	Entering	Existing	Total
Proposed Project								
Apartments	286 Units	1,358	52	40	92	36	47	83
Hotel	124 Rooms	991	32	25	57	37	36	73
Retail Commercial	3,570 Sq. Ft.	241	4	2	6	7	11	18
	Total Trips:	2,590	88	67	155	80	94	174
	Total External Trips	2,486	72	51	123	60	67	127
(a) (External ADT (96 percent) based the average of 0 percent AM and 7 percent PM internal capture. Source: ATE 2022 (Appendix I).								

The data presented in Table 4-29 indicates that the Project would generate 2,486 average daily trips (ADT), 123 AM peak hour trips and 127 PM peak hour trips that would be external to the site and added to the adjacent street system.

Project Trip Distribution

Traffic generated by the Project was distributed onto the study-area street network based on the trip distribution percentages presented in Table 4-30. The distribution pattern was developed based on estimated service area for the Project.

The preliminary trip assignment of Project peak hour trip additions to the local street system would not be significant.

**TABLE 4-29
PROJECT TRIP DISTRIBUTION**

Route	Origin/Destination	Percentage
Commonwealth Avenue	East	15%
	West	20%
Santa Fe Avenue	West	5%
Harbor Boulevard	North	10%
	South	20%
Pomona Avenue	North	5%
Lemon Street	North	10%
	South	15%
		100%
Source: ATE 2022 (Appendix I).		

The Fullerton Plan Consistency

Mobility Element

The Fullerton Plan's Mobility Element aims to link the City's system of roadways, bicycle and pedestrian facilities, bus and rail transit systems, and airports. The following policies of the Mobility Element are applicable to the Project:

P5.6 Quality Highways and Roads—Support projects, programs, policies and regulations to operate and maintain a comprehensive network of arterial highways and local roads supporting safe and efficient movement of people, goods and services to, through and within the City.

P5.7 Complete Streets—Support projects, programs, policies and regulations to maintain a balanced multi-modal transportation network that meets the needs of all users of the streets, roads and highways – including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation and seniors – for safe and convenient travel in a manner that is suitable to the suburban and urban contexts within the City.

P5.8 Maximization of Person-Trips—Support programs, policies and regulations to plan for and implement an efficient transportation network that maximizes capacity for person-trips, not just vehicle-trips.

P5.9 Coordination with Schools—Support projects, programs, policies and regulations to improve – in coordination with the school districts – alternatives to the motorized transport of students by parents to and from school.

P5.11 Integrated Land Use and Transportation—Support projects, programs, policies and regulations to integrate land use and transportation planning and implementation.

P5.12 Multi-Modal Traffic Analysis—Support programs, policies and regulations to analyze and evaluate urban streets using an integrated approach from the points of view of automobile drivers, transit passengers, bicyclists and pedestrians rather than autocentric thresholds which conflict with other policies of The Fullerton Plan – including better environments for walking and bicycling, safer streets, increased transit use, cost-effective infrastructure investments, reduced greenhouse gas emissions, and the preservation of open space.

P5.13 Development-Oriented Transit—Support projects, programs, policies and regulations to encourage transit improvements that incentivize investment and link neighborhoods, while fitting the scale and traffic patterns of the surrounding area.

P5.14 Fair Share of Improvements—Support policies and regulations which require new development to pay a fair share of needed transportation improvements based on a project's impacts to the multi-modal transportation network.

P5.15 Neighborhood and Focus Area Connections—Support projects, programs, policies and regulations to connect neighborhoods via a multi-modal network to each other and to the City's Focus Areas.

The Project would not conflict with the Mobility Element, because it would provide mixed-use uses within a transit priority area, with nearby bus stops (within a quarter-mile walk), rail service, and other transportation services nearby, as discussed further below. The proposed residential and hotel uses would be within walking distance of commercial uses, and the Project would provide retail and bicycle storage, and neighborhood-supporting commercial uses. As such, the Project would not conflict with the City's Mobility Element.

Bicycle Element

The Bicycle Element (Chapter 5 of the Mobility Element) contains a summary of the Bicycle Master Plan policy program. The Bicycle Element seeks to broaden transportation choices for residents, employees, and visitors in the City. The following policies of the Bicycle Element are applicable to the Project:

P6.4 Bicyclist Use on All Streets—Support projects, programs, policies and regulations to recognize that every street in Fullerton is a street that a bicyclist can use.

P6.5 Bicycling Safety and Convenience—Support projects, programs, policies and regulations that make bicycling safer and more convenient for all types of bicyclists.

P6.6 Safe Travel to Key Destinations—Support projects, programs, policies, and regulations to facilitate safe travel by bicycle to key destinations within the community and the larger region.

P6.7 Development Projects—Support projects, programs, policies, and regulations to reduce negative impacts to and increase opportunities for bicycle users and the bicycle network in private and public development projects.

P6.8 Multi-Tiered Bicycle Network—Support projects, programs, policies and regulations to develop a multi-tiered network of bicycle travel options that consider traffic volumes and rider experience; and which recognizes that all streets should be safe for bicycling.

P6.9 Intersection Safety—Support projects, programs, policies, and regulations to support the safe and efficient movement of bicyclists through and across intersections.

P6.10 Bicyclist Education—Support projects and programs in conjunction with local bike shops, organizations and advocates to foster responsible ridership and reduce barriers to bicycling.

P6.11 Neighborhood and Focus Area Connections—Support projects, programs, policies and regulations to connect neighborhoods via a multimodal network to each other, and to and through the City's Focus Areas.

P6.12 Bicycle Parking and Facilities—Support projects, programs, policies, and regulations to provide convenient bicycle parking and other bicycle facilities in existing and potential high demand locations within the City, such as educational institutions, parks, business districts, transit stops, retail, commercial and employment centers.

The Project would be consistent with the Bicycle Element policies because the Project would not remove or interfere with the existing or planned bicycle facilities in the study area. There are no designated bike routes adjacent to the project site, but, per P6.4 of the Bicycle Element, every street in Fullerton is a street that a bicycle can use. The Project would provide bicycle storage for residential and retail uses. Therefore, the Project would encourage ridership among future residents and retail users of the site. As such, the Project would not conflict with local plans addressing bicycle facilities.

Active Transportation and Public Transit Analysis

Pedestrian facilities include sidewalks, crosswalks, and pedestrian signals. There are no designated bike paths, lanes, or routes surrounding the project site.

The project site has access to all three roadways. Orange County Transportation Authority (OCTA) operates five bus lines on Project-adjacent roadways, including the following:

- OC Bus Route 26 – Fullerton to Yorba Linda via Commonwealth Avenue/Yorba Linda Boulevard
 - Stops located on Commonwealth Avenue at the Fullerton Transportation Center
 - Weekday headways are one hour between approximately 5:40 AM and 10:30 PM
 - Weekend and holiday headways are also one hour between approximately 7:40 AM and 7:15 PM
- OC Bus Route 30 – Cerritos to Anaheim via Orangethorpe Avenue
 - Stops located on Orangethorpe Avenue at Harbor Boulevard and Lemon Street
 - Weekday headways are one hour between approximately 6:20 AM and 9:00 PM
 - Weekend and holiday headways are also one hour between approximately 6:20 AM and 9:00 PM

- OC Bus Route 43 – Fullerton to Costa Mesa via Harbor Boulevard
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Harbor Boulevard at Orangethorpe Avenue
 - Weekday headways are approximately 25 minutes between 3:50 AM and 1:45 AM
 - Weekend and holiday headways are also approximately 25 minutes between 3:50 AM and 1:45 AM
- OC Bus Route 47/A – Fullerton to Balboa via Anaheim Boulevard/Fairview Street
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Lemon Street at Orangethorpe Avenue
 - Weekday headways are between 20 and 30 minutes between approximately 3:55 AM and 11:50 PM
 - Weekend and holiday headways are between 25 and 45 minutes between approximately 4:55 AM and 11:00 PM
- OC Bus Route 543 – Fullerton Transportation Center to Santa Ana via Harbor Boulevard
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Harbor Boulevard at Orangethorpe Avenue
 - Weekday headways are approximately 25 minutes between approximately 5:15 AM and 7:25 PM
 - Weekend and holiday headways are approximately 25 minutes between approximately 6:50 AM and 7:10 PM

Other than the OCTA Depot at the FTC, the project area is the most heavily utilized location for transit boarding and includes stops which have been identified on OCTA's list of the 100 busiest bus stops (OCTA 2022). In addition, three bus lines provide direct access to the FTC, which is served by six total bus lines, and Metrolink and Amtrak. None of the bus stops or routes would be affected by the Project. The above-mentioned bus stops provide connectivity of future residents of the Project to the rest of the City.

The Project would not result in any changes to the roadway network in the area, and therefore, there would be no impacts to the existing bicycle, pedestrian, or transit infrastructure. The Project would not preclude proposed improvements to the network, such as those detailed in the City of Fullerton Bicycle Master Plan. There would be a less than significant impact and no mitigation measures are required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

No Impact. The City's Transportation Assessment Policies and Procedures (TAPP) calls for a Vehicle Miles Traveled (VMT) assessment for all projects in accordance with CEQA. The VMT Assessment required for the Project has been conducted and reported separately by the City's Traffic Engineer. The VMT assessment is included in Appendix I of the of this IS/MND.

The City's TAPP sets certain criteria for the evaluation of projects and the conduct of such VMT Assessments. The City relies on the North Orange County Collaborative VMT Traffic Study Screening Tool, which assists in identifying projects that could be for screening from project generated VMT impacts. Because the Project is located in a Transit Priority Area and is expected to result in a net reduction of daily trips to and from the site, it was also determined that it is also likely that the implementation of the Project would result in a net reduction in VMT. Additionally, the City's target VMT per service population threshold is 29.6. Analysis of the Project without a VMT credit results in a 11.15 percent lower VMT generation rate than The Fullerton Plan Buildout rate of 29.6. As a result, no further VMT study or analysis is required for the City or for the purposes of CEQA. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b), and there would be no impact.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?

Less Than Significant Impact. Access to the project site would be from South Pomona Avenue and East Santa Fe Avenue. Site 1 would include two separate entries along East Santa Fe Avenue, one for hotel/City entry and the other for residential entry. In Site 2, the proposed residential building would include two entries into the lobby off East Santa Fe Avenue and South Pomona Avenue.

The on-site circulation layout of the proposed Project would be considered adequate. Motorists entering and exiting the project site would be able to do so safely and without undue congestion and the impact would be less than significant.

d) Result in inadequate emergency access?

Less than Significant Impact.

Construction

Construction activities for the Project, including staging and laydown areas and worker parking, will occur on site. Per the City's permitted hours for construction, activities will occur for eight hours per day, six days per week. Construction vehicles would access the site pursuant to an approved Traffic Control Plan (SC TRA-1). Construction traffic volumes during the peak hours and on a daily basis are expected to be lower than the traffic volumes at buildout of the Project; therefore, because the Project is not expected to have any effects on transportation in the study area, it is assumed that construction activities will also not have any operational effects on transportation.

Construction activities associated with the Project could temporarily impact street traffic adjacent to the project site during the construction phase. This could reduce the number of lanes or temporarily close certain street segments during a typical day-to-day situation. Any such impacts would be limited to the construction period and would affect only adjacent streets or intersections. With implementation of SC HAZ-1, which requires preparation of a Traffic Control Plan, impacts to emergency access would be less than significant. The Traffic Control Plan would be prepared for implementation during the construction phase and would ensure that at least one unobstructed lane shall be maintained in both directions and that temporary traffic signal, signal carriers (i.e., flag persons), or other appropriate traffic controls be implemented, if needed. The lane closures would be temporary and would not block all travel lanes. Additionally, as

required by SC TRA-1, the City Community Development Department would consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, if required by construction of the Project. Therefore, construction impacts would be less than significant.

Operations

In the long-term, the Project would provide an access driveway off South Pomona Avenue and East Santa Fe Avenue that would be used for emergency response to the site and for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during operation, and no mitigation is required.

Standard Conditions of Approval

SC HAZ-1, from Section 4.9, Hazards and Hazardous Materials, would be applicable to this analysis.

SC TRA-1 The City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures.

Mitigation Measures

Project implementation would not result in significant impacts related to Transportation; therefore, no mitigation measures are required.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Tribal Cultural Resources was not included in the Appendix G Environmental Checklist Form of CEQA Guidelines as a separate topic, thus it was not included in the PEIR.

Introduction

This section evaluates the Project's potential to have adverse effects on Tribal Cultural Resources. The analysis in this section is based on the results of the archaeological records searches conducted by Psomas and consultation with California Native American Tribes, conducted by the City of Fullerton for the Project, as required by CEQA per Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). This information can be found in Appendix J, AB 52 and SB 18 Letters, to this IS/MND.

Additionally, an inquiry was made to the Native American Heritage Commission (NAHC) by Psomas to request a review of the Sacred Lands File (SLF) database regarding the possibility of Native American cultural resources and/or sacred places in the Project vicinity that are not documented on other databases. The NAHC completed its SLF search on August 31, 2022. The NAHC SLF did not identify the presence of Native American traditional sites/places within the project site or the immediate vicinity of the site.

The City of Fullerton initiated consultation on July 18, 2022, by notifying the City's consultation list of the Parkwest Project as required by AB 52 and SB 18. Since initiating the consultation, the City did not receive responses from the tribes in response to AB 52 and SB 18 consultation letters. AB 52 allows 30 days and SB 18 allows 90 days to request consultation.

Impact Analysis

Would the Project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?***

Less than Significant Impact. As discussed in Section 4.5, Cultural Resources, the SCCIC record search and literature review did not identify any previously recorded prehistoric or historic archaeological sites or historic structures within the project site. Furthermore, the SLF search did not identify the project site as sensitive for known sacred lands/sites. As such, there are no known tribal cultural resources within the project site.

Additionally, the project site is generally underlain by Quaternary-aged young Holocene alluvial soils, and the native sediment has been disturbed. Therefore, the Project is not anticipated to result in significant impacts to tribal cultural resources that are listed or may be eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k). No mitigation is required

- 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Less than Significant Impact. The project site does not contain any known resources determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

In compliance with State and federal regulations, if human remains are encountered during excavation activities, all work shall halt at the site and or any nearby areas reasonably suspected to overlie adjacent remains, and the County Coroner shall be notified. The Coroner shall determine whether the remains are of forensic interest within two working days of receiving notification. If the Coroner, with the aid of the qualified Archaeologist, determines that the remains are prehistoric and the find is on federal land, the Coroner shall notify the field archaeologist of the appropriate federal agency for the proper treatment and/or disposition of the remains. If the find is on non-federal lands, the Coroner shall contact the NAHC within 24 hours of the determination. The NAHC shall be responsible for designating

the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code.

Implementation of COA TCR-1 would ensure the Project would not have a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency *or a California Native American tribe*, in its discretion and supported by substantial evidence, as defined in Public Resources Code Section 5024.1, as indicated above. Thus, impacts are considered less than significant, and no mitigation is required.

Standard Conditions of Approval

COA TCR-1 If human remains are encountered during any Project-related ground-disturbing activities, Section 7050.5 of the *California Health and Safety Code* states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the *California Public Resources Code*. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community and Economic Development Department, prior to issuance of grading permits. This measure shall be implemented to the satisfaction of the City in consultation with the County Coroner.

COA CUL-1 from Section 4.5, Cultural Resources, of this IS/MND also applies to this topic.

Mitigation Measures

Project implementation would not result in significant impacts related to Tribal Cultural Resources; therefore, no mitigation measures are required.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

As discussed in the FTC Specific Plan PEIR, with implementation of proposed water and wastewater infrastructure improvements identified in PDFs 12-1 and 12-2, and completion of the sewer line upgrade in Santa Fe Avenue/Highland Avenue by the City, there would be no need for additional water or wastewater utility upgrades or installation of new lines to accommodate anticipated wastewater flows or to ensure adequate domestic water infrastructure, fire pressures, and fire flows. MM 12-1 was proposed to require the Property Owner(s)/Developer(s) to contribute their fair share for the cost to construct the new sewer lines in Santa Fe Avenue/Highland Avenue. Construction of infrastructure improvements within and immediately adjacent to the project area would result in short-term impacts related to air quality, noise, and traffic. These impacts were addressed in the PEIR. No additional impacts related to construction and operation of utility systems would occur.

A review of the Orange County Sanitation District (OCSD) facilities determined that the project's estimated wastewater generation could be accommodated by the [then] existing OCSD treatment facilities, resulting in a less than significant impact.

Without consideration of net-zero water demand strategies (PDF 12-3), sufficient and reliable water supplies would be available to serve the projected demand of the FTC Specific Plan project, in addition to existing and planned future uses, during normal water years, single dry years, and multiple dry years through the 20-year planning period for the Water Supply Assessment (WSA), as required by SB 610. There would be a less than significant impact to water supply, and no mitigation would be necessary.

With implementation of proposed dry utility infrastructure improvements identified in PDF 12-4, there would be no need for additional dry utility upgrades or installation of new lines to accommodate the net increase in electricity and natural gas demand. Construction of infrastructure improvements within the Specific Plan area would result in short-term impacts related to air quality, noise, and traffic. These impacts are addressed in the PEIR. No additional impacts related to construction and operation of dry utility systems would occur.

A net increase in electricity and natural gas demand would result from future development under the FTC Specific Plan. With compliance with SCs 12-1 and 12-2 related to compliance with Title 24, and PDFs 13-1, 13-5, and 13-6 related to energy efficient aspects of the project, and PDF 12-3 related to a net zero water requirement, a less than significant impact would occur with respect to the wasteful or unnecessary use of energy. No mitigation measures would be required.

For informational purposes, the PDFs and SCs from the PEIR are provided below.

Project Design Features

PDF 12-1 As described in Section 3, Project Description, and shown on Exhibit 3.3-12, to serve the proposed redevelopment of the FTC Specific Plan area, sanitary sewer improvements within the project area shall be implemented and shall include:

- Removal of substandard sewer lines and manholes, including upsizing of all existing sewer lines smaller than 8-inches to a minimum of 8-inches;
- Removal of existing sewer lines that are in conflict with proposed buildings and improvements; and
- Installation of new manholes and sewer lines needed for servicing future developments.

PDF 12-2 As described in Section 3, Project Description, and shown on Exhibit 3.3-11, to serve the proposed redevelopment of the FTC Specific Plan area, improvements to the existing domestic water system shall be implemented to provide adequate water demand pressure and fire flow requirements to the future developments. Domestic water improvements shall be implemented within and nearby the project area, including:

- Removal of existing domestic water lines and fire hydrants that are in conflict with proposed buildings and improvements;
- Replacement of the 12-inch water line in Santa Fe Avenue, from Harbor Boulevard to Lawrence Avenue and up to Commonwealth Avenue, with a new 12-inch water line; and
- Replacement of substandard water lines with larger water lines (8 inches to 12 inches).
- Installation of 12-inch water line in Balcom Avenue to connect the project area to water lines in Truslow Avenue.
- Abandonment of existing 4-inch water line in Lawrence Avenue and installation of new 10-inch line to connect the project area to water lines in Truslow Avenue.

PDF 12-3 In compliance with Section 4.7.10 of the Regulating Code for the FTC Specific Plan, and as described in Section 3, Project Description, proposed development within the FTC Specific Plan shall have a net-zero demand on the City's water supply sources. To implement this standard, development projects shall fund water conservation projects in other locations of the City, participate in water conservation programs that directly benefit City residents, and/or obtain water from a completely new source of water. A development project in the FTC Specific Plan could also participate in regional water conservation efforts and/or projects when it can be shown to achieve a direct and quantifiable effect on the City's water supply. Examples of methods that may be used to achieve this goal include, but are not limited to (1) use of artificial turf to replace natural turf in parks or recreation areas; (2) replacement of existing inefficient water fixtures with low water-use fixtures; and (3) development of a facility and system to collect, treat, and distribute recycled water. The City of Fullerton Water Manager and Community Development Director shall approve all net-zero water solutions proposed by developers within the FTC Specific Plan area.

PDF 12-4 In compliance with Section 3.6.2 of the FTC Specific Plan, and as described in Section 3, Project Description, the following improvements associated with dry utilities shall be implemented within the project area:

- Streets and alleys shall be improved with underground utilities to provide communication and electric services, and existing overhead utilities shall be removed (with the exception of major power lines passing through the project area to the electric substation south of Walnut Avenue).
- Conduit lines and pull-boxes for fiber-optics or hybrid-fiber-coax cables shall be installed throughout the project area. The installation of conduit lines and pull-boxes will allow service providers to install fiber optics and/or HFC technology in the future, while avoiding the need to trench and repair streets and sidewalks. Through this comprehensive system, access to broadband shall be facilitated for not only residents and workers in the area, but also anyone who spends time in or near the transportation center.
- The entire project area shall be WiFi ready, building upon downtown Fullerton's existing WiFi system.
- New dry utility facilities would be installed to connect proposed uses to the backbone infrastructure.

Standard Conditions and Requirements

SC 12-1 Prior to the issuance of a building permit for residential or commercial structures, the Property Owner/Developer shall be required to demonstrate that the project meets the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CCR, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The 2008 standards, which were applicable January 1, 2010, are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Title 24 covers the use of energy efficient

building standards, including ventilation, insulation and construction, and the use of energy saving appliances, air conditioning systems, water heating, and lighting. Plans submitted for building permits shall include written notes demonstrating compliance with energy standards and shall be reviewed and approved by the Community Development Department prior to building permit issuance.

- SC 12-2** Prior to the issuance of a building permit for residential or commercial structures on the project sites, the Property Owner/Developer shall be required to demonstrate that the project meets the applicable California Green Building Standards Code (24 CCR, Part 11).

Mitigation Measures

No mitigation measures were required.

Impact Analysis

Would the Project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

Less than Significant Impact.

Water

Water service for the Project would be provided by the City of Fullerton. The City meets all of its water supply demands with a combination of imported water and local water, and works with two primary agencies, the Metropolitan Water District of Southern California (MWD) and Orange County Water District (OCWD) to ensure reliable water supply (City of Fullerton 2022d). Implementation of the Project would increase demand for water services at the project site compared to existing uses.

Given that the existing development on the site is limited to surface parking and a parking structure, exiting water use is nominal. Water service to the Project would also be provided in compliance with Chapter 12.04, Water Regulations, of the Fullerton Municipal Code, which sets regulations for service connections, water rates, and other water system provisions (see COA UTL-1). Construction plans would be designed to meet required fire flows and potable water demand. The estimated water demand of the Project is not expected to exceed available supplies or the available capacity within the distribution infrastructure that would serve the project site. Additionally, development of the Project was accounted for in the Fullerton 2020 Urban Water Management Plan (UWMP) (City of Fullerton 2022d). Based on the analysis above, the Project would not require or result in the relocation or construction of new or expanded water facilities, such that would cause significant environmental effects. The Project would comply with COA UTL-1. As such, impacts would be less than significant, and no mitigation required.

Wastewater Treatment/Storm Drainage

The City does not own or operate wastewater treatment facilities but owns and operates the wastewater collection system in its service area that sends all wastewater to Orange County Sanitation District (OCSD) for treatment and disposal. Ultimately, the wastewater is treated at OCSD treatment plants in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2) (City of Fullerton 2022d). Plant No. 1 has a total rated primary capacity of 108 million gallons per day (MGD) and a secondary treatment capacity of 80 MGD. Plant No. 2 has a rated primary capacity of 168 MGD and secondary treatment capacity of 90 MGD (Woodard and Curran 202). Effluent from the Project would be collected and directed to the OCSD trunk sewer lines. The Project would not require the relocation or new or expanded wastewater or storm facilities to be built. Sewer lines for the Project would be connected to existing City sewer lines. Therefore, there would be a less than significant impact, and no mitigation is required.

Under existing conditions, the project site is relatively level/flat with an average sloping of approximately 3 percent. In the pre-Project condition, stormwater from the parking lot to the east of the site sheet flows to the curb and gutter on Santa Fe Avenue leading to an existing facility (30-inch RC pipe catch basin. Stormwater from the parking lot on the west side of the site sheet flows to an on-site v-gutter that leads to a catch basin on the site. The catch basin connects to a 24-inch storm drainpipe that discharges to the curb and gutter on East Walnut Avenue (Plump 2019).

In the post development conditions, stormwater to the east of the site would sheet flow from the parking structure to the landscape areas north of the parking structure. Modular wetlands provided within the landscape area would filter the stormwater and discharge it to the curb and gutter on East Santa Fe Avenue. Stormwater runoff from the hotel rooftop would drain directly to a modular wetland on the north side of the site. Similarly, the modular wetland would discharge to the curb and gutter on East Santa Fe Avenue. The stormwater on the west and south side of the proposed hotel would sheet flow from the parking lot to the landscape areas. Modular Wetlands provided within the landscape area would filter the stormwater and discharge it to an existing 24-inch storm drainpipe. The 24-inch storm drainpipe would discharge the water under the railroad to the curb and gutter on East Walnut Avenue (Plump 2019).

The storm water runoff from the project site would not exceed the capacity of the existing storm drain system, and no other infrastructure improvements would be required beyond the installation of on-site storm drain facilities. The construction of the on-site water quality BMPs and storm drain lines within the project site has the potential for temporary construction-related impacts. Since utility installations are within the construction impact limits identified for the proposed Project, the potential impacts associated with the construction of storm drain lines have been addressed in the respective sections of this IS/MND. Less than significant impacts would occur, and no mitigation is required.

Electricity

Southern California Edison (SCE) currently provides electricity to the City of Fullerton, including the project site (SCE 2022). The Project's projected electricity usage is shown in Table 4-9, Energy Use During Operations, in Section 4.6, Energy. Electrical service to the project site would be provided in accordance with SCE's policies and extension rules on file with the California Public Utilities Commission (CPUC). Therefore, a significant impact related to the need for new

systems or supplies or substantial alterations related to electricity would not occur. The Project Applicant would coordinate with SCE to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is required.

Natural Gas

The Southern California Gas Company (SCGC) currently provides natural gas service to the City of Fullerton, including the project site (SCGC 2011). The Project's projected natural gas usage is shown in Table 4-9, in Section 4.6, Energy. Natural gas service would be provided in accordance with SCGC's policies and extension rules on file with the CPUC. Therefore, a significant impact related to the need for new systems or supplies or substantial alterations related to natural gas would not occur. Additionally, the Project Applicant would coordinate with SCGC to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is required.

Telecommunications

AT&T provides telecommunications service to the area, including the project site. The service would be provided in accordance with AT&T's policies and extension rules on file with the CPUC. Therefore, a significant impact related to the need for new systems or supplies or substantial alterations related to telecommunications would not occur. Additionally, the Project Applicant would coordinate with AT&T to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is not required.

The Project would not require the construction or expansion of water or wastewater infrastructure and treatment facilities, storm water drainage, electric power, natural gas, and telecommunications facilities. Impacts would be less than significant, and no mitigation is required.

b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple years?

Less than Significant Impact. As stated in response to Threshold 4.19a above, water service for the Project would be provided by the City of Fullerton. The proposed development is estimated to create a water demand of 96,945 gpd or 108.6 afy.

Given that the existing development on the site is limited to surface parking and a parking structure, exiting water use is nominal. Additionally, development of the Project was accounted for in the Fullerton 2020 Urban Water Management Plan (UWMP) (City of Fullerton 2022d). The increase in water demand generated by the proposed Project would be served by the City with minor impacts on current water supplies and is within the projected growth and increased water demand within City's service area. With compliance with the City's water conservation measures, the proposed Project would not significantly impact the City's domestic water supply. Impacts would be less than significant, and no mitigation is required.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact. As stated above, through OCSD, Plant No. 1 has a total rated primary capacity of 108 MGD and a secondary treatment capacity of 80 MGD. Plant No. 2 has a rated primary capacity of 168 MGD and secondary treatment capacity of 90 MGD. The Project's uses would contribute a very minimal amount of wastewater when compared to the wastewater capacity of the City. The Project would not exceed the capacities of the wastewater treatment facilities. As such, impacts would be less than significant, and no mitigation is required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The City of Fullerton contracts with Republic Services to provide trash, recycling, and special pickup services throughout the City. Republic Services provides trash and recycling collection service to residences, as well as all commercial, governmental, and industrial facilities within Fullerton (City of Fullerton 2022e). Waste in the County of Orange is managed by the County and is disposed of at three landfills in the County: Olinda Alpha Landfill, Frank R. Bowerman Landfill, and Prima Deshecha Landfill. Solid waste generated in the City is disposed of in one of the three landfills. Operation of the Project would generate solid waste from 286 residential units, 124 hotel rooms, and 3,570 square feet of retail and restaurant uses. According to CalRecycle, the City of Fullerton has an average disposal rate of 5.5 pounds per resident per day in 2019 (CalRecycle 2022). Per The Fullerton Plan PEIR, a generation factor of 6.0 pounds/1,000 sf/day can be assumed for non-residential uses. For this Project, that would result in 21.4 pounds per day of solid waste from non-residential uses at the project site. As such, the Project's solid waste disposal would equate to 1,594 pounds per day (0.80 tons per day), or 292 tons per year. This would be considered a negligible amount compared to the daily capacity at the Olinda Alpha Landfill (8,000 tons/day), Frank R. Bowerman Landfill (11,500 tons/day), and Prima Deshecha Landfill (capacity until 2102) (OC Waste and Recycling 2022). The City's solid waste disposal activities are required to be in compliance with the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939). AB 939 requires jurisdictions to meet the statewide goal to divert 25 percent and 50 percent of solid waste generated by year 1995 and 2000.

The proposed Project involves demolition of the existing parking structure and paved surfaces on the project site, which would generate demolition debris to be hauled off site. In accordance with Section 4.408 of the CALGreen Code, at least 65 percent of demolition and construction debris would need to be diverted from landfills by recycling, reuse, and/or salvage (COA UTL-2).

On October 6, 2011, the California Governor signed AB 341, establishing a State policy goal that no less than 75 percent of solid waste generated be source reduced, recycled, or composted by 2020. The bill also mandates local jurisdictions to implement commercial recycling by July 1, 2012, for businesses and public entities generating four cubic yards of trash or more and multi-family residential dwellings with five or more units. The proposed residences would have

regular waste collection services; be provided with recycling bins to promote residential recycling; and be encouraged to participate in the City's solid waste diversion programs. Additionally, AB 1826 requires implementation of organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwelling that consist of five or more units.

Similarly, use of hazardous material during construction and occupancy of the proposed Project, including maintenance activities, would be conducted in compliance with applicable regulations.

Solid waste generation during demolition and construction activities for the proposed Project would be short-term and could be accommodated within the remaining capacities of the above-mentioned landfills. No conflict with statutes and regulations related to solid waste would occur. Thus, the Project would result in less than significant impact, and no mitigation is required.

Standard Conditions of Approval

COA UTL-1 As part of the plan check process for building construction, the Project Applicant shall be required to demonstrate to the City Engineer that the water lines that would be provided on site to serve the Project comply with the City's regulations, as contained in Chapter 12.04, Water Regulations, of the Fullerton Municipal Code and the City's Water Rates, Rules, and Regulations, including service charges, water line extensions, water meters, and fire protection.

COA UTL-2 The Project contractor shall recycle, reuse, and/or salvage at least 65 percent of demolition and construction debris, in accordance with Section 4.408 of the CALGreen Code.

Mitigation Measures

Project implementation would not result in significant impacts related to Utilities and Service Systems; therefore, no mitigation measures are required.

4.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fullerton Transportation Center Specific Plan PEIR

Wildfire was not included in the Appendix G Environmental Checklist Form of CEQA Guidelines as a separate topic, thus it was not included in the PEIR. The only discussion pertaining to fire was under the topic of Hazards and Hazardous Materials, as wildland fires and it was focused out from detailed analysis in the PEIR. It was determined that the site would not be subject to wildland fires, and as such no impacts would occur.

No PDFs, SCs, or MMs were identified nor required.

City of Fullerton Local Hazard Mitigation Plan

The City of Fullerton adopted a Local Hazard Mitigation Plan (LHMP) on May 21, 2020. The LHMP provides a comprehensive assessment of the potential hazards that the City faces from natural and human-caused events. Additionally, the plan provides a coordinated strategy to reduce these threats and identifies resources and information that can help community members, City staff, and local officials make informed decisions in the event of an emergency.

Impact Analysis

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed Project is not within a State responsibility area nor a designated Very High Fire Hazard Severity Zones (VHFHSZ), as defined by the California Department of Forestry and Fire Prevention (CAL FIRE). The nearest designated VHFHSZ is located approximately 2 miles northwest of the project site and is within a local responsibility area (LRA) (CAL FIRE 2011).

Additionally, the City of Fullerton has not identified any evacuation or emergency routes within the City. The LHMP states that in the event of an emergency, use of the roadway system as evacuation routes would be based on the incident occurring and areas of the City impacted (City of Fullerton, 2020).

During construction activities, temporary lane closures on adjacent roadways may be required. However, Project construction would not involve full closure of any public roadway during construction that would result in impacts during emergency evacuations. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. The project site is in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that would exacerbate fire risks such that would expose the Project and its occupants to wildfire related hazards. The site and the surrounding areas are not located in designated VHFHSZ, as identified by CAL FIRE. Rather, the site is within a Non-VHFHSZ area. Therefore, the Project is not expected to exacerbate wildfire risks and create pollutants associated with wildfire or uncontrolled spread of wildfire. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. As discussed in Section 3.0, Project Description, the site is located in a highly urbanized area and surrounded by developed land on all sides. All proposed structures would

be constructed to meet current building and fire codes. Implementation of the proposed Project and maintenance of associated infrastructure would not exacerbate fire risk such that would result in a significant temporary or ongoing impact. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. The Project is in a highly urbanized area that is in a generally flat topographical area away from downslope or landslide areas. Specifically, implementation of the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is required.

Standard Conditions of Approval

None has been identified.

Mitigation Measures

Project implementation would not result in significant impacts related to Wildfire; therefore, no mitigation measures are required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

Would the Project:

a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact. There are no sensitive biological resources, habitats, or species on the project site that would be affected by the Project. As indicated in Section 4.4, Biological Resources, of this IS/MND, given the current developed condition and the existing trees and vegetation on the site, migratory birds may nest on the vegetation on-site. However, COA BIO-1 would avoid impacts to active bird nests during construction of the Project. Impacts on migratory birds would be less than significant.

Therefore, the Project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of a rare or endangered plant or animal; or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

b) Have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

Less than Significant Impact. As identified in the preceding analyses, all Project-level impacts have been determined to be less than significant with or without compliance with standard conditions of approval. While the Project would contribute to potential environmental effects related to noise, these impacts would not be cumulatively considerable, since there would be no mitigation required. As discussed in Section 4.3, Air Quality, and Section 4.8, Greenhouse Gas Emissions, of this IS/MND, the Project's air quality and GHG emissions impacts would be less than significant, and the impacts would not be considered cumulatively considerable.

Review of the City's development shows that there are no new development or redevelopment planned adjacent to the site that would occur concurrently with Project construction (City of Fullerton 2022f). While there is one new development project located north of the project site, at 2001 East Orangethorpe Avenue, involving modification of an existing industrial site into office/warehouse buildings, construction for the adjacent project would be completed in 2022 (T&B Planning 2020). Development projects would be subject to environmental review by the City, pursuant to CEQA and the State CEQA Guidelines, to determine if they would lead to cumulative environmental effects as part of the appropriate CEQA analysis for each project. Since the proposed Project would not have significant unavoidable impacts after mitigation, the Project would not result in cumulatively considerable impacts when added to the impacts of other projects planned or proposed in the vicinity of the site. Cumulative impacts would be less than significant, and no mitigation is required.

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. Based on the environmental analyses above, with compliance with standard conditions of approval, the Project would have less than significant impacts on humans, as it relates to the following environmental issue areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Therefore, the proposed Project would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. All impacts would be less than significant.

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