



ORANGE COUNTY SANITATION DISTRICT

We protect public health and the environment by providing effective wastewater collection, treatment, and recycling.

May 26, 2011

Ms. Heather Allen, AICP, Planning Manager
City of Fullerton
303 West Commonwealth Avenue
Fullerton, CA 92832

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for
The Fullerton Plan 2030 (Fullerton General Plan Update)

This letter is in response to the above referenced Draft Environmental Impact Report Notice of Preparation (NOP) for the City of Fullerton (City) Plan 2030 (Fullerton General Plan Update). The City is within the jurisdiction of the Orange County Sanitation District (OCSD). The proposed General Plan update involves the addition of residential units and commercial space.

OCSD has several regional sewers that serve the City. For large General Plan changes, OCSD requests that both the City and regional sewer systems be modeled to understand any potential impacts to the sewer systems. OCSD also requests that City review, update, and provide updated sewer maps to OCSD for our records. Please use the following flow factors, unless the City has more accurate flow factors, to estimate current and future flows in the Draft Environmental Impact Report:

- 727 gpd/acre for estate density residential (0-3 d.u. /acre)
- 1488 gpd/acre for low density residential (4-7d.u. /acre)
- 3451 gpd/acre for medium density residential (8-16 d.u./acre)
- 5474 gpd/acre for medium-high density residential (17-25 d.u./acre)
- 7516 gpd/acre for high density residential (26-35 d.u./acre)
- 2262 gpd/acre for commercial/office
- 3167 gpd/acre for industrial
- 2715 gpd/acre for institutional
- 5429 gpd/acre for high intensity industrial/commercial
- 150 gpd/room for hotels and motels
- 50 gal./seat for restaurants
- 129 gpd/acre for recreation and open space usage

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MAY 31 2011

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Sanitary District
Midway City
Sanitary District
Irvine Ranch
Water District
County of Orange





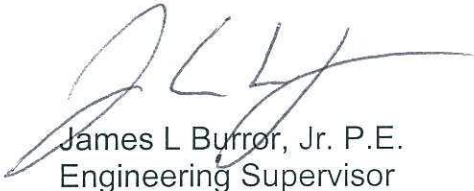
Ms. Heather Allen
Page 2
May 26, 2011

OCSD can provide its current InfoWorksCS model of the sewer system for the City to update, based on the proposed changes in land use. Please note that OCSD has identified sewers in the City that are slated to be upsized.

This is to accommodate growth based on past planning by the area's cities tributary to the regional sewers, including the City.

Also, please note that any construction dewatering within the City (public or private) that involve discharges to the local or regional sanitary sewer system must be permitted by OCSD prior to discharges. OCSD staff will need to review/approve the water quality of any discharges and the measures necessary to eliminate materials like sands, silts, and other regulated compounds, prior to discharge to the sanitary sewer system.

Thank you for the opportunity to comment on the proposed General Plan update. If you have any questions, please contact Wendy Smith at (714) 593-7880.



James L Burror, Jr. P.E.
Engineering Supervisor

JB:sa
EDMS: 003938581/1.12a



City of Brea

May 26, 2011

Ms. Heather Allen, AICP
Planning Manager
City of Fullerton
303 West Commonwealth Avenue
Fullerton, CA 92832

Dear Ms. Allen:

I am writing in regard to the Notice of Preparation (NOP) for the proposed Fullerton Plan 2030 (General Plan Update) and release of Notice of Preparation pursuant to the California Environmental Quality Act. The City of Brea appreciates this opportunity to comment on the NOP and provide input for the environmental review. Our comments regarding the NOP are provided below:

1. Transportation/Traffic—The City of Brea respectfully requests that the EIR provide a complete analysis of potential traffic impacts from the proposed project upon Brea streets and intersections. Appropriate mitigation measures and conditions of any project approval should be proposed to address any identified impacts.

The City of Brea appreciates the early dialog that the City of Fullerton have provided us regarding this project and we look forward to continuing our communication as the project moves forward.

Thank you again for the opportunity to comment on the NOP and we would appreciate the opportunity to review the Draft Environmental Impact Report once it becomes available. If you have any questions regarding Brea's response, please feel free to reach me at 714/990-7674.

Sincerely,

Adrienne Gladson, AICP
Senior Planner

cc: Eric Nicoll, Community Development Director
Charles View, Public Works Director
David Crabtree, Community Development Deputy Director/City Planner
Delfino (Chino) Consunji, Public Works Deputy Director/City Engineer
Warren Siecke, City Traffic Engineer

**COMMUNITY
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MAY 31 2011

DEPARTMENT

City Council **Roy Moore** **Don Schweitzer** **Ron Garcia** **Brett Murdock** **Marty Simonoff**
Mayor *Mayor Pro Tem* *Council Member* *Council Member* *Council Member*

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 384
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



May 27, 2011

Ms. Heather Allen, AICP, Planning Manager

CITY OF FULLERTON

303 West Commonwealth Avenue
Fullerton, CA 92832

Sent by FAX to: 714-738-3110

No. of Pages: 2

Re: Tribal Consultation Per Government Code §§ 65092, 65351, 65352.3, 65352.4, 65560 and 65562.5 (SB 18) for General Plan Amendment, Fullerton Plan 2030 (Fullerton General Plan Update; SCH#2011051019); located in the City of Fullerton, Orange County, California

Dear Ms. Allen:

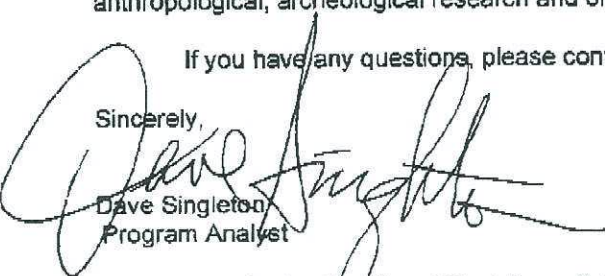
Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. The Native American Heritage Commission is the state "trustee agency" designated for the protection of Native American Cultural Resource pursuant to CA Public Resources Code §21070. Attached is a consultation list of tribes with traditional lands or cultural places located within the Project Area of Potential Effect (City Boundaries of Fullerton). The tribal entities on the list are for your guidance for **government-to-government consultation** purposes. Pursuant to CA Public Resources Code §5097.95, please provide pertinent project information to the tribal consulting parties.

The NAHC did perform a Sacred Lands File search of the project location and **Native American cultural resources were not identified** within one-half mile of the Fullerton City boundaries. Also, the NAHC Sacred Lands Inventory is not exhaustive; cultural resources may be discovered during construction ground-breaking activity. Please contact the Native Americans on the attached list to determine, from their knowledge, if the proposed changes might impact on Native American cultural resources. in order to see if your proposed project might impact Native American cultural resources that may be affected by the proposed action. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 2183.2 requires documentation, data recovery of cultural resources identified.

The Native American Heritage Commission works with Native American tribal governments regarding its identification of 'Areas of Traditional Use.' The Commission may adjust the submitted data defining the 'Area of Traditional Use' in accordance with generally accepted ethnographic, anthropological, archeological research and oral history.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Attachment: Native American Tribal Consultation List

**Native American Tribal Consultation List
Orange County
May 27, 2011**

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
6515 E. Seaside Walk, #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano , CA 92675
(949) 493-4933 - home
chiefdavidbelardes@yahoo.com

Gabrielino/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 483--3564 cell

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX

Juaneno Band of Mission Indians
Alfred Cruz, Culural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628
Santa Ana , CA 92799 Juaneno
sonia.johnston@sbcglobal.net

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry; Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles , CA 90067
lcandelaria1@gabrielinoTribe.org Gabrielino
626-676-1184- cell
(310) 587-0170 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.



1919 S. State College Blvd.
Anaheim, CA 92806-6114



May 31, 2011

City of Fullerton
303 W. Commonwealth
Fullerton, CA 92832

Attn: Heather Allen

Subject: Environmental Impact Report for Fullerton Plan 2030

Thank you for providing the opportunity to respond to this E.I.R. Document. We are pleased to inform you that Southern California Gas Company has facilities in the area where the aforementioned project is proposed. Gas service to the project can be provided from an existing gas main located in various locations. The service will be in accordance with the Company's policies and extension rules on file with the California Public Utilities Commission when the contractual arrangements are made.

This letter is not a contractual commitment to serve the proposed project but is only provided as an informational service. The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a public utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affect gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Estimates of gas usage for residential and non-residential projects are developed on an individual basis and are obtained from the Commercial-Industrial/Residential Market Services Staff by calling (800) 427-2000 (Commercial/Industrial Customers) (800) 427-2200 (Residential Customers). We have developed several programs, which are available upon request to provide assistance in selecting the most energy efficient appliances or systems for a particular project. If you desire further information on any of our energy conservation programs, please contact this office for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Harriel".

Mike Harriel
Technical Services Supervisor
Orange Coast Region - Anaheim

MH/ag
eir02.doc

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JUN 03 2011

DEPARTMENT



City of La Habra

"A Caring Community"

ADMINISTRATIVE BUILDING

201 E. La Habra Boulevard
Post Office Box 337
La Habra, CA 90633-0785
Office: (562) 905-9701
Fax: (562) 905-9781

May 31, 2011

Ms. Heather Allen, AICP
Planning Manager
City of Fullerton
303 West Commonwealth Avenue
Fullerton, California 92832

Re: Notice of Preparation of Draft Environmental Impact Report
The Fullerton Plan 2030

Dear Ms. Allen,

Thank you for the opportunity to review the Notice of Preparation (NOP) for the project known as "The Fullerton Plan 2030". As you are aware, CEQA allows potentially affected agencies to comment on proposed projects that may cause significant environmental impacts to their community. Given the nature of the project, the following are the concerns of the City of La Habra:

1. The NOP indicates potentially significant traffic impacts may result from the project. The City of La Habra requires development to pay "fair share" traffic impact fees towards intersections that require improvements in order to maintain acceptable Levels of Service ("LOS") for existing and future conditions. The EIR should address the need for this project to contribute their "fair share" traffic impact fees for any incremental project impacts at critical intersections in La Habra.
2. Imperial Highway and Harbor Boulevard (south of Imperial Highway) in the City of La Habra are on the Orange County Congestion Management Program (CMP) Highway System. Furthermore, the intersections of Imperial Highway/Beach Boulevard and Imperial Highway/Harbor Boulevard are monitored intersections on the Orange County CMP system. Any CMP impacts need to be addressed by the Project EIR.

We are prepared to assist you in addressing the above concerns. We would request that a copy of the environmental impact report, when it becomes

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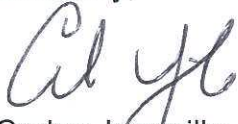
COMMUNITY
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Ms. Allen
5/31/11
Page 2

available, be forwarded to the City of La Habra for review. Additional comments may be generated based on that review.

If you should have any questions, please feel free to contact me at (562) 905-9724.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jaramillo', written over the printed name.

Carlos Jaramillo
Deputy Director of Community Development

cc: Don Hannah, City Manager
Jennifer Cervantez, Assistant City Manager
Michael Haack, Director of Community Development



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

June 6, 2011

Heather Allen, Planning Manager
City of Fullerton
303 West Commonwealth Ave.
Fullerton, CA 92832

Subject: NOP of a DEIR for the Fullerton Plan 2030 (Fullerton General Plan Update)

Dear Ms Allen:

Thank you for the opportunity to review the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Fullerton Plan 2030 in the context of the *Airport Environs Land Use Plan (AELUP) for Fullerton Municipal Airport (FMA)* and the *AELUP for Heliports*. We wish to offer the following comments and respectfully request consideration of these comments as you proceed with the preparation of your DEIR and General Plan (GP) Update

A portion of the City of Fullerton falls within the airport planning area for FMA. Public Resources Code, Section 21096 requires that, when preparing an environmental impact report for any project situated within an airport influence area as defined in an Airport Land Use Commission (ALUC) compatibility plan (or if a compatibility plan has not been adopted, within two nautical miles of a public-use airport), lead agencies shall utilize the California Airport Land Use Planning Handbook as a technical resource with respect to airport noise and safety compatibility issues. We suggest consulting the Handbook for assistance in formulating airport land use compatibility policies.

A portion of the City of Fullerton is located within the AELUP Notification Area for FMA and the FMA Obstruction Imaginary Surfaces. The DEIR and GP Update should address these height restrictions and imaginary surfaces by discussing the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 as the criteria for determining height restrictions for projects located within the airport planning area. Per the *AELUP for FMA*, all building height restrictions will have as their ultimate limits the imaginary surfaces as applicable and as defined in Part FAR Part 77. Including policy language in the General Plan and a mitigation measure in the EIR, that states that no buildings will be allowed to penetrate the FAR Part 77 imaginary surfaces for FMA, would ensure the protection of its airspace.

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JUN 08 2011

DEPARTMENT

Also with respect to building heights, development proposals which include the construction or alteration of structures more than 200 feet above ground level, require filing with the FAA and notification of the ALUC. Projects meeting this threshold must comply with procedures provided by Federal and State law, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed within the General Plan, the City may wish to consider a mitigation and condition of approval specifying this 200 feet above ground level height threshold. In addition, any project that penetrates the Notification Surface for FMA is required to file FAA Form 7460-1.

Portions of the City of Fullerton fall within the 60 and 65 dB(A) CNEL noise contours for FMA. The DEIR and GP Update should include policies and mitigations for development within these contours, especially if residential development is permitted. Per the *AELUP for FMA*, all residential units within the 65 db CNEL contour are inconsistent in this area unless it can be shown conclusively that such units are sufficiently sound attenuated for present and projected noise exposure so as not to exceed an interior standard of 45 dB CNEL. However, the ALUC recommends that residential uses not be permitted within the 65 dB CNEL contour. As for residential development within the 60 db CNEL contour, the ALUC would not find residential units incompatible in this area, but would strongly recommend that residential units be limited or excluded from this area unless sufficiently sound attenuated not to exceed an interior level of 45 dB.

FMA also has designated Runway Protection Zones (RPZs) and Accident Potential Zone II. We suggest that the DEIR and General Plan Update discuss the safety issues associate with these areas and incorporate development policies within these zones. The proposed GP Update contains an Airport Industrial Focus Area which allows for the development of industrial and government uses and finds medium density, residential, commercial, and office uses as appropriate in this airport focus area. The DEIR and GP Update should include policies stating that certain land uses, such as new residential and public facilities (such as schools and churches), will be prohibited within the RPZs and APZ II for FMA.

We also recommend that the DEIR and the GP Update identify if the development of heliports is allowed within your jurisdiction. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports may be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics.

To address consistency with the *AELUP for Heliports* we suggest adding the following language to your GP Update and inclusion as a mitigation measure in the EIR:

“The City will ensure that development proposals including the construction or operation of a heliport or helistop comply fully with permit procedures under State law, including referral of the project to the ALUC by the applicant, and with all conditions of approval imposed or recommended by the Federal Aviation Administration (FAA), ALUC, and

Caltrans, including the filing of a Form 7480-1 (Notice of Landing Area Proposal) with the FAA. This requirement shall be in addition to all other City development requirements.”

Section 21676(b) of the PUC requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the ALUC. To ensure land use compatibility with FMA, we recommend that the City of Fullerton include policy in its General Plan and a mitigation measure in the EIR, that states that the City shall refer projects to the Airport Land Use Commission (ALUC) for Orange County as required by Section 21676 of the California Public Utilities Code to determine consistency of projects with the *ALUP for FMA*.

With respect to project submittals, please note that the Commission wants such referrals to be submitted to the ALUC for a determination, between the Local Agency’s expected Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing.

Thank you again for the opportunity to comment on the proposed GP Update and initial study for the DEIR. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com should any questions arise.

Sincerely,



Kari A. Rigoni
Executive Officer

DEPARTMENT OF TRANSPORTATION

District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894
Tel: (949) 724-2241
Fax: (949) 724-2592



*Flex your power!
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FAX & MAIL**June 6, 2011**

Heather Allen
City of Fullerton
303 W. Commonwealth Avenue
Fullerton, California 92832

File: IGR/CEQA
SCH#: 2011051019
Log #: 2706
SR-57, SR-91

Subject: The Fullerton Plan 2030

Dear Ms. Allen,

Thank you for the opportunity to review and comment on the **Notice of Preparation (NOP) for The Fullerton Plan 2030 General Plan Update**. The proposed General Plan Update is a comprehensive update of the 1996 General Plan, and will focus on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas within the city. The nearest State routes to the project site are SR-57 and SR-91 in the City of Fullerton.

The Department of Transportation (Department) is a responsible agency on this project and we have the following comments:

1. The issues of greatest concern to Caltrans are those that may impact traffic circulation and increase demand on State Transportation Facilities. For all new developing areas, major new developments, redevelopment areas that may require new or improved access, new signals or any improvements to the State Highway System (SHS), particularly for SR-57 and SR-91, will require close coordination with Caltrans. This requirement should be included in the Land Use and Circulation Elements of the General Plan and the Environmental Impact Report (EIR).
2. The Department would like to work in active partnership with the City of Fullerton and local stakeholders to ensure that:
 - The General Plan states policies stressing coordination with Caltrans in the early project and program development stages.
 - The General Plan addresses the fact that Caltrans has permitting authority over certain developments that directly or indirectly impact the State Highway System.
 - The General Plan, specifically the Transportation/ Circulation Element, takes the regional overview of the transportation issues, problems, and solutions into consideration. This may include language requiring the City to develop policies stressing coordination between the City, Caltrans, private developers, landowners, and other stakeholders early in the land use and transportation planning process.

- Caltrans right of way and possible need for encroachment permits are identified.
3. The Department requests to work cooperatively to establish a Transportation Mitigation Agreement (TMA) with the City of Fullerton. The Land Use Projections for 2030 suggests that Buildout scenario would result in an increase in population certain to have a significant impact on the State Highway System. As a result, it would be prudent to discuss mitigation measures as early as possible to ensure all transportation facilities remain operating at an acceptable level of service, and degradations are mitigated.

The establishment of a TMA early in the planning process, which would apply for major future projects in the City of Fullerton, will be beneficial to the City, developers, as well as Caltrans. It allows for a streamlined environmental review timeline for future projects, instead of each future development proposal triggering a cumulative impact mitigation analysis. An established TMA will promote transparency so developers will already know their exposure for mitigation of SHS impacts early in the development process.

If the City of Fullerton has an established Traffic Impact Fee Program, consideration should be given to expanding the scope to provide for mitigation of impacts to SHS mainlines, ramps, and interchanges.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,



Christopher Herre, Branch Chief
Local Development/Intergovernmental Review

C: Terry Roberts, Office of Planning and Research

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JUN 10 2011
RBF CONSULTING

Jess A. Carbajal, Director
300 N. Flower Street
Santa Ana, CA
P.O. Box 4048
Santa Ana, CA 92702-4048
Telephone: (714) 834-2300
Fax: (714) 834-5188

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JUN 09 2011

NCL 11-014

DEPARTMENT

June 6, 2011

Ms. Heather Allen, AICP, Planning Manager
City of Fullerton
303 West Commonwealth Avenue
Fullerton, California 92832

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the
Fullerton Plan 2030 (Fullerton General Plan Update)

Dear Ms. Allen:

The County has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Fullerton Plan 2030 (Fullerton General Plan Update) and has no comments at this time. We would like to be advised of any further developments, therefore, please keep us on the distribution list for future notifications related to this project.

Sincerely,



Michael Balsamo
Manager, OC Communities Planning
OC Public Works/OC Planning
300 North Flower Street
Santa Ana, California 92702-4048
Michael.Balsamo@ocpw.ocgov.com



Linda S. Adams
Acting Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

June 7, 2011

**COMMUNITY
DEVELOPMENT**

JUN 08 2011

DEPARTMENT

Ms. Heather Allen
City of Fullerton Planning Department
303 West Commonwealth Avenue
Fullerton, California 92832

NOTICE OF PREPARATION (NOP) FOR THE FULLERTON PLAN 2030 (SCH# 2011051019)

Dear Ms. Allen:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation Report for the above-mentioned project. The following project description is stated in your document: "The Fullerton Plan 2030 is a comprehensive update of the 1996 General Plan. The purpose of The Fullerton Plan is to provide the City Council, Planning Commission, and staff, and the entire community with a comprehensive and internally consistent plan to guide the city's decision-making and development processes through to the General Plan Horizon Year (2030). The work program includes a comprehensive update of the General Plan baseline data, goals, and policies".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

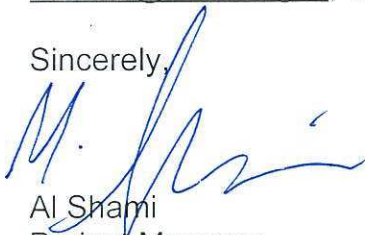
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions

(LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

Ms. Heather Allen
June 7, 2011
Page 4

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3215

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



June 7, 2011

Heather Allen
City of Fullerton
303 W. Commonwealth Avenue
Fullerton, CA 92832

Dear Heather Allen:

Re: SCH# 2011051019; The Fullerton Plan 2030 (Fullerton General Plan Update)

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Preparation – Draft Environmental Impact Report (DEIR)* from the State Clearinghouse for the proposed Fullerton Plan 2030 (Fullerton General Plan Update) Project. As the state agency responsible for rail safety within California, RCES recommends that the City add language to the Fullerton Plan 2030 so that any future planned development adjacent to or near the railroad right-of-way be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway rail-crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

Language should be in place so that any traffic impact studies undertaken should also address traffic increase impacts over affected crossings and associated proposed mitigation measures.

If you have any questions, please contact me at rxm@cpuc.ca.gov, 213-576-7078.

Sincerely,

A handwritten signature in black ink, appearing to be "Rosa Muñoz", written over a circular scribble.

Rosa Muñoz, PE
Senior Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Ken Tom, Union Pacific Railroad Company
Melvin Thomas, BNSF Railway Company

COMMUNITY
DEVELOPMENT

JUN 08 2011

DEPARTMENT



City of Anaheim
PLANNING DEPARTMENT

June 17, 2011

Ms. Heather Allen, AICP, Planning Manager
City of Fullerton Planning Division
303 West Commonwealth Avenue
Fullerton, CA 92832

**RE: Notice of Preparation of a Draft Environmental Impact Report for the
Fullerton Plan 2030 (Fullerton General Plan Update)**

Dear Ms. Allen:

Thank you for the opportunity to review and comment on the above-referenced document. City of Anaheim staff offers the following comments:

1. The Public Works Department, Traffic Engineering Division, offers the following comments:
 - Two focus areas are immediately adjacent to the City of Anaheim's boundaries (Harbor Gateway and Southeast Industrial) and one additional focus area is in close proximity to several critical intersections in the City of Anaheim (Orangethorpe Corridor Nodes). Intensification in these areas beyond the OCP projections will result in increased traffic patterns that will not recognize jurisdictional boundaries, as has been established with several recent long-term planning projects in the City of Anaheim. As a result of the focus area changes, traffic impacts within the City of Anaheim may result, particularly along La Palma Avenue and at the SR-91 freeway interchanges. The City of Anaheim requests that key intersections on La Palma Avenue be incorporated into the traffic analysis relative to the focus areas, and that adjacent Riverside Freeway ramp intersections be included as well.
 - The City of Anaheim is receptive to the possibility that Lemon Street may need to be upgraded to a six lane facility. This is based on discussions between the two cities several years ago regarding how Lemon Street is currently above capacity for a four-lane divided street, and traffic volumes are expected to grow in the future.
 - The City of Anaheim is interested in working with the City of Fullerton to establish and enhance bicycle connectivity between the two cities. As discussed in recent bikeway meetings, the City of Anaheim is exploring options to place bicycle facilities on Lemon Street and Acacia Street, extending the current bicycle lane on Brookhurst Street to the city limits, and

200 South Anaheim Boulevard
P.O. Box 3222
Anaheim, California 92803

TEL (714) 765-5139

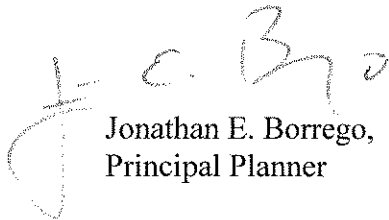
examining the issue in regards to the Orangethorpe railroad crossing limitation. The City of Anaheim is interested in exploring connections on other streets as well. The City of Anaheim is starting a project that will, in part, examine and enhance the bicycle and trail system in Anaheim. This project could assist in developing connections between the two cities collaboratively as part of the Fullerton General Plan Update.

Should you have any questions regarding these Traffic Engineering comments, please contact David Kennedy, Associate Transportation Planner, at (714) 765-5183, extension 4920.

2. The Public Works Department, Design Services Division, requests that the Draft EIR evaluate the project's impacts to the City of Anaheim's storm drain and sanitary sewer systems. These studies need to be based on the latest Anaheim master plans and will need to be reviewed and approved by the City of Anaheim Public Works Department. Should you have any questions regarding these storm drain and sanitary sewer comments, please contact Sandip Budhia, Associate Engineer, at (714)765-5217.

Please forward any subsequent public notices and/or environmental documents regarding this project to my attention at the address listed at the bottom of the first page. If you have any questions regarding this response, please do not hesitate to contact me at (714) 765-5016.

Sincerely,



Jonathan E. Borrego,
Principal Planner

cc: Raul Garcia, Design Services
Sandip Budhia, Design Services
David Kennedy, Traffic Engineering