1500 S. Raymond Avenue Industrial Project

Public Review Draft
Initial Study/Mitigated Negative Declaration
September 2023

Prepared for:

City of Fullerton
Community & Economic Development Department
Planning Division
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Fullerton, CA 92832

Prepared by:

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De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

1500 S. Raymond Avenue Industrial Project

Public Review Draft

Initial Study/Mitigated Negative Declaration

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1.0 INTRODUCTION

1.1 Statutory Authority and Requirements

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Sections 21000, et seq.) and the State CEQA Guidelines (14 California Code of Regulations Title 14 Sections 15000, et seq.). This Initial Study is an informational document intended to be used as a decision-making tool for the Lead Agency and responsible agencies in considering and acting on the proposed Project.

Pursuant to CEQA Guidelines Section 15063, the City, as Lead Agency, has prepared this Initial Study to determine if the proposed 1500 S. Raymond Avenue Industrial Project (Project) would have a significant effect on the environment. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that mitigation cannot reduce the impact to a less than significant level for any aspect of the proposed Project, then the Lead Agency must prepare an Environmental Impact Report (EIR) to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the Project as proposed may cause a significant effect on the environment, the Lead Agency may prepare a Negative Declaration (ND). If the Lead Agency finds that there is evidence of a significant impact, but the impact can be reduced through mitigation, the Lead Agency may prepare a Mitigated Negative Declaration (MND). Such determination can be made only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such significant environmental impacts may occur (PRC Section 21080(c)).

Pursuant to CEQA Guidelines Section 15063(c), the purposes of an Initial Study are to:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR, MND or a ND;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND;
3. Assist in the preparation of an EIR, if one is required, by;
    a. Focusing the EIR on the effects determined to be significant,
    b. Identifying the effects determined not to be significant,
    c. Explaining the reasons for determining that potentially significant effects would not be significant, and
    d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environment effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a MND or ND that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the proposed Project. The resulting environmental documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

1.2 Summary of Findings

Pursuant to State CEQA Guidelines Section 15367, the City of Fullerton (City), as the Lead Agency, has the authority for environmental review and adoption of the environmental documentation, in accordance with CEQA. As set forth in State CEQA Guidelines Section 15070, an Initial Study leading to a Negative Declaration (IS/ND) or Mitigated Negative Declaration (IS/MND) can be prepared when:

- The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment (resulting in a Negative Declaration), or

- The Initial Study identifies potentially significant effects, but:
    - Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
    - There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment (resulting in a Mitigated Negative Declaration).

Based on the Environmental Checklist Form and supporting environmental analysis provided in Section 4.0, *Environmental Analysis*, the proposed Project would have no impact or a less than significant impact concerning all environmental issue areas, except the following, for which the Project would have a less than significant impact with mitigation incorporated:

- Tribal Cultural Resources

1.3 Public Review Process

The Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration has been provided to the Clerk of the County of Orange and mailed to responsible agencies and trustee agencies concerned with the Project and other public agencies with jurisdiction by law over resources affected by the Project. A 30-day public review period has been established for the IS/MND in accordance with State CEQA Guidelines Section 15073. During the public review period, the IS/MND, including the technical appendices, was made available for review at the following locations:

- City of Fullerton, Community and Economic Development Department, 303 West Commonwealth Avenue, Fullerton, CA 92382
- City of Fullerton website at:

https://www.cityoffullerton.com/government/departments/community-and-economic-development/planning-zoning/development-activity

In reviewing the IS/MND, affected public agencies and interested members of the public should focus on the document's adequacy in identifying and analyzing the potential environmental impacts and the ways in which the Project's potentially significant effects can be avoided or mitigated.

Written comments on this IS/MND may be sent to:

Edgardo Caldera, Senior Planner
City of Fullerton, Community & Economic Development Department
303 W. Commonwealth Avenue
Fullerton, CA 92832
Email: Edgardo.Caldera@cityoffullerton.com

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the City will determine whether any substantial new environmental issues have been raised, and if further documentation may be required. If no new environmental issued have been raised or if the issues raised do not provide substantial evidence that the Project would have a significant effect on the environment, the IS/MND will be considered for adoption and the Project for approval.

1.4 Incorporation by Reference

Pursuant to State CEQA Guidelines Section 15150, a MND may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the MND's text.

The references outlined below were utilized during preparation of this Initial Study. Copies of these documents are available for review on the City's website (www.cityoffullerton.com) unless otherwise noted.

City of Fullerton General Plan (The Fullerton Plan), adopted May 1, 2012. The City adopted its comprehensive General Plan update, *The Fullerton Plan*, on May 1, 2012. Subsequent updates have been made to various elements as outlined in the Revision History within The Fullerton Plan. The 2013-2021 Housing Element was adopted October 15, 2013. The Fullerton Plan is organized into four Master Elements. Each of the four Master Elements contains multiple chapters, or Elements, including the following:

- The Fullerton Built Environment
  - Chapter 1: Community Development and Design
  - Chapter 2: Housing
  - Chapter 3: Historic Preservation
  - Chapter 4: Mobility
  - Chapter 5: Bicycle
  - Chapter 6: Growth Management
  - Chapter 7: Noise

- The Fullerton Economy
  - Chapter 8: Economic Development
  - Chapter 9: Revitalization
- The Fullerton Community
  - Chapter 10: Public Safety
  - Chapter 11: Public Health
  - Chapter 12: Parks and Recreation
  - Chapter 13: Arts and Culture
  - Chapter 14: Education
  - Chapter 15: Community Involvement
- The Fullerton Natural Environment
  - Chapter 16: Water
  - Chapter 17: Air Quality and Climate Change
  - Chapter 18: Integrated Waste Management
  - Chapter 19: Open Space and Natural Resources
  - Chapter 20: Natural Hazards

The Fullerton Plan, as Fullerton's General Plan, is the City's fundamental governance document that guides decision-making, actions, programs, and crafting of more specific policies. Each Element of The Fullerton Plan contains goals and policies to achieve The Fullerton Vision. Actions related to the goals are identified in Part III of The Fullerton Plan – The Fullerton Implementation Strategy.

The Fullerton Plan 2030 Final Environmental Impact Report, SCH No. 2011051019, May 1, 2012. *The Fullerton Plan 2030 Final Environmental Impact Report* (The Fullerton Plan EIR) analyzed the potential environmental impacts that would result from implementation of *The Fullerton Plan*. The Fullerton Plan EIR forecast a population projection associated with residential land uses of approximately 165,303 persons and employment projection associated with non-residential land uses of approximately 83,883 jobs at buildout (2030). The Fullerton Plan EIR concluded significant and unavoidable impacts concerning Land Use and Planning, Traffic and Circulation, Air Quality, Noise, and Hazards and Hazardous Materials.

Fullerton Municipal Code. The Fullerton Municipal Code regulates municipal affairs within the City's jurisdiction including, zoning regulations (codified in Fullerton Municipal Code Title 15). The Municipal Code is the primary method used for implementing the General Plan's Goals, Policies, and Actions. The City's Zoning Code (Fullerton Municipal Code Title 15) specifies the rules and regulations for construction, alteration and building of structures within the City.

1.5 Report Organization

This document is organized into the following sections:

Section 1.0, *Introduction*, provides the CEQA Statute and Guidelines applicable to the Initial Study, summarizes the findings of the Initial Study, describes the public review process, and identifies documents incorporated by reference as part of the Initial Study.

Section 2.0, *Project Description*, provides a detailed description of the proposed Project, including Project location, environmental setting, Project characteristics, construction program and phasing, and requested entitlement, permits and approvals.

Section 3.0, *Environmental Checklist Form*, provides Project background information and a summary of environmental factors potentially affected by the proposed Project and the Lead Agency Determination based on the analysis and impact determinations provided in Section 4.0. The impact evaluation criteria utilized in Section 4.0 is also provided.

Section 4.0, *Environmental Analysis*, provides a detailed analysis of the environmental impacts identified in the environmental checklist, and identifies mitigation measures, if necessary.

Section 5.0, *References*, identifies the information sources utilized in preparation of the IS to support the environmental analysis.

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2.0 PROJECT DESCRIPTION

2.1 Project Location

The 1500 S. Raymond Avenue Industrial Project (Project) site is located in the City of Fullerton within the County of Orange; refer to Figure 2-1, *Regional Vicinity*. The Project site is comprised of approximately 7.2 acres located at 1500 S. Raymond Avenue (APNs 267-031-06 and -25); refer to Figure 2-2, *Project Location*.

Regional access to the site is provided via State Route 91 (SR-91) to the south and State Route 57 (SR-57) to the east. Local access to the site is provided directly from East Burton Street via South Raymond Avenue, or from East Burton Street via Manhattan Avenue.

2.2 Existing Setting

On-Site Land Uses

The Project site is a relatively flat, irregular-shaped property. The site is developed with an approximately 133,000-square foot former hotel (Hotel Fullerton) consisting of 273 rooms, restaurant/event space, and lobby space within six buildings, and surface parking. The hotel is situated toward the center of the site with surface parking primarily surrounding the structure. The former hotel complex consists of three-story buildings fronting East Burton Street that wrap around an interior landscaped and paved courtyard and pool area and a six-story tower located on the north side of the courtyard area. A covered pick-up/drop-off area is located along the southern entrance to the hotel. Access to the Project site is provided via three driveways connecting to East Burton Street, two along the southerly property line and one along the westerly property line. A pole sign and monument sign are located along the southerly property line toward the center of the Project site and a monument sign is located along the western property line. A block wall extends from East Burton Road along the perimeter of the northern and eastern property lines. Landscaping, consisting primarily of ground cover, shrubs, bushes, and trees are located along the western, southern, and a portion of the eastern site perimeter, with trees and groundcover also distributed within the parking areas. A telecommunications facility is located on the roof of the hotel structure.

General Plan and Zoning

According to the City of Fullerton Community Development Plan (General Plan Community Development and Design Exhibit 2), the Project site is designated Industrial (I). The Industrial community development type aims to protect and enhance the City's major employment areas by providing opportunities for manufacturing, product assembly, research and development, warehousing, and supporting uses. It is intended for industrial and other employment-generating uses such as industrial or manufacturing, office, retail and service uses, and quasi-public and special uses.

The City of Fullerton Zoning Map identifies the zoning for the Project site as Manufacturing Park (M-P), with a 40,000-square foot minimum lot size. Fullerton Municipal Code, Chapter 15.40, *Industrial Zone Classifications*, clarifies that M-P zones are established to allow compatible industrial uses in proximity to each other while protecting the public health, safety and welfare through development standards and the site plan review process. It also states the M-P zone is intended for a wide range of light industrial activities, often based on a multiple-tenant type development.

The Fullerton Plan identifies 12 Focus Areas. The Project site is located within Focus Area K, Southeast Industrial. The Southeast Industrial Focus Area encompasses the largest concentration of Fullerton's industrial base, accessible from the 91 and 57 Freeways and the railroad. The Focus Area is composed mainly of large parcels with one- and two-story buildings. This Focus Area is characterized by businesses that operate during traditional working hours, with minimal nighttime activity.

Surrounding Uses

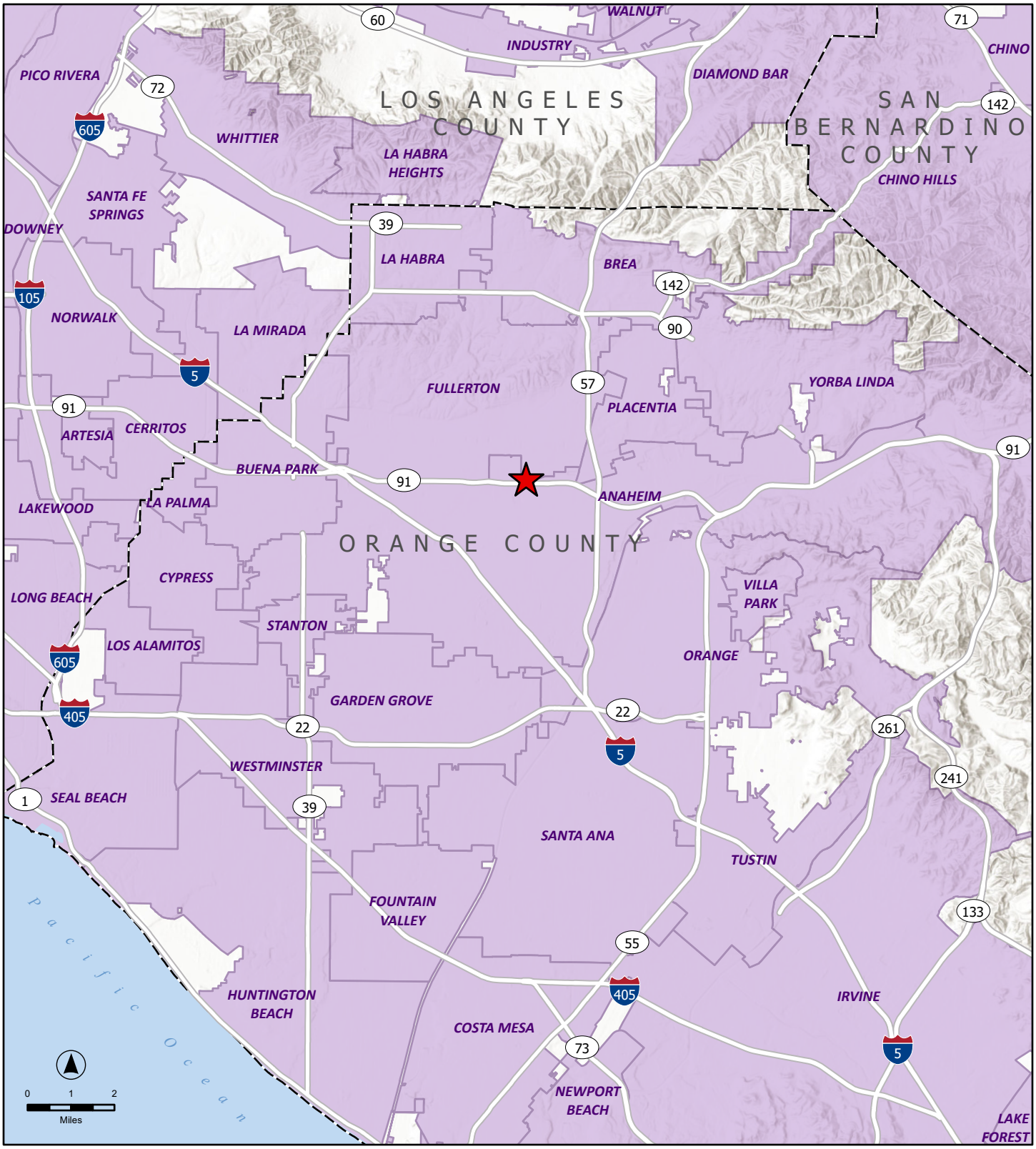
Uses surrounding the Project site include:

- North: An abandoned railroad right-of-way is located immediately north of the Project site. North of the railroad line (from west to east) is a light-industrial building and storage yard (1424 S. Raymond Avenue) occupied by South Coast Transport, and a commercial building (1421 Manhattan Avenue) occupied by Albertsons corporate offices. Areas to the north are zoned M-P.

- East: East of the Project site is a light-industrial building (1451 Manhattan Avenue) occupied by Ware Disposal, and a light-industrial building (1225 and 1251 E. Burton Street) occupied by West State Billiards and Sun Apparel. Areas to the east are zoned M-P.

- South: East Burton Street is located immediately south of the Project site. South of East Burton Street is a drainage channel, the SR-91 offramp at Raymond Avenue, and SR-91 mainlines. South of SR-91 are the Anaheim First Church of the Nazarene (1340 North Candlewood Street) and residential development within the City of Anaheim. Areas to the south of SR-91, within the City of Anaheim, are zoned Transitional (T) and Single-Family Residential (RS-2).

- West: East Burton Street and an undeveloped parcel are located immediately west of the Project site, followed by South Raymond Avenue. To the west of South Raymond Avenue is a light-industrial building (1415 North Raymond Avenue) occupied by Americold Logistics, within the City of Anaheim. The undeveloped parcel immediately west of the Project site is zoned Commercial Manufacturing (C-M). Areas to the west of South Raymond Avenue are zoned Industrial (I) within the City of Anaheim.



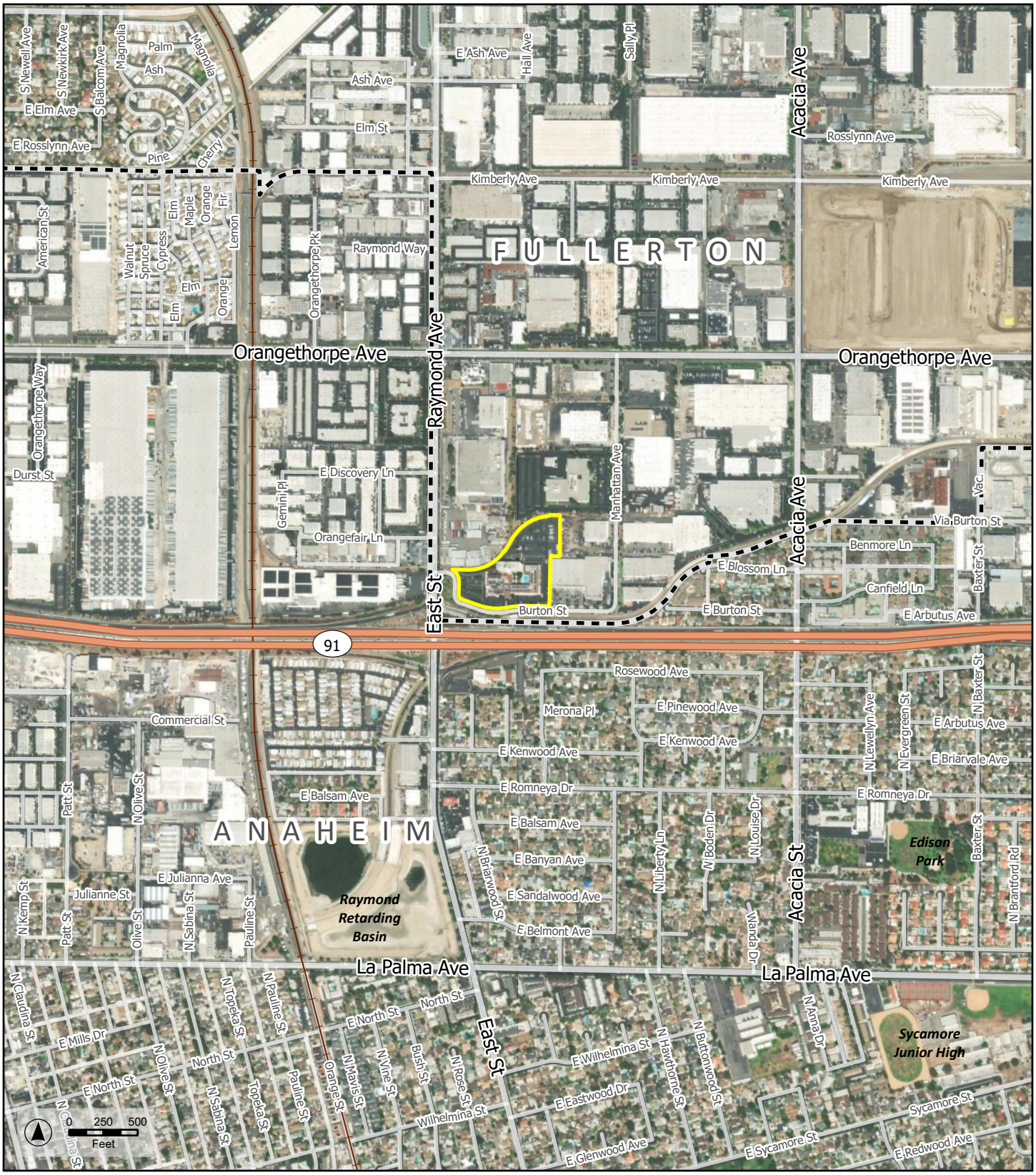
Legend

- Project Location
- Incorporated Area
- County Area

1500 S RAYMOND AVENUE
FULLERTON, CALIFORNIA

Figure 2-1. Regional Vicinity

Sources: California State Geoportal; ArcGIS Online World Hillshade Map Service.
Map Date: March 29, 2023.



Legend

- Project Boundary
- Incorporated Area
- Railroad

1500 S RAYMOND AVENUE
FULLERTON, CALIFORNIA

Figure 2-2. Project Location

Sources: Orange County GIS; ArcGIS Online World Imagery basemap service. Map date: March 29, 2023.

2.3 Project Characteristics

The Project Applicant requests approval of the proposed 1500 S. Raymond Avenue Industrial Project. The Project would require a Major Site Plan to allow for development of the proposed industrial use.

Proposed Development

The Project proposes to remove the existing on-site structures and develop a new 138,419-square foot industrial building for warehousing/distribution uses, including a 6,000 square-foot mezzanine designated for office use; refer to Figure 2-3, *Proposed Site Plan*. The building would consist of 126,419 square feet of warehouse and 12,000 square feet of office (6,000 square feet within the mezzanine and 6,000 square feet on the ground floor). Although the specific end user is not currently known, the building size and design would provide for light industrial end use; high density/distribution or uses requiring refrigeration would not occur within the site. It is anticipated that the use would operate 24 hours a day, seven days a week and be accessed by trucks during these hours. The proposed building would have a building footprint of 132,419 square feet and a maximum height of 44 feet seven inches with a clear height of 32 feet within the warehouse; 16 dock-high doors would be located along the northern side of the building. A fire pump room would be located along the northern side of the building. A trash enclosure with roof covering would also be located along the northern side of the building.

It is noted that an Alternative Site Plan, primarily associated with parking as described below, has been prepared in the event the end user involves manufacturing. This alternative would provide for a slightly smaller building consisting of 138,257 square feet, including 126,257 square feet of warehouse and 12,000 square feet of office (6,000 square feet within the mezzanine and 6,000 square feet on the ground floor). The proposed building would continue to have a maximum height of 44 feet seven inches with a clear height of 32 feet within the warehouse; 16 dock-high doors would be located along the northern side of the building. A fire pump room would be located along the northern side of the building. A trash enclosure with roof covering would also be located along the northern side of the building.

For purposes of this Initial Study, the environmental analysis will address the slightly larger proposed industrial building for warehousing/distribution uses, as it is the more likely end-user and will result in a more conservative analysis of environmental impacts due to the potential heavy-duty trucks that would access the site.

Parking

A total of 112 automobile parking spaces would be distributed throughout the site, primarily adjacent to the proposed industrial building to the west and northwest and along the northern and northeastern perimeters of the site. The 112 parking spaces would include four standard accessible stalls, one van accessible stall, seven clean air stalls, 11 future EV charging only stalls, one future EV charging only standard accessible stall, and one future EV charging only van accessible stall. Forty trailer parking stalls would also be provided in the northeastern portion of the site.

The alternative site plan would provide a total of 209 automobile parking spaces, primarily adjacent to the western and northwestern portions of the proposed industrial structure, and in the northeastern portion of the site; refer to Figure 2-3. The 209 parking spaces would include six standard accessible stalls, one van accessible stall, 17 clean air stalls, 11 future EV charging only stalls, three future EV charging only

standard accessible stalls, and one future EV charging only van accessible stall. Five trailer parking stalls would also be provided in the northeastern portion of the site.

Site Access

Access to the Project site would continue to occur from the two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street; refer to Figure 2-3. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. Vehicles exiting the site from the western driveway on East Burton Street would be limited to right-turns only. Fire access would be provided from the driveways. From the westerly driveway a 30-foot wide fire access lane would extend east into the site from East Burton Street and continue east/northeast along the perimeter of the Project site and then extend east within the center of the site providing access to the industrial building and loading docks to the south and parking area to the north. The fire access lane would then extend south between the industrial building and the eastern property line to the easterly driveway.

Access to the northern parking area and loading docks would be restricted by eight-foot-high steel gates along the driveways generally located at the northwest and northeast corners of the industrial building. Knox box access would be provided at each gate as required by the fire authority.

Architecture and Landscaping

The proposed building would incorporate a variety of materials including painted concrete, wood cladding, anodized aluminum, and blue reflected glazing; refer to Figure 2-4, *Proposed Exterior Elevations*.

Landscaping would be provided around the perimeter of the Project site; refer to Figure 2-5, *Conceptual Landscape Plan*. The landscaping would include trees, groundcover, and shrubs within the landscaped setback adjacent to East Burton Street and along the western, northern, and eastern property lines. Additional landscaping would be provided along a portion of the proposed building and within the parking areas. Existing trees along a portion of the northwestern property line and the block wall that extends along the northern and eastern property lines would remain. The existing monument sign along the southern Project site frontage would also remain and be updated to reflect the proposed development.

Telecommunications Facility

Before demolition of the hotel begins, as part of a separate entitlement process, a temporary telecommunications tower (10-foot by 10-foot by 5-foot block with pole) will be established in the northeastern portion of the site (adjacent to the proposed permanent location) to provide for continued uninterrupted service. The temporary telecommunications tower would remain operational during the Project construction phase. As part of the Project, a new permanent telecommunications facility would be constructed on the northeastern portion of the site.

Infrastructure and Public Services

Water

The Project would install domestic water and fire water service lines within the Project site. A three-inch domestic water service line would connect to an existing water meter, water service, and backflow device that connects to an existing 12-inch water main along East Burton Street. Twelve-inch fire water service

lines would connect to an existing fire department connection (FDC) device and to an existing 12-inch water main within East Burton Street. The two existing fire hydrants adjacent to East Burton Street would be protected in place. Two new fire hydrants would be installed to the northwest and northeast of the proposed building. A total of four fire hydrants, including the two existing fire hydrants, would serve the proposed building.

Wastewater

The Project would install a six-inch standard sewer lateral on-site and a cleanout at the property line to serve the proposed Project, which would connect to the existing 12-inch sewer line located along the northern property line.

Stormwater

The Project would construct a modular wetland unit and an underground stormwater treatment and detention basin, which would connect to existing stormwater facilities adjacent to the Project site.

Project Construction and Phasing

Project construction is anticipated to begin in late 2023 and be completed in approximately 12 months. Construction activities would include demolition, site preparation, grading, building construction, and paving, architectural coating, and landscaping.

Requested Entitlements

Major Site Plan. The Project requires review of the site improvements, including site layout, architectural design, landscape design and associated physical design features for compliance with the applicable development standards.

2.4 Permits and Approvals

The City of Fullerton is the Lead Agency under CEQA and has the discretionary authority over the proposed Project. Other agencies, in addition to the City of Fullerton, are expected to use this document in their decision-making process. It is anticipated the following permits/approvals would be granted by others:

- Santa Ana Regional Water Quality Control Board – National Pollutant Discharge Elimination System (NPDES) Compliance/Low Impact Development (LID) approvals.

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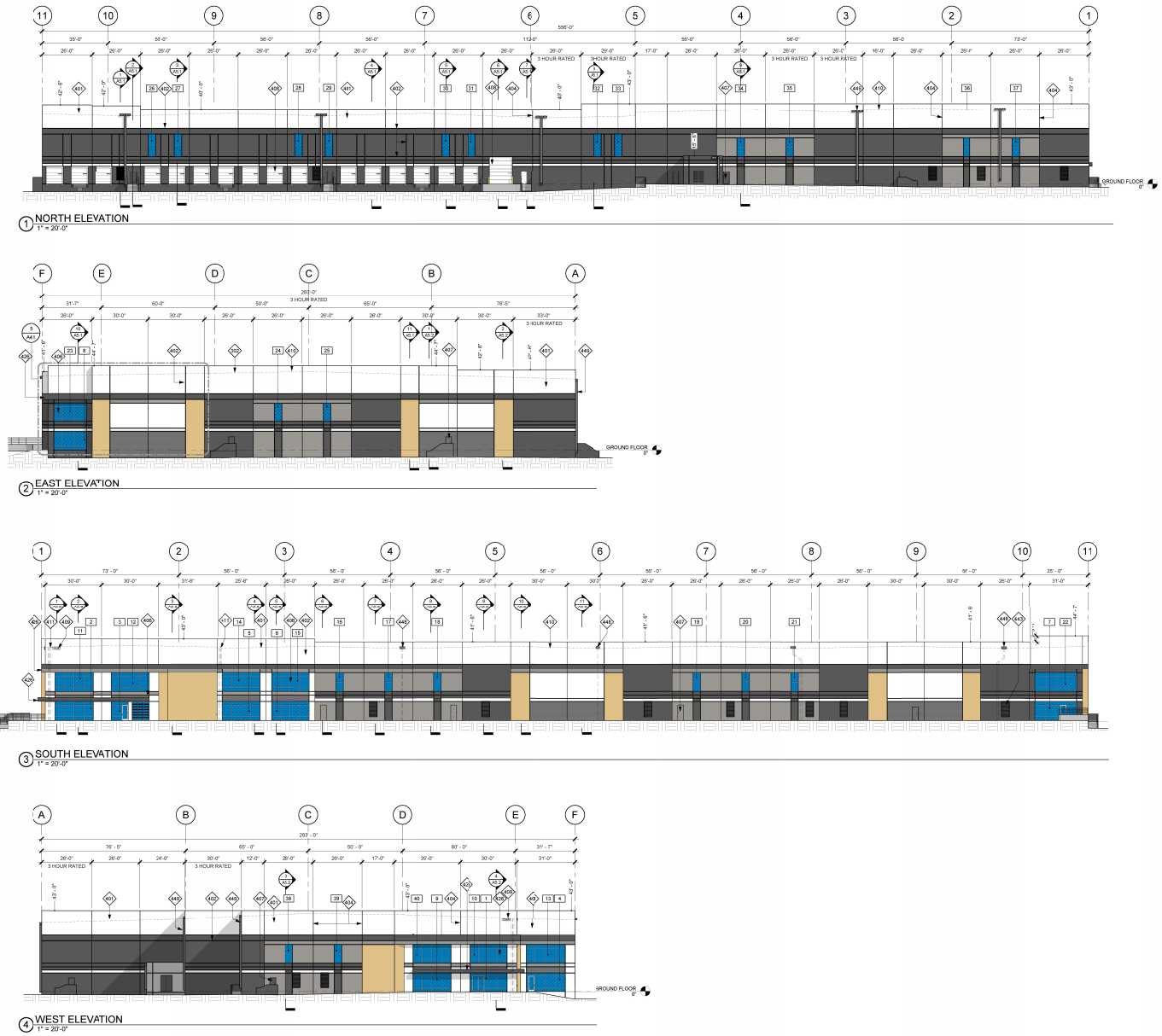
1500 S RAYMOND AVENUE
FULLERTON, CALIFORNIA

Figure 2-3. Proposed Site Plan

Source: Herdman Architecture + Design 6/14/2023.
Map date: July 24, 2023.



1500 S RAYMOND AVENUE
FULLERTON, CALIFORNIA

Figure 2-4. Proposed Exterior Elevations

Source: Herdman Architecture + Design 6/14/2023.
Map date: July 24, 2023.

1500 S RAYMOND AVENUE
FULLERTON, CALIFORNIA

Figure 2-5. Conceptual Landscape Plan

Source: Hunter Landscape 1/16/2023.
Map date: March 29, 2023.

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3.0 ENVIRONMENTAL CHECKLIST FORM

Background

1. Project Title: 1500 S. Raymond Avenue Industrial Project
2. Lead Agency Name and Address: City of Fullerton Community & Economic Development Department 303 W. Commonwealth Avenue Fullerton, California 92832
3. Contact Person and Address: Edgardo Caldera Senior Planner City of Fullerton, Community & Economic Development Department 303 W. Commonwealth Avenue Fullerton, California 92832 Email: Edgardo.Caldera@cityoffullerton.com
4. Project Location: 1500 S. Raymond Avenue, Fullerton, California
5. Project Sponsor's Name and Address: Brian Garcia Rexford Industrial 11620 Wilshire Blvd., Ste 610 Los Angeles, California 90025
6. General Plan Designation: Industrial (I)
7. Zoning: Manufacturing Park (M-P)
8. Description of the Proposed Project: See Section 2.3.
9. Surrounding Land Uses and Setting: See Section 2.2.
10. Other public agencies whose approval is required: See Section 2.4.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? In compliance with AB 52, the City distributed letters to applicable Native American tribes informing them of the Project on April 14, 2023 via email and certified mail. The Gabrieleno Band of Mission Indians – Kizh Nation has requested tribal consultation pursuant to AB 52; refer to Response 4.18.

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" or "Less Than Significant With Mitigation Incorporated" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology and Soils		Greenhouse Gasses		Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use and Planning		Mineral Resources
	Noise		Population and Housing		Public Services
	Recreation		Transportation	X	Tribal Cultural Resources
	Utilities and Service Systems		Wildfire		Mandatory Findings of Significance

Determination

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.
X	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 by 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.

CITY OF FULLERTON

Chris Schaefer
Planning Manager

9/13/23
Date

Evaluation of Environmental Impacts

The environmental analysis in this section is patterned after CEQA Guidelines Appendix G. An explanation is provided for all responses with the exception of "No Impact" responses, which are supported by the cited information sources. The responses consider the whole action involved, including on- and off-site project level and cumulative, indirect and direct, and short-term construction and long-term operational impacts. The evaluation of potential impacts also identifies the significance criteria or threshold, if any, used to evaluate each impact question. If applicable, mitigation measures are identified to avoid or reduce the impact to less than significant. There are four possible responses to each question:

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.

- Less than Significant With Mitigation Incorporated. This response applies when 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.

- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.

- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the project.

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4.0 ENVIRONMENTAL ANALYSIS

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?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

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

Less Than Significant Impact. As indicated in The Fullerton Plan EIR, the City is approximately 90 percent developed, exclusive of the open space and parks and recreational facilities. It is anticipated that future development permitted by The Fullerton Plan would primarily consist of infill and redevelopment. The northern portion of the City is dominated by gently rolling hills, which offer long range views and broad vistas. Scenic vistas within the City include views of the West and East Coyote Hills from the southern portion of the City, as well as distant views of the City and surrounding region from within these areas. Of the approximately 709 acres of vacant land remaining, the largest vacant area is located within the West Coyote Hills Focus Area.

The Fullerton Plan has established policies to preserve open space and protect the natural environment, while providing opportunities for their public use and enjoyment (Policies P1.3, P24.3, and P24.4). Further, future development under The Fullerton Plan would be subject to compliance with the regulations, guidelines, and development review process set forth in the Fullerton Municipal Code (FMC), as well as The Fullerton Plan goals, policies, and actions. FMC Chapter 15.47, *Site Plan Review*, identifies criteria

applicable to the review of development projects, which include preserving public views and scenic vistas from unreasonable encroachment.

The Project site and surrounding area are relatively flat and developed with commercial and industrial commercial uses. There are no scenic vistas located within the Project site or surrounding area. The Project site is currently developed with a hotel complex and associated improvements. The Project proposes to remove the existing on-site structures and develop a new industrial building consistent in height and scale to existing buildings and structures within the immediate area. Therefore, the Project would not have a substantial adverse effect on a scenic vista.

Mitigation Measures: No mitigation measures are required.

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

No Impact. There are no officially designated State Scenic Highways that traverse Fullerton (Caltrans, 2018). However, the City has identified scenic corridors and rural streets for special planning consideration, as well as Scenic Corridor Design Guidelines in order to provide a series of special controls for land improvements fronting these rights-of-way. The Project site is not located on a City-designated scenic corridor or rural street. Thus, the Project would not substantially damage scenic resources within a State scenic highway.

Mitigation Measures: No mitigation measures are 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.

Construction

The Fullerton Plan EIR indicates visual impacts associated with construction activities could degrade the existing visual character and quality of the respective development sites and their surroundings during the construction phase. However, construction-related impacts would be temporary in nature and all construction equipment would ultimately be removed following completion of construction activities. The Project site is located within a primarily industrial area. The site is visible from surrounding industrial and commercial uses, as well as from SR-91, which is located to the south of the site. The Project would be required to comply with Standard Conditions SC AES-2, and SC AES-3, which would control the staging of construction equipment and require screening of staging areas from view from residential properties and ensure the cleanliness of streets would be maintained during construction. Implementation of these standard conditions would ensure impacts remain less than significant.

Operation

The Project site is located within the Southeast Industrial Focus Area, which is envisioned to be characterized by preserved industrial and employment-generating uses and to undergo moderate to significant change through infill, reuse, revitalization, and redevelopment by The Fullerton Plan. The Project proposes to remove the existing on-site structures and construct a new industrial building, consistent with the vision of The Fullerton Plan and the existing land use and zoning for the Project site. The Project would be subject to the requirements of FMC Chapter 15.40, *Industrial Zone Classifications,* which addresses permitted and prohibited development intended to provide for industrial uses. The Project would also be subject to FMC Section 15.40.040, *Site Development Standards*, which addresses building exterior design, screening of rooftop equipment, landscape requirements, building height limits, setback requirements, and fences and walls, amongst others; refer to Section 4.11, *Land Use and Planning*.

As part of the City's Site Plan Review process required under FMC Chapter 15.47, *Site Plan Review*, the Project site plan would be reviewed and only approved after finding the proposed development, including the uses and the physical design of the development is consistent with the intent and general purposes of the chapter, and will not adversely affect surrounding development in the area. Criteria used for review of a site plan includes: creating a development that is pleasant in character and is harmonious with the past development of Fullerton; minimizing the disruption of existing natural features such as trees and other vegetation and natural ground forms; illustrating a design compatibility with the desired developing character of the surrounding area; recognizing views, climate and the nature of outside activities in the design of exterior spaces; preserving public views and scenic vistas from unreasonable encroachment; screening exterior trash and storage areas and service yards from view of nearby streets and adjacent structures in a manner that is compatible with building site design; designing and/or screening all rooftop mechanical and electrical equipment as an integral part of the building design; designing landscaping to create a pleasing appearance from both within and off the site; and providing landscaping adjacent to and within parking areas in order to screen vehicles from view and minimize the expansive appearance of parking areas (FMC Section 15.47, *Design Review Criteria*). Thus, the Project would not conflict with applicable zoning and other regulations governing scenic quality.

Mitigation Measures: No mitigation measures are 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 developed with a hotel complex and surrounded by industrial and commercial uses, as well as a major transportation corridor, and therefore, currently experiences lighting and glare typical of a developed and urbanized area (security and landscape lighting, automobile headlights, glare from glass surfaces, etc.). The Project proposes to remove the existing on-site structures and construct a new industrial building. The proposed Project would include interior lighting as well as exterior security lighting around the structure, within parking areas, and landscaped areas, similar to existing conditions. The proposed building materials would include blue reflected glazing; however, surface coverage is minimal, and the proposed building is low-rise and would be partially obstructed with trees and other vegetation. Therefore, potential glare effects are minimal and would not involve highly reflective materials potentially resulting in glare impacts. Access to the Project site would

continue to occur from the two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street, similar to existing conditions. Thus, the Project would not introduce new conditions related to headlights from vehicles and trucks exiting the site.

All lighting installed would be subject to compliance with the provisions of the FMC, which includes standards for the provision of lighting in the various non-residential zones. Specifically, FMC Section 15.56.110, *Illumination of Premises*, requires lighting within parking areas to be arranged so as to reflect the light and glare away from adjacent properties. FMC Section 15.40.080(F) requires all on-site lighting within industrial zones to limit glare/spillover onto adjacent properties with a residential zone classification; it is noted that residentially zoned properties are not located adjacent to the Project site. Additionally, the proposed development would undergo site plan review to ensure compliance with the development standards of the M-P zoning district. Therefore, compliance with the FMC provisions specific to lighting would ensure proper design, installation, and operation of all exterior lighting, thereby reducing the potential for glare effects, light spillover onto adjacent properties, or conflicts with adjacent land uses. Thus, compliance with the City's established regulatory framework, which would be verified through the City's plan review process, would ensure potential impacts associated with proposed Project lighting and glare would be reduced to a less than significant impact.

Standard Conditions of Approval:

SC 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.

SC 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: 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?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

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?

No Impact. The Project site is currently developed with a hotel complex and associated improvements and is designated Industrial (I) and zoned Manufacturing Park (M-P). The Project site and surrounding area are not intended for agricultural or forestry production, nor does the Project site and surrounding area support any Farmland of Local Importance, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation, 2023). Thus, the Project would not involve the conversion of farmland to a non-agricultural use or conflict with existing zoning for agricultural use or a Williamson Act contract; no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

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?

No Impact. As stated, the Project site is zoned Manufacturing Park (M-P). No forest land, timberland, or timberland zoned Timberland Production occurs within the City. The Project site is located within an urbanized area and is currently developed with a hotel complex and associated improvements. Thus, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use.

Mitigation Measures: No mitigation measures are required.

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. Refer to Responses 4.2(a) through 4.2(d), above.

Mitigation Measures: No mitigation measures are 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?			X	
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?			X	
c. Expose sensitive receptors to substantial pollutant concentrations?			X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

South Coast Air Quality Management District (SCAQMD) Thresholds

Mass Emissions Thresholds

The South Coast Air Quality Management District's (SCAQMD) significance criteria is relied upon to assess the potential for significant impacts to air quality. According to the SCAQMD, an air quality impact is considered significant if a proposed project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during project construction and operations, as shown in Table 4.3-1, *South Coast Air Quality Management District Emissions Thresholds*.

Table 4.3-1
South Coast Air Quality Management District Emissions Thresholds

Criteria Air Pollutants and Precursors (Regional)	Construction-Related	Operational-Related
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO_x)	100	55
Sulfur Oxides (SO_x)	150	150
Coarse Particulates (PM_{10})	150	150
Fine Particulates ($PM_{2.5}$)	55	55
Source: South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 1993 ($PM_{2.5}$ threshold adopted June 1, 2007).		

Localized Carbon Monoxide

In addition to the daily thresholds listed above, the proposed Project would be subject to the ambient air quality standards. These are addressed through an analysis of localized Carbon Monoxide (CO) impacts. The California 1-hour and 8-hour CO standards are:

- 1-hour = 20 parts per million (ppm)
- 8-hour = 9 ppm

The significance of localized impacts depends on whether ambient CO levels near a project site exceed State and federal CO standards. The South Coast Air Basin (SCAB) has been designated as attainment under the 1-hour and 8-hour standards.

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed Local Significance Thresholds ("LSTs") for emissions of Nitrogen Oxide (NOx), CO, Coarse Particulate Matter (PM_{10}), and Fine Particulate Matter ($PM_{2.5}$) generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project site without expecting to cause or substantially contribute to an exceedance of the most stringent national or State ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. The nearest sensitive receptor is located approximately 100 meters to the nearest portion of the Project site. LST analysis for construction is applicable for all projects that disturb 5.0 acres or less on a single day. The proposed Project is not anticipated to disturb more than 5.0 acres on a single day. The City of Fullerton is located within SCAQMD SRA 16 (North Orange County). Table 4.3-2, *Local Significance Thresholds (Construction/Operations)*, shows the LSTs for a 1.0-acre, 2.0-acre, and 5.0-acre project site in SRA 16 with sensitive receptors located within 100 meters of the project site.

Table 4.3-2
Local Significance Thresholds (Construction/Operations)

Project Size	Nitrogen Oxide (NOx) – lbs/day	Carbon Monoxide (CO) – lbs/day	Coarse Particulates (PM_{10}) – lbs/day	Fine Particulates ($PM_{2.5}$) – lbs/day
1.0 acres	121/121	1,014/1,014	24/6	9/3
2.0 acres	156/156	1,395/1,395	31/8	11/3
5.0 acres	226/226	2,274/2,274	49/12	15/4

Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology – Appendix C*, revised October 21, 2009.

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

Less Than Significant Impact. As part of its enforcement responsibilities, the United States Environmental Protection Agency (USEPA) requires that each state with nonattainment areas prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the California Clean Air Act (CCAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the federal and State ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project site is located within the South Coast Air Basin (SCAB), which is under the South Coast Air Quality Management District's (SCAQMD) jurisdiction. The SCAQMD is required, pursuant to the Federal Clean Air Act (FCAA), to reduce emissions of criteria pollutants for which SCAB is in non-attainment. To reduce such emissions, the SCAQMD adopted the 2022 Air Quality Management Plan (AQMP) in December 2022 as an update to the 2016 AQMP. The 2022 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and national air quality standards. The AQMP is a regional and multi-agency effort including the SCAQMD, the California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the EPA. The 2022 AQMP's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's Connect SoCal (2020-2045 RTP/SCS), updated emission inventory methodologies for various source categories, and SCAG's growth forecasts. SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The proposed Project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- **Consistency Criterion No. 1**: A proposed project would not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of the AQMP's air quality standards or the interim emissions reductions.
- **Consistency Criterion No. 2**: A proposed project would not exceed the AQMP's assumptions or increments based on the years of the project build-out phase.

Consistency Criterion No. 1 refers to the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). As shown in Tables 4.3-3 and 4.3-4, the proposed Project construction and operational emissions would be below SCAQMD's thresholds. As the Project would not generate localized construction or regional construction or operational emissions that would exceed SCAQMD thresholds of significance, the Project would not violate any air quality standards. Thus, no impact is expected, and the Project would be consistent with the first criterion.

Consistency Criterion No. 2 refers to SCAG's growth forecasts and associated assumptions included in the AQMP. The future air quality levels projected in the AQMP are based on SCAG's growth projections, which are based, in part, on the general plans of cities located within the SCAG region. Therefore, projects that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP.

With respect to determining consistency with Consistency Criterion No. 2, it is important to recognize that air quality planning within the air basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether or not the proposed Project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

1. *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

Growth projections included in the 2022 AQMP form the basis for the projections of air pollutant emissions and are based on the General Plan land use designations and SCAG's Connect SoCal 2020-2045 Regional Transportation Plan/Sustainability Communities Strategy (2020-2045 RTP/SCS) demographics forecasts. The population, housing, and employment forecasts within the 2020-2045 RTP/SCS are based on local general plans as well as input from local governments, such as the City of Fullerton. The SCAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the 2022 AQMP.

As discussed in Section 4.14, *Population and Housing*, the Project would not induce substantial unplanned population growth directly through new homes or, indirectly through the extension of roads or other infrastructure or, increased commercial development. Also, as discussed in Section 4.14, employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. Due to the nature of the proposed use (warehouse), significant new employment opportunities would not be generated, as compared with the existing use (a hotel). Thus, the Project would be within the employment projections anticipated and planned for by The Fullerton Plan and would not increase growth beyond the AQMP's projections.

2. *Would the project implement all feasible air quality mitigation measures?*

The proposed Project would result in less than significant air quality impacts. Compliance with all feasible emission reduction measures identified by the SCAQMD would be required as identified in Responses (b) and (c). As such, the proposed Project meets this 2022 AQMP consistency criterion.

3. *Would the project be consistent with the land use planning strategies set forth in the AQMP?*

Project construction activities would generate short-term emissions of criteria air pollutants. Construction-generated emissions are short term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance. The Project site is currently developed with a hotel complex and associated improvements. The Project proposes to remove the existing on-site structures and develop a new industrial building. Project-related construction activities would include demolition, grading, building construction, and paving, architectural coating, and landscaping. This short-term and minor construction would not exceed the SCAQMD's daily emission thresholds at the regional level and therefore impacts associated with Project construction emissions would be less than significant. As such, the proposed Project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

In conclusion, the determination of 2022 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the air basin. The proposed Project would not result in a long-term impact on the region's ability to meet State and federal air quality standards. Further, the proposed Project's long-term influence on air quality in the air basin would also be consistent with the SCAQMD and SCAG's goals and policies and is considered consistent with the 2022 AQMP. Therefore, the Project would be consistent with the above criteria and impacts would be less than significant.

Mitigation Measures: No mitigation measures are 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.

Construction Emissions

Project construction activities would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project site include ozone-precursor pollutants (i.e., Reactive Organic Gases [ROG] and NOx) and PM_{10} and $PM_{2.5}$. Construction-generated emissions are short term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities, as well as weather conditions and the appropriate application of water.

For purposes of this analysis, the duration of the proposed Project's construction activities was estimated to last approximately 14 months. The Project's construction-related emissions were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. Proposed Project demolition, site grading, and building construction phases are anticipated to begin in 2023. Paving and architectural coating were estimated to begin in 2024. The demolition phase was anticipated to last two months, the grading, paving, and architectural coating phases one month (each), and the building construction phase 11 months. Although the exact construction timeframe is currently unknown, the mid-2023 construction start date used in the modeling results in a conservative analysis because CalEEMod uses cleaner emissions factors in future years due to improved emissions controls and fleet turnover; refer to Appendix A, Air Quality/Energy/Greenhouse Gas Emissions Data, for additional information regarding the construction assumptions used in this analysis.

The Project's predicted maximum daily construction-related emissions are summarized in Table 4.3-3, *Construction-Related Emissions (Maximum Pounds Per Day)*.

As shown in Table 4.3-3, all criteria pollutant emissions would remain below their respective thresholds. While impacts would be considered less than significant, the proposed Project would be subject to compliance with SCAQMD Rules 402, 403, and 1113, which would further reduce specific construction-related emissions. As the proposed Project emissions would not worsen ambient air quality, create additional violations of federal and state standards, or delay SCAB's goal for meeting attainment standards, impacts associated with Project construction emissions would be less than significant.

Table 4.3-3
Construction-Related Emissions (Maximum Pounds Per Day)

	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
Maximum Daily	57.4	37.3	28.8	<0.1	12.6	3.2
SCAQMD Threshold	**75**	**100**	**550**	**150**	**55**	**150**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Source: CalEEMod version 2022.1						

Operational Emissions

The Project's operational emissions would be associated with motor vehicle use, energy use, and area sources. Energy use includes electricity and natural gas for heating and cooling; area sources include gasoline-powered landscaping and maintenance equipment, and consumer products (such as household cleaners), while mobile sources emissions are generated from vehicle operations associated with Project operations. Typically, area sources are small sources that contribute very minor emissions individually, but when combined may generate substantial amounts of pollutants. Area specific defaults in CalEEMod were used to calculate area source emissions.

CalEEMod was also used to calculate pollutants emissions from vehicular trips generated from the proposed Project. The vehicle trip rate for the Project was obtained from the *Transportation Assessment Policies and Procedures (TAPP) Worksheet*, prepared by the City of Fullerton; refer to Appendix H. CalEEMod default inputs for vehicle mix and trip distances were unaltered for this analysis. CalEEMod estimated emissions from Project operations are summarized in Table 4.3-4, *Operational-Related Emissions (Maximum Pounds Per Day)*.[1] Note that emissions rates differ from summer to winter because weather factors are dependent on the season and these factors affect pollutant mixing, dispersion, ozone formation, and other factors.[2]

As shown in Table 4.3-4, emission calculations generated from CalEEMod demonstrate that Project operations would not exceed the SCAQMD thresholds for any criteria air pollutants. Therefore, Project operational impacts would be less than significant. It should also be noted that the net operational impacts would be less than those shown in Table 4.3-4, since the Project site is developed with an existing hotel use. Under CEQA, operational emissions from existing uses are allowed to be subtracted from proposed Project operational emissions in order to determine net Project operational emissions. Therefore, the net operational emissions would be even less than the Project operational emissions as shown in Table 4.3-4.

[1] Note: Unmitigated and mitigated operational-related emissions were the same; therefore, both emissions results were consolidated into a single table, Table 4.3-4.

[2] It should be noted that although there would be an on-site diesel-powered fire pump for emergency purposes, the criteria pollutant emissions from the fire pump would be negligible. That is, the usage of the fire pump for emergency purposes only is not anticipated to increase operational-related criteria pollutant emissions beyond what is identified in Table 4.3-4.

Table 4.3-4
Operational-Related Emissions (Maximum Pounds Per Day)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
Summer Emissions						
Mobile	1.0	0.7	8.2	0.0	0.7	0.1
Area	4.3	0.1	6.0	0.0	0.0	0.0
Energy	0.0	0.7	0.6	0.0	0.1	0.1
Total	**5.3**	**1.5**	**14.9**	**0.0**	**0.8**	**0.2**
SCAQMD Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Winter Emissions						
Mobile	1.0	0.8	7.7	0.0	0.7	0.1
Area	3.3	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.7	0.6	0.0	0.1	0.1
Total	**4.3**	**1.5**	**8.3**	**0.0**	**0.8**	**0.2**
SCAQMD Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Source: CalEEMod version 2022.1; refer to Appendix A for model outputs.						

Area Source Emissions

Area source emissions would be generated due to consumer products, architectural coating, and landscaping. As shown in Table 4.3-4, the Project's unmitigated area source emissions would not exceed SCAQMD thresholds for either the winter or summer seasons. Therefore, impacts would be less than significant and mitigation measures are not required.

Energy Source Emissions

Energy source emissions would be generated due to the Project's electricity and natural gas usage. The Project's primary uses of electricity and natural gas would be for space heating and cooling, water heating, ventilation, lighting, and equipment. As shown in Table 4.3-4, the Project's unmitigated energy source emissions would not exceed SCAQMD thresholds for criteria pollutants. As such, the Project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation. Therefore, the Project's operational air quality impacts would be less than significant.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NOx, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern. NOx and ROG react with sunlight to form O_3, known as photochemical smog. Additionally, wind currents readily transport PM_{10} and $PM_{2.5}$. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions have been estimated using CalEEMod, as recommended by the SCAQMD. The vehicle trip rate for the Project was obtained from the *Transportation Assessment Policies and Procedures (TAPP) Worksheet*, prepared by the City of Fullerton; refer to Appendix H. CalEEMod default inputs for vehicle mix and trip distances were unaltered for this analysis. The proposed Project would generate approximately 282 average daily trips (ADT). As shown in Table 4.3-4, mobile source emissions would not exceed SCAQMD thresholds for criteria pollutants. Therefore, the Project's air quality impacts associated with mobile source emissions would be less than significant.

Cumulative Short-Term Emissions

SCAB is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards and nonattainment for O_3 and $PM_{2.5}$ for Federal standards. As discussed above, the Project's construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants.

Since these thresholds indicate whether individual Project emissions have the potential to affect cumulative regional air quality, it can be expected that the Project-related construction emissions would not be cumulatively considerable. The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related cumulative projects. As concluded above, the Project's construction-related impacts would be less than significant. Compliance with SCAQMD rules and regulations would further minimize the proposed Project's construction-related emissions. Therefore, Project-related construction emissions, in combination with those from other projects in the area, would not substantially deteriorate the local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Long-Term Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As shown in Table 4.3-4, the Project's operational emissions would not exceed SCAQMD thresholds. As a result, the Project's operational emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact.

Localized Construction Significance Analysis

The nearest sensitive receptor to the Project site is the residential development directly south of the Project site, south of SR-91, and approximately 100 meters from the Project site at its nearest location. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

The maximum daily disturbed acreage would be less than 5.0 acres, since the proposed industrial building would be less than 5.0 acres. The appropriate SRA for the LSTs is the SRA 16 (North Orange County), since SRA 16 includes the Project site. LSTs apply to CO, NOx, PM_{10}, and $PM_{2.5}$. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5.0 acres. As stated, Project construction is anticipated to disturb a maximum of less than 5.0 acres per day.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs". Therefore, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, as recommended by the SCAQMD, LSTs for receptors located at 100 meters were utilized in this analysis (consistent with SCAQMD guidance, since the nearest receptor is within approximately 100 meters from the Project site). Table 4.3-5, *Localized Significance of Construction Emissions (Maximum Pounds per Day)*, presents the results of localized emissions during proposed Project construction.

As shown in Table 4.3-5, the emissions of these pollutants on the peak day of Project construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Further, the Project would be subject to compliance with SCAQMD Rules 402, 403, and 1113, which would further reduce specific construction-related emissions. Therefore, the proposed Project would result in a less than significant impact concerning LSTs during construction activities.

Table 4.3-5
Localized Significance of Construction Emissions (Maximum Pounds per Day)[1]

Construction Activity	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
Demolition (2023)	27.3	23.5	1.2	1.1
Grading (2023)	2.0	20.0	0.9	0.9
Building Construction (2023)	11.8	13.2	0.6	0.5
Building Construction (2024)	11.2	13.1	0.5	0.5
Paving (2024)	0.9	8.9	0.3	0.3
Architectural Coating (2024)	0.1	1.1	<0.1	<0.1
SCAQMD Localized Screening Thresholds (5 acres at 100 meters)	226	2,274	49	15
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

Source: CalEEMod Version 2022.1; refer to Appendix A for model outputs.

Notes:
1. Emissions reflect on-site construction emissions only, per SCAQMD guidance.

Localized Operational Significance Analysis

The on-site operational emissions are compared to the LST thresholds in Table 4.3-6, *Localized Significance of Operational Emissions (Maximum Pounds per Day)*. Table 4.3-6 shows that the maximum daily emissions of these pollutants during Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the proposed Project would result in a less than significant impact concerning LSTs during operational activities.

Table 4.3-6
Localized Significance of Operational Emissions (Maximum Pounds per Day)

Emission Sources	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Coarse Particulates (PM10)	Fine Particulates (PM2.5)
On-Site Emissions (Area Sources)	0.1	6.0	<0.1	<0.1
SCAQMD Localized Screening Thresholds (5 acres at 100 meters)	226	2,274	12	4
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

Source: CalEEMod Version 2022.1; refer to Appendix A for model outputs.

The Project would not involve the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants, and no significant toxic airborne emissions would result from operation of the proposed Project. Construction activities are subject to the regulations and laws relating to toxic air pollutants at the regional, State, and federal level that would protect sensitive receptors from substantial

concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (Sierra Club v. County of Fresno [Friant Ranch, L.P.] [2018] 6 Cal.5th 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD's mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts would occur.

NOx and ROG are precursor emissions that form ozone in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. Breathing ground-level ozone can result in health effects that include: reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily ozone concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that ozone can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According to SCAQMD's 2022 AQMP, ozone, NO_X, and ROG have been decreasing in the SCAB since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_X and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. In addition, since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the ozone standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of $PM_{2.5}$ standards.

SCAQMD's air quality modeling demonstrates that NO_X reductions prove to be much more effective in reducing ozone levels and will also lead to a significant decrease in $PM_{2.5}$ concentrations. NO_X -emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The 2022 AQMP identifies robust NO_X reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_X emissions levels achievable but there are opportunities to require

and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMP plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

As previously discussed, Project emissions would be less than significant and would not exceed SCAQMD thresholds; refer to Table 4.3-3 and Table 4.3-4. Localized effects of on-site Project emissions on nearby receptors were also found to be less than significant; refer to Table 4.3-5 and Table 4.3-6. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS. LSTs were developed by SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations such as asthmatics, children, and the elderly. As shown above, Project-related emissions would not exceed the regional thresholds or LSTs, and therefore would not exceed the ambient air quality standards or cause an increase in the frequency or severity of existing violations of air quality standards. Therefore, sensitive receptors would not be exposed to criteria pollutant levels more than the health-based ambient air quality standards.

Toxic Air Contaminants

Operational-Related Diesel Particulate Matter

A toxic air contaminant (TAC) is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air. However, their high toxicity or health risk may pose a threat to public health even at very low concentrations. In general, for those TACs that may cause cancer, there is no concentration that does not present some risk. This contrasts with the criteria pollutants for which acceptable levels of exposure can be determined and for which the state and federal governments have set ambient air quality standards.

The proposed Project has the potential to impact nearby sensitive receptors due to the nature of industrial/warehouse operations. Heavy-duty diesel trucks are emitters of diesel particulate matter (DPM), which is emitted from on-site truck vehicle circulation and idling and off-site mobile travel. Combined, these sources have the potential to generate substantial TACs on nearby sensitive receptors, including those located nearest to the Project site. SCAQMD has established maximum thresholds of significance for TACs, which would be significant if they exceed the following thresholds:

- Incremental residential cancer risk of equal to or greater than 10 in one million;
- Incremental workplace cancer risk of equal to or greater than 10 in one million; and,
- Chronic and Acute Hazard Index of equal to or greater than 1.0 (project increment).

Air dispersion modeling was conducted using AERMOD and HARP-2 risk modeling software to determine cancer and non-cancer TAC risks on the nearest residential and workplace receptors. Maximum incremental residential cancer risk was evaluated over a 40-year period; maximum incremental workplace

cancer risk was evaluated over a 25-year period. Chronic and acute cancer risks on the nearest sensitive receptors were also modeled.

A rectangular (x-y) coordinate system was used to model receptors. An area within 1,000 meters of the proposed industrial site boundaries was used with receptor spacing of 50 meters, where applicable. Additional receptors were added along or near the nearest sensitive receptors near the Project site. Additional sensitive receptors were placed along nearby roadways and in-between receptors, to allow for analysis throughout the modelling extent and to allow for a visual representation of dispersion contours. Receptors were also placed along the Project site's property line.

Table 4.3-7, *Summary of Maximum Health Risks*, displays the residential and workplace cancer risk, and acute and chronic incidence rate results at nearest receptors; refer to Appendix A for the detailed analysis. On-site truck idling emissions were modeled via 16 volume sources located throughout the Project site, where idling would occur (these were grouped together as volume sources). Additionally, on-site mobile sources and off-site mobile sources (along the relevant roadways leading to the Project site) were analyzed. Additional parameters, assumptions, and output selections provided within the modeling is described within the health risk assessment provided in Appendix A.

Table 4.3-7
Summary of Maximum Health Risks

Risk Metric	Maximum Operational Risk (per million persons)	Maximum Construction Risk (per million persons)[3]	Maximum Total Risk (per million persons)	Significance Threshold	Is Threshold Exceeded?
Residential Cancer Risk (30-year exposure)[1]	0.8	0.7	**1.5**	10 per million	No
Workplace Cancer Risk (25-year exposure)[2]	1.1	0	**1.1**	10 per million	No
Chronic (non-cancer)	<0.1	<0.1	**<0.1**	Hazard Index ≥1	No
Acute (non-cancer)	0	0	**0**	Hazard Index ≥1	No

Source: AERMOD 11.2.0 (Lakes Environmental Software, 2022); HARP-2 Air Dispersion and Risk Tool
Notes:
1. The maximum residential cancer risk would be for a residence located approximately 625 feet to the east of the Project site, at 1380 E. Burton Street. The incremental residential cancer risk (30-year exposure) at this location is as provided within this table.
2. The Receptor with the highest workplace cancer risk would be located along the western perimeter of the Project warehouse building.
3. Construction TACs are not applicable for workplace receptors, since workplace receptors would not be in place until after construction activities are finished.

As shown in Table 4.3-7, the proposed Project would not exceed the maximum risk values established by the SCAQMD for TACs. All receptor types would be below the applicable SCAQMD significance thresholds and impacts would be less than significant.

Construction-Related Diesel Particulate Matter

Project construction would generate DPM emissions from the use of off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment would dissipate rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The closest sensitive receptors to the Project site are located approximately 100 meters to the south of the Project site.

California Office of Environmental Health Hazard Assessment has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time. Construction activities would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than five minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. For these reasons, DPM generated by Project construction activities, in and of itself, would not expose sensitive receptors to substantial amounts of air toxins and the proposed Project would result in a less than significant impact. Nevertheless, out of an abundance of caution, the health risks associated with construction-related DPM associated with the on-site off-road construction vehicles have been included within the maximum risk values provided in Table 4.3-7. Overall, the construction-related health risks associated with DPM would be extremely minor.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from the proposed Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined.

Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard. The 2016 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard/Veteran Avenue intersection, one of the most congested intersections in Southern California with approximately 100,000 average daily traffic (ADT), was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The proposed Project would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's

CO Hotspot Analysis. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even as it accommodates 100,000 ADT, it can be reasonably inferred that CO hotspots would not be experienced at any Project area intersections from the new 282 ADT attributable to the proposed Project. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact.

Construction

Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.*

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with the Project's construction-related activities would be less than significant.

Operational

The SCAQMD CEQA Air Quality Handbook identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project proposes development of an industrial warehouse facility, which would not involve the types of uses that would emit objectionable odors affecting substantial numbers of people. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the proposed Project would not create objectionable odors and impacts would be less than significant.

Mitigation Measures: 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 Game or U.S. Fish and Wildlife Service?			X	
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 Game or U.S. Fish and Wildlife Service?			X	
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?			X	
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?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?				X

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 Game or U.S. Fish and Wildlife Service?

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 Game or U.S. Fish and Wildlife Service?

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?

Less Than Significant Impact. The Project site is located within an urbanized area and is currently developed with a hotel complex and associated improvements, including surface parking and ornamental landscaping. The surrounding area is developed and comprised primarily of industrial and commercial uses. As indicated in The Fullerton Plan EIR, the areas outside of the West Coyote Hills and East Coyote Hills Focus Areas are primarily developed and do not contain areas of naturally vegetated vacant land or wetlands or wetland habitat. The Project site and surrounding area generally do not provide suitable habitat for any special status species, is devoid of sensitive habitat, and does not contain wetlands or wetland habitat. The Project would be required to comply with SC BIO-1, which would require construction activities to be completed in compliance with the Migratory Bird Treaty Act and Sections 3503, 3503.5, 3513 of the California Fish and Game Code, which protect active nests of avian species. Implementation of this standard condition would ensure that the proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any special status plant or wildlife species, any riparian habitat or other sensitive natural community, or on any state or federally protected wetlands.

Mitigation Measures: No mitigation measures are 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. As indicated in The Fullerton Plan EIR, although the East Coyote Hills and West Coyote Hills areas contain significant plant and animal populations, these areas are isolated from one another by three miles of urbanization and are surrounded by developed areas. Therefore, they do not provide reliable connections to other large habitat patches. Areas outside of the East Coyote Hills and West Coyote Hills areas, such as the Project site, are urbanized and generally do not function as wildlife corridors.

The Project site is located within an urbanized area and is currently developed with a hotel complex and associated improvements, including surface parking and ornamental landscaping. The surrounding area is developed and comprised primarily of industrial and commercial uses. The Project site and surrounding area do not serve as a native resident or migratory wildlife corridor or wildlife nursery site, as the area is completely developed and there are no open space areas or corridors within or adjacent to the Project

site. The Project would be required to comply with SC BIO-1, which would require construction activities to be completed in compliance with the Migratory Bird Treaty Act and Sections 3503, 3503.5, 3513 of the California Fish and Game Code, which protect active nests of avian species. Implementation of these standard conditions would ensure impacts remain less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. FMC Chapter 9.06, *Community Forestry,* addresses the planning, planting, maintenance, and removal of all trees and other landscape material in any street or other public area; over any landscape material in any street median, parkway strip or other landscaped portion of a public right-of-way; over trees and other landscape material in other public spaces under the jurisdiction of the City such as parks, trails and public buildings; and over certain trees on private property. It also allows for the designation and protection of Landmark Trees.

The Project would involve the removal of existing trees on the property, including along the frontage of the Project site; no City trees would be removed. The Project would be responsible for providing new street trees as required by the City as part of the site plan review process. Additionally, the Project would provide new trees, shrubs, and ground cover within the Project site. The proposed trees and landscaping would be in accordance with the City's requirements. The Project would be required to comply with SC BIO-2, which would require approval of a plot plan prior to the issuance of a building permit, in compliance with FMC Section 9.06.090, *Planting Trees*. Implementation of this standard condition would ensure impacts remain less than significant.

Standard Conditions of Approval:

SC BIO-1: Existing trees on-site would be removed during construction; however, all vegetation removal would be conducted in accordance with applicable regulations to avoid impacts on nesting birds and avian species, and ensuring impacts are less than significant. Notably, construction activities would be completed in compliance with the federal Migratory Bird Treaty Act, and Sections 3503, 3503.5, 3513 of the California Fish and Game Code, which protect active nests of avian species, including common raptor species, through the following measures, which will be Conditions of Approval for the project:

- Removal of trees and vegetation shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31). If site-preparation activities are proposed during the nesting/breeding season (February 1 to August 31), a pre-construction nesting bird survey shall be conducted by a qualified Biologist within 72 hours prior to vegetation removal, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located, construction may be conducted during the nesting/breeding season.
- If the biologist finds an active nest on the Project site and determines that the nest may be impacted, the Biologist shall delineate an appropriate buffer zone around the nest. The

size of the buffer shall be determined by the Biologist, and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the City.

SC BIO-2: All tree plantings, removals, or alterations associated with the project shall be conducted in accordance with the requirements set forth in the Fullerton Community Forestry Ordinance (Fullerton Municipal Code, Chapter 9.06 et seq.). Specifically, in compliance with Section 9.06.090, Planting Trees, prior to the issuance of a building permit, the Applicant/Developer shall submit a Plot Plan of the proposed development so the Director of Development Services can determine the tree requirements for site development. The plot plan shall:

1. Clearly show all existing trees, noting location, species, size, and condition;
2. Note whether existing trees will be retained, removed, or relocated;
3. Show proposed utilities, driveways, sidewalks and tree planting locations, and the size and species of proposed street trees; and
4. Conform with ground and aerial setback specifications, as defined in the Community Forest Management Plan.

Mitigation Measures: No mitigation measures are 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. The Project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Thus, the Project would not conflict with any of these plans and no impact would occur.

Mitigation Measures: 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?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c. Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

This section is based on the *Cultural Resource Assessment for the 1500 South Raymond Avenue Project, Fullerton, Orange County, California* (Cultural Resources Assessment), prepared by PaleoWest, dated April 6, 2023 and included in its entirety as Appendix B, Cultural Resources Assessment.

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

No Impact. There is one historic period building within the Project site: the Hotel Fullerton, located at 1500 South Raymond Avenue.

A search of the California Historic Resources Information System (CHRIS) was performed at the South Central Coastal Information Center (SCCIC) that includes the Project site and a one-half mile radius. Results of the records search indicate that eight previous cultural resource studies had been completed within one-half mile of the Project area, none of which intersected the Project site. Nine previously recorded cultural resources were identified within one-half-mile of the Project site. All of the nine resources are historic-period properties that have been found ineligible for listing in the CRHR, as well as locally, through survey evaluation. None of these resources were documented within or adjacent to the Project area. In addition to the SCCIC records search, additional sources were consulted, including the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), Archaeological Determinations of Eligibility list, California State Historical Resources Inventory list, Office of Historic Preservation Directory of Properties in the Built Environment Resource Directory, Los Angeles County Assessor files, California Historical Landmarks (CHL), and the California Points of Historical Interest (CPHI). Review of historic-era maps and documents and aerial photographs were also conducted.

For purposes of historic built environment resources, a survey of the Project site was conducted on March 16, 2023 to identify and verify the location of all structures and buildings within the Project site that are 45 years in age or older. According to the Cultural Resources Assessment, the Hotel Fullerton, located within the Project site at 1500 South Raymond Avenue, was originally constructed as a Holiday Inn in 1967.

The hotel is not associated with events that made a significant contribution to our shared history; is not directly associated with the lives of persons significant in our past; does not embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; and has not, nor is likely to yield, information important in prehistory or history. Thus, the building is not recommended eligible for the California Register of Historical Resources, as it does not meet the criteria for listing, and is therefore not recommended as a "historic resource" under CEQA. Furthermore, an examination of building permits indicates that the Project site has largely been remodeled throughout the late twentieth century and early twenty-first century, with many portions of the hotel being remodeled or rebuilt.

The City maintains a local register of historical resources pursuant to Public Resources Code § 5020.1 as part of The Fullerton Plan. The local register of historical resources is a list of properties officially designated or recognized as historically significant by the City. Properties listed on the local register of historical resources can be categorized by seven designations, based on the level of significance and property owner interest, as well as whether the designation relates to a property, an object, or a district. The Cultural Resources Assessment categorized the Hotel Fullerton using the designations available for the City Local Register of Historical Resources, and found the property to be part of the designation of a Possible Significant Property due to the age of the building. However, as described above, the property does not have historical, architectural, community or aesthetic merit (i.e., does not meet eligibility CRHR Criteria) and does not display a National Register status code of 5 or above. Therefore, the Cultural Resources Assessment concluded that the Hotel Fullerton is not eligible as a City landmark.

As no historic or potentially historic built environment resources are located within the site, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5 and no impact would occur.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. As stated above, results of the records search indicate that nine previous studies had been completed within one-half mile of the Project area; none of which included the Project site. All nine resources are historic-period properties that have been found ineligible for listing in the CRHR, as well as locally, through survey evaluation. None of these resources were documented within or adjacent to the Project area. A Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on February 23, 2023. On March 8, 2023, the NAHC responded that a search of the SLF was completed with negative results. An intensive pedestrian survey of the Project area was conducted on March 16, 2023.

The Cultural Resources Assessment concluded that due to the proximity of available freshwater sources in the vicinity, the sensitivity of the Project area for containing intact buried prehistoric archaeological resources would be considered moderate to high; however, due to the absence of known prehistoric archaeological sites in the immediate area and the extensive construction and demolition that have occurred in the Project area since the construction of the hotel in the 1930s, the sensitivity of the Project

site for containing intact buried prehistoric archaeological resources is considered low. Due to the intensive development of the Project site during the historic period, the potential to encounter buried historic period archaeological resources during Project construction is relatively low.

The Project site has been altered by previous ground disturbance and is currently developed with a hotel complex. As indicated in the Cultural Resources Assessment, a cultural resource records search and pedestrian survey identified no archaeological resources within or adjacent to the Project site. As such, archaeological resources are not anticipated to occur; however, there is the potential for unknown or undiscovered resources to be uncovered through construction activities. The Project would be required to comply with standard condition SC CR-1, which would cause earth disturbing activities to cease upon discovery of archeological resources, pending evaluation of the resource by a qualified professional. Implementation of this standard condition would ensure impacts remain less than significant.

For potential impacts related to tribal cultural resources, refer to Section 4.18, *Tribal Cultural Resources*.

Standard Conditions of Approval:

SC CR-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. If not already retained due to conditions present pursuant to CR-2, 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 (refer to Mitigation Measures CR-1, CR-2, and CR-4 in The Fullerton Plan EIR). 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.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. There are no dedicated cemeteries within the Project site or surrounding area. Most Native American human remains are found in association with prehistoric archaeological sites. As discussed above, there are no known archaeological resources within the Project site or surrounding area. Due to the absence of known prehistoric archaeological sites in the immediate area and the extensive construction and demolition that have occurred in the Project area since the construction of the hotel in the 1930s, the sensitivity of the Project site for containing intact buried prehistoric archaeological resources is considered low. If human remains were found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Sections 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. In addition, the requirements and procedures set forth in California Public Resources Code Section 5097.98 would be implemented. If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overlie adjacent remains until the County coroner has been called out, and the remains have been

investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, and compliance with SC CR-2, which requires excavation and grading activities to cease if human remains are encountered, impacts in this regard would be less than significant.

Standard Conditions of Approval:

SC CR-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 Heritage Commission (NAHC). The NAHC shall then contact the most likely descendant of the deceased Native American, who shall serve as consultant on how to proceed with the remains.

Mitigation Measures: No mitigation measures are 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?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

REGULATORY FRAMEWORK

Federal and State agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation (USDOT), the United States Department of Energy, and the United States Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission (PUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. Key federal and state energy-related laws and plans are summarized below.

California Building Energy Efficiency Standards (Title 24)
The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The Title 24 standards require installation of energy efficient windows, insulation, lighting, ventilation systems, rooftop solar panels, and other features that reduce energy consumption in homes and businesses.

California Green Building Standards (CALGreen)
The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. CALGreen is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed CALGreen in an effort to meet the State's landmark initiative Assembly Bill (AB) 32 goals, which established a comprehensive program of cost-effective reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. CALGreen was developed to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, and healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system

efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.

Senate Bill 100

Senate Bill (SB) 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; 60 percent by December 31, 2030; and 100 percent by December 31, 2045. The bill requires the California Public Utilities Commission (CPUC), California Energy Commission (CEC), State board or the California Air Resources Board's (CARB), and all other State agencies to incorporate the policy into all relevant planning. In addition, SB 100 requires the CPUC, CEC, and CARB to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of SB 100.

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

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

Less Than Significant Impact. The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate State and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The Project proposes to remove the existing on-site structures and develop an industrial warehouse facility. The amount of energy used at the Project site would directly correlate to the size of the proposed structures, the energy consumption of associated facility uses, and outdoor lighting. Other major sources of Project energy consumption include fuel used by vehicle trips generated during Project construction and operation, and fuel used by off-road construction vehicles during construction.

The proposed Project would include a variety of energy-saving and renewable energy features, including a commitment to install high-efficiency lighting, implement a solar ready roof, install energy efficient appliances, provide designated parking spaces for clean air vehicles and future EV charging only stalls, install low flow water fixtures, water-efficient irrigation, and drought tolerant landscaping.

The following discussion provides calculated levels of energy use expected for the proposed Project, based on commonly used modelling software (i.e. CalEEMod v.2022.1 and the California Air Resource Board's

EMFAC2021). It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the Project; thus, this discussion provides a conservative estimate of proposed Project emissions.

Electricity and Natural Gas

Electricity and natural gas used by the Project would be used primarily to power on-site buildings. Total annual natural gas (kBTU) and electricity (kWh) usage associated with the operation of the Project are shown in Table 4.6-1, *Project Operational Natural Gas and Electricity Usage*.

Table 4.6-1
Project Operational Natural Gas and Electricity Usage

Emissions	Project Annual Consumption	Orange County Annual Consumption	Percent Increase
Natural Gas Consumption (therms)	27,416	580,000,000	0.0047%
Electricity Consumption (MWh/year)	806	18,931,000	0.0043%
Sources: CalEEMod version 2022.1; California Energy Commission, Electricity Consumption by County; Natural Gas Consumption by County.			

CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings.

As shown in Table 4.6-1, Project operational natural gas usage is forecast to represent an approximately 0.0043 percent increase above the County's typical annual electricity consumption, and approximately 0.0047 percent increase above the county's typical natural gas consumption. These increases are minimal in the context of the County as a whole.

On-Road Vehicles (Operation)

The Project would generate vehicle trips during its operational phase. The vehicle trip rate for the Project was obtained from the *Transportation Assessment Policies and Procedures (TAPP) Worksheet*, prepared by the City of Fullerton; refer to Appendix H. In order to calculate operational on-road vehicle energy usage and emissions, default trip lengths generated by CalEEMod (version 2022.1) were used, which are based on the Project location and urbanization level parameters selected within CalEEMod; refer to Appendix A. The Project would generate an estimated total of approximately 2,567 average daily vehicle miles traveled (Average Daily VMT).[3] Based on fleet mix data provided by CalEEMod and Year 2024 gasoline and diesel miles per gallon (MPG) factors for individual vehicle classes as provided by EMFAC2021, a weighted MPG factor for operational on-road vehicles of approximately 26.5 MPG for gasoline vehicles were derived. Based on 26.5 MPG and 2,567 net new Average Daily VMT, the Project would generate vehicle trips that would use approximately 97 gallons of gasoline per day or 35,399 gallons of gasoline per year.

[3] As provided in the TAPP worksheet provided by the City of Fullerton.

On-Road Vehicles (Construction)

The Project would also generate on-road vehicle trips during Project construction (from construction workers and vendors). Estimates of anticipated vehicle fuel consumption were derived based on the assumed construction schedule, vehicle trip lengths, and number of workers per construction phase as provided by CalEEMod, and Year 2020 gasoline MPG factors provided by EMFAC2021. It was assumed that all vehicles would use gasoline as a fuel source (as opposed to diesel fuel or alternative sources). Table 4.6-2, *On-Road Mobile Fuel Generated by Project Construction Activities – By Phase*, describes gasoline and diesel fuel used by on-road mobile sources during each phase of the construction schedule. As shown, the vast majority of on-road mobile vehicle fuel used during the construction of the Project would occur during the building construction phase.

Table 4.6-2
On-Road Mobile Fuel Generated by Project Construction Activities – By Phase

Construction Phase	# of Days	Total Daily Worker Trips[1]	Total Daily Vendor Trips[1]	Total Hauler Trips[1]	Gallons of Gasoline Fuel[2]	Gallons of Diesel Fuel[2]
Demolition	45	15	0	108	465	363
Grading	23	15	0	0	238	0
Building Construction	240	57	23	0	9,417	9,301
Paving	22	20	0	0	303	0
Architectural Coating	23	11	0	0	180	0
			Total	**N/A**	**10,603**	**9,664**

Sources: CalEEMod Version 2022.1; EMFAC2021.

Notes:
1. Provided by CalEEMod.
2. Refer to Appendix A for further detail.

Off-Road Vehicles (Construction)

Off-road construction vehicles would use diesel fuel during the construction phase of the Project. Off-road construction vehicles expected to be used during the construction phase of the Project include, but are not limited to, cranes, forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO_2 emissions expected to be generated by the proposed Project (as provided by the CalEEMod output), and a CO_2 to diesel fuel conversion factor (provided by the U.S. Energy Information Administration), the Project would use up to approximately 37,230 gallons of diesel fuel for off-road construction vehicles during the site preparation and grading phases of the Project; refer to Appendix A for detailed calculations.

Other

The Project would also have an on-site diesel-powered fire pump that would only be operated for emergency purposes. It is conservatively assumed the fire pump could utilize approximately 159 gallons per year, on average associated with the potential emergency usage of the diesel-powered fire pump.

Conclusion

The proposed Project would use energy resources for the operation of the Project building, for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the Project (both during Project construction and operation), and from off-road construction activities associated with the Project (e.g. diesel fuel). Each of these activities would require the use of energy resources. The Project would be responsible for conserving energy, to the extent feasible, and would be required to comply with Statewide and local measures regarding energy conservation, such as Title 24 building efficiency standards. It should be noted that the analysis provided herein does not account for any reduction in energy generation from existing on-site structures and operations, which would be removed as a result of the proposed Project. The existing hotel facility utilizes energy resources associated with business operations, including from vehicle trips accessing the site. Therefore, the analysis provided represents a conservative analysis of the proposed Project's energy usage.

The proposed Project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. For example, Southern California Edison (SCE) is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. SCE has achieved at least a 33 percent mix of renewable energy resources, and will be required to achieve a renewable mix of at least 50 percent by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to the proposed Project. The existing hotel facility was constructed in 1967 and replacement of the facility with modern buildings that incorporate Title 24 building energy efficiency standards would provide improved energy efficiency when compared to existing conditions. Other statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time. Lastly, the proposed Project would implement all feasible renewable energy features into the Project design. Specifically, the proposed Project would include a variety of energy-saving and renewable energy features, including a commitment to install high-efficiency lighting, implement a solar ready roof, install energy efficient appliances, provide designated parking spaces for clean air vehicles and future EV charging only stalls, install low flow water fixtures, water-efficient irrigation, and drought tolerant landscaping.

As a result, the Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the Project including construction, operations, maintenance, and/or removal. Both SCE, the electricity provider to the site, and Southern California Gas, the natural gas provider to the site, maintain sufficient capacity to serve the proposed Project. The Project would be required to comply with all existing energy efficiency standards, and would not result in significant adverse impacts on energy resources. Therefore, the proposed Project would not result in a wasteful, inefficient, or unnecessary of energy resources during Project construction or operation. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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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:				
1) 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? Refer to Division of Mines and Geology Special Publication 42.			X	
2) Strong seismic ground shaking?			X	
3) Seismic-related ground failure, including liquefaction?			X	
4) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

This section is based on the *Geotechnical Exploration Report Proposed Industrial Building 1500 S. Raymond Avenue, Fullerton, California* (Geotechnical Evaluation), prepared by Leighton Consulting, Inc., dated May 25, 2022 and included in its entirety as Appendix C, Geotechnical Evaluation.

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

1) 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? Refer to Division of Mines and Geology Special Publication 42.

Less than Significant Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as "Alquist-Priolo Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet). According to the Geotechnical Evaluation, there are no known active faults mapped across the Project site and the site is not located within an Alquist-Priolo Earthquake Fault Zone. The Geotechnical Evaluation identifies the closest active fault to the Project site with the potential for surface fault rupture as the Elsinore Fault, located approximately 5.8 miles to the northeast. Therefore, the probability of damage from surface fault rupture is considered to be low and impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

2) Strong seismic ground shaking?

Less Than Significant Impact. The Project site is located in a seismically active area that has historically been affected by moderate to occasionally high levels of ground motion. The San Andreas Fault, which is the largest active fault in California, is approximately 37.5 miles northeast of the site on the north side of the San Gabriel Mountains. There are several other active and potentially active faults within the region, including the Elsinore Fault Zone, El Modeno Fault, Peralta Hills Fault, Los Alamitos Fault, and Newport-Inglewood-Rose Canyon Fault Zone. As a result, the Geotechnical Evaluation indicates that the potential for ground shaking resulting from an earthquake is the principal seismic hazard to the site. Therefore, the Project could expose people or structures to potential adverse effects as a result of strong seismic ground shaking. The intensity of ground shaking on the Project site would depend upon the earthquake's magnitude, distance to the epicenter, and site response characteristics.

The Geologic Evaluation concluded that development of the Project, as proposed, is feasible from a geotechnical point of view provided the recommendations presented in the Geologic Evaluation are incorporated into the design and construction of the Project. The Geotechnical Evaluation includes specific recommendations based on the results of the subsurface evaluation and laboratory testing, review of referenced geologic materials, and geotechnical analysis. Specific recommendations address earthwork, foundation design, lateral earth pressures, paving and pavement design, corrosivity, and

drainage. Further, design of the proposed structures in accordance with the current California Building Code is anticipated to adequately mitigate concerns with ground shaking.

Pursuant to FMC Chapter 14.03, *Building Code*, the City has adopted the California Building Standards Code (CBSC), subject to certain amendments and changes, including amendments specific to geologic conditions. The Project would be required to comply with all applicable regulations in the 2019 CBSC as amended by the FMC, which includes design requirements to mitigate the effects of potential hazards associated with seismic ground shaking. Further, the Project would be required to comply with standard condition SC GEO-1, which requires conformance to the seismic design parameters of the 2019 California Building Code and the 2019 California Green Building Standards Code (or applicable adopted code at the time of plan submittal or permit issuance), as set forth in FMC Title 14, at the time the grading plans are submitted. The City would review construction plans for compliance with the CBSC and Municipal Code, as well as the Geotechnical Evaluation's recommendations. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with strong seismic ground shaking at the Project site would be reduced to a less than significant level.

Standard Conditions of Approval:

SC GEO-1: The proposed project is required to conform to the seismic design parameters of the 2019 California Building Code and the 2019 California Green Building Standards Code (or applicable adopted code at the time of plan submittal or permit issuance), as set forth in Title 14 of the City of Fullerton's Municipal Code at the time the grading plans are submitted.

Mitigation Measures: No mitigation measures are required.

3) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. Engineering research of soil liquefaction potential indicates that generally three basic factors must exist concurrently in order for liquefaction to occur. These factors include:

- A source of ground shaking, such as an earthquake, capable of generating soil mass distortions.
- A relatively loose silty and/or sandy soil.
- A relative shallow groundwater table (within approximately 50 feet below ground surface) or completely saturated soil conditions that will allow positive pore pressure generation.

According to the Geotechnical Evaluation, the site is not located in an area mapped as a potential liquefaction zone. In addition, the historically shallowest groundwater is greater than 50 feet below the ground surface. Based on these considerations, the Geotechnical Evaluation concludes that the potential for liquefaction at the site is considered negligible. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4) Landslides?

No Impact. Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. According to the Geologic Evaluation, the Project site is not mapped within a seismically-induced landslide hazard zone identified by the State of California. Based on this information and because the site is relatively flat, landslides are not considered to be a potential hazard.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The Project site and surrounding area are relatively flat. The site is generally underlain by artificial fill and alluvial soils. The fill materials consist primarily of locally derived sand, silty sand, clayey sand and sandy clay. The alluvium generally consists of tan to dark brown, moist, very loose to very dense, sand with isolated layers of silty sand and clayey sand.

Grading and earthwork activities associated with Project construction would expose soils to potential short-term erosion by wind and water. FMC Chapter 12.18, *Water Quality Ordinance*, includes conditions and requirements related to the reduction or elimination of pollutants (including eroded soils) in stormwater runoff from a project site. FMC Section 14.03.170, *Amendment to Appendix J, Section J109.4 (Erosion Control Devices)*, specifies the requirements relative to temporary and permanent desilting catch basins, drainage, surfacing, slope planting, and other erosion control devices. Additionally, compliance with National Pollution Discharge Elimination System (NPDES) standards and implementation of Best Management Practices (BMPs) would be required, in order to minimize short- and long-term erosion. In compliance with NPDES Permit regulations, the Project would be required to obtain NPDES coverage under the California General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). The permit requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control stormwater quality degradation due to potential construction-related pollutants. The SWPPP would include project-specific BMPs, reducing potential impacts associated with soil erosion or the loss of topsoil during construction activities to a less than significant level.

Development of the Project would increase the amount of pervious area when compared to existing conditions associated with increased landscaped areas; refer to Section 4.10, *Hydrology and Water Quality*. The Project would be required to implement operational BMPs in accordance with the Project's Water Quality Management Plan (WQMP) (refer to Section 4.10), including common area landscape management, which would ensure landscaped areas would be maintained and properly irrigated to reduce the amount of potential soil erosion or the loss of top soil. Following compliance with the established regulatory framework identified in the FMC regarding stormwater and runoff pollution control and implementation of the Project's WQMP, potential impacts associated with soil erosion and the loss of topsoil would be less than significant.

Mitigation Measures: No mitigation measures are 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. Refer to Responses 4.7(a)(3) and 4.7(a)(4) regarding the potential for liquefaction and landslides, respectively. Due to the low potential for liquefaction, the potential for lateral spreading to occur at the Project site is also considered low.

The Geotechnical Evaluation includes specific recommendations based on the results of the subsurface evaluation and laboratory testing, review of referenced geologic materials, and geotechnical analysis. These recommendations address earthwork, foundation design, lateral earth pressures, paving and pavement design, corrosivity, and drainage. The City would review construction plans for compliance with the CBSC and Municipal Code, as well as the Geotechnical Evaluation's recommendations. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with a geologic unit or soil that is unstable or would become unstable at the Project site would be reduced to a less than significant impact.

Mitigation Measures: No mitigation measures are 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 contain significant amounts of clay particles that swell considerably when wet and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. Without proper mitigation measures, heaving and cracking of both building foundations and slabs-on-grade could result. The Geotechnical Evaluation identified the site as generally underlain by artificial fill and alluvial soils. The fill materials consist primarily of locally derived sand, silty sand, clayey sand and sandy clay. The alluvium generally consists of tan to dark brown, moist, very loose to very dense, sand with isolated layers of silty sand and clayey sand. Soil samples near the subsurface obtained as part of the Geotechnical Evaluation were identified as having an Expansion Index value of 8, indicating a "very low" potential for expansion.

The Geotechnical Evaluation includes specific recommendations based on the results of the subsurface evaluation and laboratory testing, review of referenced geologic materials, and geotechnical analysis. These recommendations address earthwork, foundation design, lateral earth pressures, paving and pavement design, corrosivity, and drainage. Additionally, the Project would be required to comply with all applicable regulations in the most recent CBSC as amended by the FMC. The City would review construction plans for compliance with the CBSC and Municipal Code, as well as the Geotechnical Evaluation's recommendations. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's plan review process, would ensure potential impacts associated with expansive soils at the Project site would be reduced to a less than significant impact.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project would be served by the existing sewer system and would not involve the use of septic tanks or alternative wastewater disposal systems. No impact would occur.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or diagnostically important. Significant fossils can include remains of large to very small aquatic and terrestrial vertebrates or remains of plants and animals previously not represented in certain portions of the stratigraphy. Assemblages of fossils that might aid stratigraphic correlation, particularly those offering data for the interpretation of tectonic events, geomorphologic evolution, and paleoclimatology are also critically important.

According to The Fullerton Plan EIR, paleontological resources have been identified within the area north of the West Coyote Hills Focus Area. Although the remaining Focus Areas (including Southeast Industrial, where the Project site is located) are primarily developed or have previously been developed or disturbed and no significant paleontological sites have been documented within the City, the possibility exists that as yet unidentified paleontological sites occur within the City.

The Project site has been altered by previous ground disturbance and is currently developed with a hotel complex. As such, paleontological resources are not anticipated to occur within the Project site; however, there is the potential for unknown or undiscovered resources to be uncovered through construction activities. The Project would be required to comply with SC CR-1, which would cause earth disturbing activities to cease within a 100-foot radius of the area of discovery in the event that cultural (archaeological, historical, paleontological) resources are inadvertently unearthed during construction activities. With implementation of SC CR-1, potential impacts to paleontological resources would be reduced to a less than significant level.

Standard Conditions of Approval:

SC CR-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. If not already retained due to conditions present pursuant to CR-2, 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 (refer to Mitigation Measures CR-1, CR-2, and CR-4 in The Fullerton Plan EIR). 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.

Mitigation Measures: No mitigation measures are required.

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

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring GHGs include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct GHGs, including CO_2, CH_4, and N_2O, occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three GHGs have increased globally by 40, 150, and 20 percent, respectively (IPCC, 2013).

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by the industrial sector (California Energy Commission, 2020).

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced 369 million gross metric tons of carbon dioxide equivalents ($MMTCO_2e$) in 2020 (California Energy Commission, 2020). Given that the U.S. EPA estimates that worldwide emissions from human activities totaled nearly 46 billion gross metric tons of carbon dioxide equivalents ($BMTCO_2e$) in 2010, California's incremental contribution to global GHGs is less than 2 percent (U.S. EPA, 2014).

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2014, accounting for 38 percent of total GHG emissions in the state. This category was followed by the industrial sector (23%), the electricity generation sector (including both in-State and out of-State sources) (16%), the agriculture and forestry sector (9%), the residential sector (8%), and the commercial sector (6%) (California Energy Commission, 2020).

REGULATORY FRAMEWORK

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency's (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in Massachusetts v. EPA (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF_6]) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing Clean Air Act and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500-38599). 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 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 specifies that regulations adopted in response to Assembly Bill (AB) 1493 (Pavley Bill) should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then the California Air Resources Board (CARB) should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Senate Bill 375

Senate Bill (SB) 375, signed in September 2008 (Chapter 728, Statutes of 2008), aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a sustainable communities' strategy (SCS) or alternative planning strategy (APS) that will prescribe land use allocation in that MPOs regional transportation plan. CARB, in consultation with MPOs, is required to provide each affected region with GHG reduction targets emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets are to be updated every eight years but can be updated every four years if

advancements in emissions technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, transportation projects may not be eligible for funding.

Executive Order S-3-05

Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The Executive Order directed the California Environmental Protection Agency (Cal/EPA) Secretary to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The Secretary is required to submit biannual reports to the Governor and California Legislature describing the progress made toward the emissions targets, the impacts of global climate change on California's resources, and mitigation and adaptation plans to combat these impacts. To comply with Executive Order S-3-05, the Cal/EPA Secretary created the California Climate Action Team, made up of members from various State agencies and commissions. The Climate Action Team released its first report in March 2006, which proposed to achieve the targets by building on the voluntary actions of California businesses, local governments, and communities and through State incentive and regulatory programs.

Title 24, Part 6

The California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 6 of the California Code of Regulations (CCR) and commonly referred to as "Title 24" were established in 1978 in response to a legislative mandate to reduce California's energy consumption. Part 6 of Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards took effect on January 1, 2023.

Title 24, Part 11

The California Green Building Standards Code (CCR Title 24, Part 11), commonly referred to as CALGreen, is a Statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in five green building topical areas. The 2022 CALGreen Code went into effect on January 1, 2023.

Senate Bill 3

Signed into law on September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). SB 32 authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

CARB Scoping Plan

On December 11, 2008, CARB adopted its Climate Change Scoping Plan (Scoping Plan), which functions as a roadmap to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. The Scoping Plan contains the main strategies California will implement to reduce CO2eq emissions by 174 million metric tons (MT), or approximately 30 percent, from the State's projected 2020 emissions levels of 596 million $MTCO_2e$ under a business as usual (BAU) scenario. This is a reduction of 42 million $MTCO_2e$, or almost ten percent, from 2002 to 2004 average emissions, and requires the reductions in the face of population and economic growth through 2020.

The Scoping Plan calculates 2020 BAU emissions as the emissions that would be expected to occur in the absence of any GHG reduction measures. The 2020 BAU emissions estimate was derived by projecting emissions from a past baseline year using growth factors specific to each of the different economic sectors (e.g., transportation, electrical power, industrial, commercial, and residential). CARB used three-year average emissions, by sector, from 2002 to 2004 to forecast emissions to 2020. The measures described in the Scoping Plan are intended to reduce projected 2020 BAU emissions to 1990 levels, as required by AB 32.

AB 32 requires CARB to update the Scoping Plan at least once every five years. CARB adopted the first major update to the Scoping Plan on May 22, 2014. The 2014 Scoping Plan summarizes recent science related to climate change, including anticipated impacts to California and the levels of GHG reduction necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. The 2014 Scoping Plan also looks beyond 2020 toward the 2050 goal, established in Executive Order S-3-05, and observes that "a mid-term statewide emission limit will ensure that the State stays on course to meet our long-term goal." The 2014 Scoping Plan did not establish or propose any specific post-2020 goals, but identified such goals adopted by other governments or recommended by various scientific and policy organizations.

In December 2017, CARB approved the California's 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target (2017 Scoping Plan). This update focused on implementation of a 40-percent reduction in GHGs by 2030 compared to 1990 levels. To achieve this, the 2017 Scoping Plan draws on a decade of successful programs that addresses the major sources of climate changing gases in every sector of the economy:

- More Clean Cars and Trucks: The 2017 Scoping Plan establishes far-reaching programs to incentivize the sale of zero-emission vehicles, drive the deployment of zero-emission trucks, and shift to a cleaner system of handling freight Statewide.
- Increased Renewable Energy: California's electric utilities are ahead of schedule in meeting the requirement that 33 percent of electricity come from renewable sources by 2020. The 2017 Scoping Plan guides utility providers to 50 percent renewables, as required under SB 350.
- Slashing Super-Pollutants: The 2017 Scoping Plan calls for a significant cut in super-pollutants, such as CH_4 and HFC refrigerants, which are responsible for as much as 40 percent of global warming.
- Cleaner Industry and Electricity: California's renewed cap-and-trade program extends the declining cap on emissions from utilities and industries and the carbon allowance auctions. The

auctions will continue to fund investments in clean energy and efficiency, particularly in disadvantaged communities.
- Cleaner Fuels: The Low Carbon Fuel Standard will drive further development of cleaner, renewable transportation fuels to replace fossil fuels.
- Smart Community Planning: Local communities will continue developing plans which will further link transportation and housing policies to create sustainable communities.
- Improved Agriculture and Forests: The 2017 Scoping Plan also outlines innovative programs to account for and reduce emissions from agriculture, as well as forests and other natural lands.

Thresholds of Significance

Amendments to CEQA Guidelines Section 15064.4 were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions and gives lead agencies the discretion to determine whether to assess those emissions quantitatively or qualitatively. This section recommends certain factors to be considered in the determination of significance (i.e., the extent to which a project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), so long as any threshold chosen is supported by substantial evidence (CEQA Guidelines Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and therefore GHG emissions should be analyzed in the context of CEQA's requirements for cumulative impact analyses (CEQA Guidelines Section 15064(h)(3)).[4,5] A project's incremental contribution to a cumulative impact can be found not to be cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements to avoid or substantially lessen the cumulative problem within the geographic area of the project.

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

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

Less Than Significant Impact. The proposed Project would generate GHGs during the construction and operational phases of the Project. The Project's primary source of construction-related GHGs would result

[4] California Natural Resources Agency, *Final Statement of Reasons for Regulatory Action*, pp. 11-13, 14, 16, December 2009, https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/Final_Statement_of_Reasons.pdf.
[5] State of California Governor's Office of Planning and Research, *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, April 13, 2009, https://planning.lacity.org/eir/CrossroadsHwd/deir/files/references/C01.pdf

from emissions of CO_2 associated with Project construction and worker vehicle trips; refer to Table 4.8-1, *Construction GHG Emissions (Metric Tons/Year)*. Additionally, the Project would require limited grading, and would also include site preparation, building construction, and architectural coating phases.

Table 4.8-1
Construction GHG Emissions (Metric Tons/Year)

Year	Bio-CO_2	NBio-CO_2	Total CO_2	CH_4	N_2O	CO_2e
2023	0	457.0	457.0	0.0	0.0	467.8
2024	0	251.4	251.4	0.0	0.0	254.5
Maximum	**0**	**457.0**	**457.0**	**0.0**	**0.0**	**467.8**
Source: CalEEMod version 2022.1						
Note: Unmitigated and mitigated emissions results are equivalent; therefore, Table 4.8-1 represents both unmitigated and mitigated results.						

As shown in Table 4.8-1, Project construction-related activities would generate a maximum of approximately 468 $MTCO_2e$ of GHG emissions in a single year. Construction GHG emissions are typically summed and amortized over the Project's lifetime (assumed to be 30 years), then added to the operational emissions.[6] The amortized Project emissions would be approximately 16 $MTCO_2e$ per year. Once construction is complete, the generation of construction-related GHG emissions would cease.

The operational phase of the Project would generate GHGs primarily from the Project's operational vehicle trips and building energy (electricity and natural gas) usage; refer to Table 4.8-2, *Operational GHG Emissions 2021 (Metric Tons/Year)*. Other sources of GHG emissions would be minimal.[7]

Table 4.8-2
Operational GHG Emissions 2024 (Metric Tons/Year)

Category	Bio-CO_2	NBio-CO_2	Total CO_2	CH_4	N_2O	CO_2e
Area	0	2.8	2.8	0	0	2.8
Energy	0	271.3	271.3	0	0	272.5
Mobile	0	328.1	328.1	0	0	333.2
Waste	8.1	0	8.1	1	0	28.4
Water	9.1	30.9	40.0	1	0	70.1
Total	**17.2**	**633.2**	**650.4**	**1.8**	**0**	**707.0**
Source: CalEEMod version 2022.1						

[6] The Project lifetime is based on SCAQMD's standard 30-year assumption (South Coast Air Quality Management District, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13, August 26, 2009).
[7] It should be noted that the usage of the on-site diesel-powered emergency fire pump is conservatively anticipated to utilize approximately 159 gallons of diesel fuel per year, which is equivalent to approximately 1.6 MT CO2e per year, based on a conversion factor of 22.44 pounds of CO_2 per gallon of diesel fuel. Such emissions are considered negligible.

As shown in Table 4.8-2, Project operational GHG emissions would total approximately 707 $MTCO_2e$ annually, and combined with construction-related GHG emissions, would total approximately 723 $MTCO_2e$ annually. Therefore, the proposed Project would not exceed the SCAQMD's proposed GHG threshold of 3,000 MTCO2e per year.[8] In addition, with continued implementation of various Statewide measures, the Project's operational energy and mobile source emissions would continue to decline in the future.

Consistency with Applicable GHG Plans, Policies, or Regulations

2022 Scoping Plan Consistency

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the California Legislature as AB 32. In 2008, CARB approved a Scoping Plan as required by AB 32. The 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 fee to fund the program. The 2022 Scoping Plan identifies additional GHG reduction measures necessary to achieve the 2030 target, as well as to achieve the State's target of carbon neutrality by year 2045. These measures build upon those identified in the previous Scoping Plan updates. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted subsequently as required to achieve Statewide GHG emissions targets.

Table 4.8-3, *Project Consistency with the 2022 Scoping Plan*, summarizes the Project's consistency with applicable policies and measures of the 2022 Scoping Plan. As indicated in Table 4.8-3, the Project would not conflict with any of the provisions of the 2022 Scoping Plan and would support five of the action categories through energy efficiency, water conservation, recycling, and landscaping.

[8] On September 28, 2010, air quality experts serving on the SCAQMD GHG CEQA Significance Threshold Stakeholder Working Group recommended an interim screening level numeric bright-line threshold of 3,000 metric tons of CO_2e annually. The Working Group was formed to assist the SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research (OPR), CARB, the Attorney General's Office, a variety of city and county planning departments. The numeric bright line and efficiency-based thresholds were developed to be consistent with CEQA requirements for developing significance thresholds, are supported by substantial evidence, and provide guidance to CEQA practitioners and lead agencies for determining whether GHG emissions from a proposed project are significant.

Table 4.8-3
Project Consistency with the 2022 Scoping Plan

Sector/Source	Category/Description	Consistency Analysis
Area		
SCAQMD Rule 445 (Wood Burning Devices)	Restricts the installation of wood-burning devices in new development.	Mandatory Compliance. Approximately 15 percent of California's major anthropogenic sources of black carbon include fireplaces and woodstoves.[1] The Project would not include hearths (woodstove and fireplaces) as mandated by this rule.
Energy		
California Renewables Portfolio Standard, Senate Bill 350 (SB 350) and Senate Bill 100 (SB 100)	Increases the proportion of electricity from renewable sources to 33 percent renewable power by 2020. SB 350 requires 50 percent by 2030. SB 100 requires 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030. It also requires the State Energy Resources Conservation and Development Commission to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.	No Conflict. The Project would utilize electricity provided by Southern California Edison (SCE), which is required to meet the 2020, 2030, 2045, and 2050 performance standards. In 2018, 31 percent of SCE's electricity came from renewable resources.[2] By 2030 SCE plans to achieve 80 percent carbon-free energy.[3]
California Code of Regulations, Title 24, Building Standards Code	Requires compliance with energy efficiency standards for residential and nonresidential buildings.	Mandatory Compliance. The Project is required to meet the applicable requirements of the Title 24 Building Energy Efficiency Standards and additional CALGreen requirements (see discussion under CALGreen Code requirements below). The Project proposes to slightly exceed existing Title 24 (CALGreen) requirements. The Project would install high-efficiency lighting, providing a 25 percent improvement over baseline conditions and provide a solar ready roof.

Table 4.8-3 (continued)
Project Consistency with the 2022 Scoping Plan

Sector/Source	Category/Description	Consistency Analysis
California Green Building Standards (CALGreen) Code Requirements	All bathroom exhaust fans are required to be ENERGY STAR compliant.	Mandatory Compliance. The Project construction plans are required to demonstrate that energy efficiency appliances, including bathroom exhaust fans, and equipment are ENERGY STAR compliant.
	HVAC system designs are required to meet American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards.	Mandatory Compliance. The Project construction plans are required to demonstrate that the HVAC system meets the ASHRAE standards.
	Air filtration systems are required to meet a minimum efficiency reporting value (MERV) 8 or higher.	Mandatory Compliance. The Project is required to install air filtration systems (MERV 8 or higher) as part of its compliance with the Title 24 Building Energy Efficiency Standards.
	Refrigerants used in newly installed HVAC systems shall not contain any chlorofluorocarbons.	Mandatory Compliance. The Project must meet this requirement as part of its compliance with the CALGreen Code.
	Parking spaces shall be designed for carpool or alternative fueled vehicles. Up to eight percent of total parking spaces is required for such vehicles.	Mandatory Compliance. The Project would meet this requirement as part of its compliance the CALGreen Code.
Mobile Sources		
Mobile Source Strategy (Cleaner Technology and Fuels)	Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of vehicle miles traveled.	Consistent. The Project would be consistent with this strategy by supporting the use of zero-emission and low-emission vehicles; refer to CALGreen Code discussion above.
Senate Bill (SB) 375	SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Under SB 375, CARB is required, in consultation with the state's Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035.	Consistent. As demonstrated in the 2020-2045 RTP/SCS Consistency discussion below, the Project would comply with the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), and therefore, the Project would be consistent with SB 375.

Table 4.8-3 (continued)
Project Consistency with the 2022 Scoping Plan

Sector/Source	Category/Description	Consistency Analysis
Water		
CCR, Title 24, Building Standards Code	Title 24 includes water efficiency requirements for new residential and non- residential uses.	Mandatory Compliance. Refer to the discussion under Title 24 Building Standards Code and CALGreen Code, above.
Water Conservation Act of 2009 (Senate Bill X7-7)	The Water Conservation Act of 2009 sets an overall goal of reducing per capita urban water use by 20 percent by December 31, 2020. Each urban retail water supplier shall develop water use targets to meet this goal. This is an implementing measure of the Water Sector of the AB 32 Scoping Plan. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convene, treat, and distribute the water; it also reduces emissions from wastewater treatment.	Consistent. Refer to the discussion under Title 24 Building Standards Code and CALGreen Code, above. Also, refer to Section 4.10, *Hydrology and Water Quality*.
Solid Waste		
California Integrated Waste Management Act (IWMA) of 1989 and Assembly Bill (AB) 341	The IWMA mandates that State agencies develop and implement an integrated waste management plan which outlines the steps to divert at least 50 percent of solid waste from disposal facilities. AB 341 directs the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling and sets a Statewide goal for 75 percent disposal reduction by the year 2020.	Mandatory Compliance. The Project would be required to comply with AB. This would reduce the overall amount of solid waste disposed of at landfills. The decrease in solid waste would in return decrease the amount of methane released from decomposing solid waste.

Notes:
1. California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, Figure 4: California 2013 Anthropogenic Black Carbon Emission Sources, November 2017.
2. California Energy Commission, *2018 Power Content Label Southern California Edison,* https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf, accessed June 24, 2020.
3. Southern California Edison, *The Clean Power and Electrification Pathway,* https://newsroom.edison.com/internal_redirect/cms.ipressroom.com.s3.amazonaws.com/166/files/20187/g17-pathway-to-2030-white-paper.pdf, accessed June 24, 2020.

City of Fullerton Climate Action Plan Consistency

The City of Fullerton CAP provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate. The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California, including AB 32, and presents a number of strategies that will make it possible for the City to meet the recommended targets. The CAP includes the following four strategies:

- **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.
- **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.
- **Water Use and Efficiency Strategy**. Conserve and protect water resources and promote efficiency through public education.
- **Solid Waste Reduction and Recycling Strategy**. Manage solid waste generation and diversion in order to achieve a zero-waste future.

The strategies contain emission reduction measures that are consistent and build upon the Goals and Policies within The Fullerton Plan. As identified previously, under AB 32, the State has committed to reducing GHG emissions to 1990 levels by 2020. Therefore, consistent with the CARB Scoping Plan, the City of Fullerton has chosen a reduction target of 15 percent below 2009 baseline emissions levels by 2020. This reduction trend would continue through The Fullerton Plan buildout year. The 15 percent below current emissions reduction target will contribute to the stabilization of global GHG emission concentrations and achievement of AB 32 goals.

The Project's consistency with the CAP measures is discussed in Table 4.8-4, *Project Consistency with the City of Fullerton Climate Action Plan*. As outlined in Table 4.8-4, the Project would be consistent with, or otherwise would not conflict with, the CAP's strategies, goals, and measures to reduce GHG within the City of Fullerton.

Table 4.8-4
Project Consistency with the City of Fullerton Climate Action Plan

CAP Measures	Consistency Analysis
Transportation and Mobility Strategy	
T-1: Reduction of Single Occupant Vehicle Trips Support regional and sub-regional efforts to increase alternatives to an infrastructure supporting a reduction of single occupant vehicle trips.	Consistent**.** The Property Owner/Developer would comply with the City's Transportation Demand Management Ordinance. Building occupants would also have to comply with SCAQMD Rule 2202 for an employee commute reduction program, which would implement employee commute reduction programs.
T-2: Inter-Jurisdiction Connections Supports 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**.** **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.	Consistent. There are no designated bicycle facilities located along East Burton Street, adjacent to the Project site. The Project would result in no changes to bicycle facilities within the Project vicinity and would not preclude implementation of planned bikeways, which would expand the available routes for bicycle travel between Fullerton and adjacent cities.
T4: 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.	Consistent. There are no designated bicycle facilities located along East Burton Street, adjacent to the Project site. The Project would result in no changes to bicycle facilities within the Project vicinity. The Project would maintain the existing bicycle lanes along nearby roadways.

Table 4.8-4 (continued)
Project Consistency with the City of Fullerton Climate Action Plan

CAP Measures	Consistency Analysis
T5: Bicycling Safety and Convenience Support projects, programs, policies, and regulations that make bicycling safer and more convenient for all types of bicyclists.	Consistent. The Property Owner/Developer would comply with the City's transportation demand management strategies in Section 15.40.070 of the City's Municipal Code, as applicable.
T6: Circulation Between Cities Support regional and sub-regional efforts to implement programs that coordinate the multi-modal transportation needs and 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.	Consistent. The Project, including associated vehicular and non-vehicular circulation improvements and utility connections, would not conflict with the Commuter Bikeways Strategic Plan since modifications to existing bikeways would not occur. Also, no conflict with the Master Plan of Arterial Highways (MPAH) would occur since the proposed Project would not change the roadway configurations, as identified in the MPAH. No conflict with the Signal Synchronization Master Plan would occur since there are no changes to existing signals required by the Project. Further, the Project would not conflict with the Orange County CMP based on CMP performance standards. 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.	Consistent. The Property Owner/Developer would comply with the CALGreen requirements which requires that construction facilitate the future installation of EV supply equipment. The Project would provide designated parking spaces for clean air vehicles and future EV charging only stalls.
T8: 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.	Not applicable. The Project would not preclude future use of the abandoned railway tracks north of the Project site.
T-9: Car Sharing Pilot Program Explore the potential for a car sharing pilot program to be implement in one or more of the City's Focus Areas.	Consistent. The Project would comply with the City's transportation demand management strategies in Section 15.40.070 of the City's Municipal Code and Cal Green requirements through the provision of parking spaces near the building entrances for carpool and vanpool vehicles and transit/commuter information areas, as applicable.

Table 4.8-4 (continued)
Project Consistency with the City of Fullerton Climate Action Plan

CAP Measures	Consistency Analysis
Energy Use and Conservation Strategy	
E-1: GHG Emissions from Electrical Generation Support regional and sub-regional efforts to reduce GHG emissions associates with electrical generation through energy conservation strategies and alternative/renewable energy programs.	Consistent. The Project would be required to comply with Title 24 California Code of Regulations (California Building Code) and CALGreen, which establishes stringent energy efficiency requirements for new development. The Project proposes to exceed existing Title 24 (CALGreen) requirements. The Project would install high-efficiency lighting, providing a 25 percent improvement over baseline conditions and solar ready roof to provide at least 25 percent of on-site electricity requirements.
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.	Consistent. The Project would be required to comply with Title 24 California Code of Regulations (California Building Code) and CALGreen, which establishes stringent energy efficiency requirements for new development. The Project proposes to exceed existing Title 24 (CALGreen) requirements by 25 percent. The Project would install high-efficiency lighting, providing a 25 percent improvement over baseline conditions and solar ready roof.
E-3: Energy Efficient Retrofits Prepare guidance to homeowners on energy efficient retrofits of existing dwellings.	Not applicable. The Project does not propose residential uses.
E-4: Efficient Use of Energy Resources in Residential Development.	Not applicable. The Project does not propose residential uses.
E-5: Sustainable Regional Revitalization Efforts Support regional and sub-regional efforts pertaining to community revitalization that are rooted in sustainable development principles.	Consistent. The Project would replace former hotel building constructed in 1967 with a new, more efficient industrial/warehouse building. The Project would be required to comply with Title 24 California Code of Regulations (California Building Code) and CALGreen, which establishes stringent energy efficiency requirements for new development. The Project proposes to exceed existing Title 24 (CALGreen) requirements. The Project would install high-efficiency lighting, providing a 25 percent improvement over baseline conditions and solar ready roof. The Project would provide designated parking spaces for clean air vehicles and future EV charging only stalls.

Table 4.8-4 (continued)
Project Consistency with the City of Fullerton Climate Action Plan

CAP Measures	Consistency Analysis
Water Use and Efficiency Strategy	
W-1: Conservation Efforts Support regional and sub-regional efforts to promote water efficiency and conservation**.**	Consistent. The Project would be required to comply with Title 24 CCR and CALGreen which would reduce the Project's energy demand associated with landscaping and water use.
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.	Consistent. The Project would be required to comply with the current CALGreen requirements, which would reduce the Project's energy demand associated with landscaping and water use. Additionally, the City's Landscape Ordinance, as contained in FMC Section 15.50, requires the use of water efficient irrigation systems. The proposed Project would be designed to reduce the water consumption through efficient irrigation systems and the use of water-efficient fixtures within the building.
W-3: GHG Emissions from Water Conveyance Support regional and sub-regional efforts to reduce GHG emissions associated with water conveyance through water conservation strategies and alternative supply programs.	Not applicable. This Project does not propose water conveyance infrastructure.
Solid Waste Reduction and Recycling Strategy	
SW-1: Regional Waste Management Support Regional and sub-regional efforts on recycling, waste reduction, and product reuse.	Consistent. The Project would comply with waste reduction measures required by the City, CALGreen during construction and operation, and mandates of SB 341 for on-site recycling 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.	Not applicable. This measure is not within the purview of this Project.
SW-3: Waste Stream Separation and Recycling Supports projects, programs, policies and regulations to expand source separation and recycling opportunities to all households (including multi-family housing), businesses, and City operations.	Not applicable. This measure is not within the purview of this Project.
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.	Not applicable. The Project does not propose a food waste processing facility or other waste treatment and disposal facility uses.
SW-5: Reduce GHG Emissions from Solid Waste Support projects, programs, policies, and regulations to reduce GHG emissions from waste through improved management of waste handling and reductions in waste generation.	Consistent. The Project would comply with waste reduction measures required by the City, CALGreen, and mandates of SB 341 for on-site recycling containers.

2020-2045 RTP/SCS Consistency

SCAG recently adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (Connect SoCal). At the regional level, Connect SoCal is adopted for the purpose of reducing GHGs resulting from vehicular emissions by passenger vehicles and light duty trucks. In order to assess the Project's consistency with Connect SoCal, the Project's land use assumptions are reviewed for consistency with those utilized by SCAG in its SCS. Generally, projects are considered consistent with the provisions and general policies of applicable City and regional land use plans and regulations, such as Connect SoCal, if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals.

The Project proposes to remove the former hotel building to develop a new 138,419-square foot industrial building for warehousing/distribution uses, including a 6,000 square-foot mezzanine designated for office use. According to the City of Fullerton Community Development Plan (General Plan Community Development and Design Exhibit 2), the Project site is designated Industrial (I). The Industrial community development type aims to protect and enhance the City's major employment areas by providing opportunities for manufacturing, product assembly, research and development, warehousing, and supporting uses. It is intended for industrial and other employment-generating uses such as industrial or manufacturing, office, retail and service uses, and quasi-public and special uses.

The City of Fullerton Zoning Map identifies the zoning for the Project site as Manufacturing Park (M-P), with a 40,000-square foot minimum lot size. FMC, Chapter 15.40, *Industrial Zone Classifications*, clarifies that M-P zones are established to allow compatible industrial uses in proximity to each other while protecting the public health, safety and welfare through development standards and the site plan review process. It also states the M-P zone is intended for a wide range of light industrial activities, often based on a multiple-tenant type development.

The Project would be consistent with the General Plan land use designation for the Project site and with the existing zoning. Due to the nature of the proposed use (warehouse,) significant new employment opportunities would not be generated. Thus, the Project would not cause SCAG growth forecasts to be exceeded and would not conflict with any policies adopted for the purpose of reducing the emissions of greenhouse gases. Impacts are considered to be less than significant.

Mitigation Measures: 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?			X	
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?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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?			X	
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

This section is based in part on the *Phase I Environmental Site Assessment for the Hotel Property, 1500 South Raymond Avenue, Fullerton, California 92831* (Phase I ESA), prepared by ADR Environmental Group, Inc., dated March 14, 2022 and included in its entirety as Appendix D, *Phase I ESA*.

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. Generally, the exposure of persons to hazardous materials could occur in the following manners: 1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future development, particularly by untrained personnel; 2) an accident during transport; 3) environmentally unsound disposal methods; or 4) fire, explosion or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors.

The Project proposes to remove the existing hotel complex and associated improvements and develop a new industrial building for warehousing/distribution uses. Refer to Response (b), below regarding on-site conditions associated with existing structures and operations. Construction activities associated with the proposed Project may involve the routine transport, use, or disposal of hazardous materials, such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

The Project would not involve the use or storage of hazardous substances other than limited quantities of hazardous materials such as solvents, fertilizers, pesticides, and other materials used for regular maintenance of buildings and landscaping. The use of these materials already occurs within the site associated with the existing use, and the quantities of these materials would not typically be at an amount that would pose a significant hazard to the public or the environment. Any transport, storage, use or disposal of hazardous materials would be subject to applicable State and federal laws, minimizing the potential for upset and accident conditions to occur within the site. The proposed Project would not introduce new uses that would involve new or increased use of hazardous materials within the site and impacts would be less than significant.

Mitigation Measures: No mitigation measures are 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.

Short-Term Construction-Related Accidental Release of Hazardous Materials

PHASE I ESA

A Phase I ESA was prepared to identify recognized environmental conditions (RECs) that may exist at the Project site, including historical recognized environmental conditions (HRECs), controlled recognized environmental conditions, business environmental risks, and RECs. The term *recognized environmental conditions* (RECs) means the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. Conditions determined to be de minimis are not recognized environmental conditions.

Recognized Environmental Conditions

The Phase I ESA identified no evidence of recognized environmental conditions as defined by ASTM in connection with the Project site with the exception of:

- The Project site is located within the boundaries of the Orange County North Basin (OCNB) Superfund site. This area contains a comingled groundwater plume of chlorinated solvents (contaminated with PCE, TCE, 1,1-DCE, and 1,4-dioxane) covering approximately five square miles beneath parts of the cities of Anaheim, Fullerton, and Placentia. Due to the reported depth to groundwater in the area of the Project site (ranging between 56 and 66 feet below ground surface) it is unlikely that vapor intrusion is occurring on the site. Since the storage and/or usage of the identified contaminants have not been reported on the Project site, it is unlikely that the owner(s) of the site would be required to participate in any future investigation or clean-up efforts related to the impacted groundwater.

The Phase I ESA concluded that no additional investigation is warranted.

Based upon the age (pre-1978) of the buildings observed on the subject Property, the Phase I ESA concluded that it is possible that painted building surfaces contain lead-based paint. No peeling, chipping, flaking or other failure or damage to these materials was observed during the site inspection.

A previous Phase I ESA prepared for the Project site in 1995 referenced a 1991 asbestos inspection prepared by TRC Environmental Consultants, Inc. According to the Phase I ESA, the TRC report identified asbestos-containing materials on the subject property, but was not specific to their type or locations and recommended an Operations and Maintenance (O&M) Plan be developed for the management of these materials.

Demolition of the hotel structure could expose construction personnel and the public to LBPs or ACMs. Federal and State regulations govern the renovation and demolition of structures where ACMs and LBPs are present. All demolition that could result in the release of ACMs or LBPs must be conducted according to Federal and State standards. Prior to demolition or remodeling activities, asbestos containing building materials which may be damaged and become friable must be removed from the building by a licensed asbestos removal contractor and transferred to a waste facility that will accept asbestos waste. A California certified asbestos removal contractor would be utilized for the removal work and proper removal methodology as outlined in all applicable federal, state, and local regulations regarding the removal, transport and disposal of ACM must be applied.

A lead paint chip survey was conducted on June 10, 2022 through June 16, 2022 and July 12, 2022 to identify readily accessible suspect lead-containing materials and lead-based paint. Detectable amounts of lead were found on various painted surfaces. Pursuant to federal and state regulations, all suspect lead-based paint should either be presumed to contain lead or adequate rebuttal sampling should be conducted prior to renovation, including maintenance, or demolition if these activities will cause a disturbance of any suspect lead-based paint or otherwise create a lead hazard.

An asbestos bulk survey was conducted (June 10, 2022 through June 16, 2022 and July 12, 2022 through July 13, 2022) to identify readily accessible suspect asbestos containing materials (ACM). Results from lab testing of the bulk samples identified a number of samples positive for ACM. Following the asbestos bulk survey, remediation activities were conducted to remove ACM from the hotel structure. Subsequently, Ambient Environmental, Inc. conducted a visual clearance and confirmed that all ACM was removed and no debris was observed for the following locations: sixth floor (January 6, 2023); north tower fourth and fifth floor and boiler room (February 9, 2023); north tower second and third floors, south tower storage room 1, 2, and 3, and roof mastic (February 29, 2023); and crown room 1 and 2, crest room, kitchen/storage, and south tower clay roof mastic (March 3, 2023).

Long-Term Operations-Related Accidental Release of Hazardous Materials.

The Project proposes to remove the existing hotel complex and associated improvements and develop a new industrial building for warehousing/distribution uses. As the end user is not currently known, there is the potential for hazardous materials to be stored or transported to/from the site.

Compliance with the established regulatory framework would ensure that potential impacts are less than significant by requiring compliance with applicable laws and regulations that would reduce the risk of hazardous materials use, transportation, and handling through the implementation of established safety practices, procedures, and reporting requirements. Hazardous materials are required to be stored in designated areas designed to prevent accidental release to the environment. Additionally, building code requirements prescribe safe accommodations for materials that present a moderate explosion hazard, high fire or physical hazard, or health hazards. Compliance with all applicable federal, State, and local laws related to the storage of hazardous materials would be required to maximize containment and provide for prompt and effective clean-up, if an accidental release occurs, thereby ensuring that a less than significant impact would occur. The Fullerton Fire Department Operations/Training Division provides 24-hour emergency response for controlling Hazardous Materials Incidents occurring throughout the City. Responding hazardous materials specialists would ensure that public health and safety, along with the environment, are protected from hazardous material releases.

Any business that handles more than threshold quantities of a Regulated Substance (RS) is required to develop a Risk Management Plan (RMP). The RMP is implemented by the business to prevent or mitigate releases of regulated substances that could have off-site consequences. Businesses within the City are also required to comply with the Hazardous Waste Program, which requires that all hazardous wastes that would be generated by Fullerton businesses be properly handled, recycled, treated, stored, and disposed. Compliance with the Underground Storage Tank (UST) Program would ensure that hazardous materials stored in underground tanks are not released into the environment, potentially polluting ground and surface waters, and compliance with the Aboveground Petroleum Storage Tank (APST) Program would protect people and natural resources from aboveground petroleum storage tank spills or releases. The Hazardous Materials Disclosure (HMD) Program requires businesses within the City to disclose hazardous materials stored, used, or handled on site. Additionally, completion of a Business Emergency Plan (BEP) would assist in mitigating a release or threatened release of a hazardous material and minimizing any potential harm or damage to human health or the environment. Compliance with the City's Emergency Operations Plan would also be required. Therefore, any transport, storage, use or disposal of hazardous materials associated with the proposed Project would be subject to applicable State and federal laws, minimizing the potential for upset and accident conditions to occur within the site. Thus, impacts would be less than significant.

Mitigation Measures: No mitigation measures are 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?

No Impact. Maple Elementary School, the nearest school to the Project site, is located approximately 1.1 miles to the northwest. The Project proposes to remove the existing on-site structures and construct a new industrial building, which would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school. Therefore, no impact is anticipated and no mitigation is required.

Mitigation Measures: No mitigation measures are 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. Government Code Section 65962.5, commonly referred to as the "Cortese List", requires the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. A search of the 2001 Historic Cortese database and the 2021 Cortese database conducted as part of the Phase I ESA identified 34 sites within a one-half mile radius of the Project site, including the westernmost north adjoining property (Stone Container Corp. at 1424 South

Raymond Avenue). The Phase I ESA concludes it is unlikely that these sites represent an environmental concern to the proposed Project due to their distance (>120 feet) from the Project site, regulatory status (case closed, under regulatory guidance), and/or their down- or cross-gradient locations with respect to groundwater flow. A 2023 search indicates that the Project site is not included on any of the data resources identified as meeting the Cortese List requirements (DTSC, 2023). Therefore, the Project site has not been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would not create a significant hazard to the public or the environment.

Mitigation Measures: No mitigation measures are 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?

Less Than Significant Impact. Fullerton Municipal Airport is located in the western portion of the City, within the Airport Industrial Focus Area. The Project site is not located within the Airport Industrial Focus Area, nor is it located within any Runway Protection Zone or Accident Potential Zones. Accordingly, the proposed Project would not result in a safety hazard for people working in the area associated with the airport or Project site and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The City's Emergency Operations Plan (EOP) provides guidance for the City's planned response to extraordinary emergency situations associated with natural disasters, terrorism, technological incidents, and nuclear defense operations. The City's EOP anticipates that all major streets within the City would serve as evacuation routes. City highways and arterial streets that connect to SR-91 and SR-57 would serve as potential evacuation routes, in the event of an extraordinary emergency situation.

Local access to the site is provided directly from East Burton Street via South Raymond Avenue, or from East Burton Street via Manhattan Avenue. Construction activities are not anticipated to result in significant traffic or queuing along East Burton Street, South Raymond Avenue, Manhattan Avenue, or other roadways within the area that could potentially impede emergency vehicles or impair any emergency evacuation plan. The Project does not propose modification to roadways adjacent to the Project site. Access to the Project site would continue to occur from the two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. Fire access would be provided from the driveways. Knox box access would be provided at each gate as required by the fire authority.

Prior to the issuance of a building permit, the applicant is required to submit appropriate plans for plan review to ensure compliance with zoning, building, and fire codes. The Project would be required to comply with standard conditions SC HAZ-3 and prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer, as well as SC HAZ-4, in which

the City Community and Economic Development Department would 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 a development results in temporary lane or roadway closures. Implementation of these standard conditions would ensure impacts remain less than significant.

Standard Conditions of Approval:

SC HAZ-3: Prior to construction, the project 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 Applicant shall provide a temporary traffic signal, signal carriers (i.e., flag persons), or other appropriate traffic controls to allow travel in both directions.
- If construction activities require the complete closure of a roadway segment, the Applicant shall provide appropriate signage indicating detours/alternative routes.

SC HAZ-4: The City Community and Economic 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 a development results in temporary lane or roadway closures.

Mitigation Measures: No mitigation measures are 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 within an urbanized area. The Project site and surrounding area are not within or located adjacent to any wildlands or areas identified as being at risk of wildland fires (CAL FIRE, 2023). Therefore, the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

Mitigation Measures: No mitigation measures are required.

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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?			X	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
1) Result in substantial erosion or siltation on- or off-site?			X	
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
3) 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?			X	
4) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

This section is based on the *Preliminary Water Quality Management Plan* (Preliminary WQMP) prepared by DRC Engineering, Inc., dated October 25, 2022 and included in its entirety as Appendix E, Preliminary WQMP and the *Preliminary Hydrology Study for the Rexford Industrial Warehouse Building* (Preliminary Hydrology Study), DRC Engineering, Inc., dated July 27, 2022 and included in its entirety as Appendix F, Preliminary Hydrology Study.

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

Less Than Significant Impact.

Short-Term Construction

Short-term construction activities associated with the proposed Project could impact water quality. Sources of potential construction-related storm water pollution include handling, storage, and disposal of construction materials containing pollutants; maintenance and operation of construction equipment; and site preparation activities, such as excavation, grading and trenching. These sources, if not controlled, can generate soil erosion and on- and off-site transport via storm run-off or mechanical equipment. Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other vehicle-related fluids on the Project site are also common sources of storm water pollution and soil contamination. Implementation of the proposed Project has the potential to produce typical pollutants such as nutrients, heavy metals, pesticides and herbicides, toxic chemicals related to construction and cleaning, waste materials including wash water, paints, wood, paper, concrete, food containers, and sanitary wastes, fuel, and lubricants. Generally, standard safety precautions for handling and storing construction materials can adequately reduce the potential pollution of storm water by these materials. These types of standard procedures can be extended to non-hazardous storm water pollutants such as sawdust, concrete washout, and other wastes.

Grading activities would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Two general strategies are recommended to prevent soil materials from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed, and secondly, the Project site should be secured to control off-site transport of pollutants. In order to reduce the amount of on-site exposed soil, grading would be limited to the extent feasible, and any graded areas would be protected against erosion once they are brought to final grade. Furthermore, the proposed Project would be required to comply with the Construction General National Pollutant Discharge Elimination System (NPDES) Permit and the FMC.

Construction-related erosion effects would be addressed through compliance with the NPDES program's Construction General Permit. Construction activity subject to this General Permit includes any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre. The Project would disturb approximately seven acres and therefore would be subject to the General Permit. To obtain coverage under the General Permit, dischargers are required to file with the State Water Resources Control Board (SWRCB) the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI) and other compliance-related documents. The General Permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must

include erosion-control and sediment-control BMPs that would meet or exceed measures required by the General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized.

Project construction activities would also be required to comply with water quality measures included in the City of Fullerton's Water Quality Ordinance (FMC Chapter 12.18, *Water Quality Ordinance*). The City's Water Quality Ordinance requires compliance with the Orange County Drainage Area Management Plan (DAMP) and any conditions and requirements established by the City in order to meet Federal and State water quality requirements related to storm water runoff. These regulations would require the Project contractor to include BMPs to ensure that the discharge of pollutants from the site would be effectively prohibited and would not cause or contribute to an exceedance of water quality standards or alter water quality during construction. In accordance with FMC Section 12.18.030, *Control of Urban Runoff*, prior to issuance of grading permits, the planning agency would be required to review the Project plans and impose terms, conditions and requirements on the Project in accordance with the DAMP and any conditions and requirements established by the City that are reasonably related to the reduction or elimination of pollutants in stormwater runoff from the Project site. Thus, through adherence to the County of Orange NPDES Stormwater Program and FMC regulations, construction-related activities would not violate any water quality standards or otherwise substantially degrade surface or groundwater quality and impacts would be less than significant.

Long-Term Operations

The Project site is located within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) and would be subject to compliance with the Phase I Municipal Separate Storm Sewer System (MS4) permit. Under the MS4 permit issued by the Santa Ana RWQCB (Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff, Order No. R8-2009-0030), co-permittees, including the City of Fullerton, must prepare a WQMP and implement BMPs, where feasible, to capture and treat stormwater prior to discharge to their MS4 facilities. Prior to building permit issuance, the Applicant would be required to submit a Final WQMP to the City for review and compliance with the County's NPDES stormwater permit. The Final WQMP would be required to specific the BMPs to be incorporated into the final Project design to address pollutants of concern associated with runoff from the Project site.

The Project site is currently developed with a hotel complex and associated improvements, including surface parking and ornamental landscaping. Under existing conditions, the Project site is divided into three watersheds. Watershed A sheet flows to the south to a curb and gutter and outlets via parkway drain to East Burton Street. Watershed B sheet flows to a v-gutter located in the drive aisle along the northern portion of the property and outlets at the driveway to the west of the site. Watershed C flows to two drain inlets connected to the catch basin on East Burton Street which flows to Carbon Creek. Carbon Creek flows to the west and converges with Coyote Creek which flows to the San Gabriel Estuary before flowing into to the Pacific Ocean. There are no sources of run-on to the site, however, there is an existing public 27-inch RCP that bypasses the site under the eastern parking lot that outlets to Carbon Creek to the south.

The Preliminary WQMP identifies pollutants of concern associated with the proposed Project, including suspended-solid/sediment, nutrients, pesticides, oil and grease, toxic organic compounds, and trash and debris. Additionally, the Preliminary WQMP documents the various BMPs that would be implemented as part of the Project, which include biotreatment, treatment control, non-structural source control, and structural source control BMPs to address water quality conditions associated with the proposed Project. Proposed biotreatment BMPs include a modular wetland; proposed treatment control BMPs include a filter insert for each catch basin/drop inlet; proposed non-structural BMPs include education, activity restrictions, common area landscape management, BMP maintenance, spill contingency plan, underground storage tank compliance, common area litter control, employee training, housekeeping of loading docks, common area catch basin inspection, and street sweeping private streets and parking lots; and structural source control BMPs include storm drain stenciling and signage, design and construction of trash and waste storage areas, efficient irrigation systems and landscape design, and dock areas; refer to Appendix E for a detailed list of proposed BMPs.

According to the Preliminary WQMP, under proposed conditions, the Project site would be divided into four watersheds: Areas B and D would consist of biofiltration units designed to treat the treatment flow rate; Area A would consist of a volume based biofiltration system which utilizes a detention field to store the design capture volume and then a biofiltration unit to filter the design capture volume within 48 hours; and Area C would consist of a self-treating watershed consisting of 99 percent landscaping.

Area A would consist of 3.4 acres with drainage surface flowing to inlets connected to an underground storm drain system. The storm drain would flow to detention system A and then to modular wetland A. Upon reaching the maximum height in the detention system, storm water would overflow into the existing 27-inch RCP located at the east of the site. Once leaving the modular wetland system the storm water would be pumped up and gravity flow into the existing 27-inch public storm drain pipe to the east.

Area B would consist of 1.6 acres with drainage surface flowing to inlets connected to an underground storm drain system. The storm drain would flow to modular wetland B. Upon reaching maximum capacity of the modular wetland system, storm water would outflow of the drain inlet located near the west driveway. Storm water leaving the modular wetland system would be pumped up then gravity flow out a parkway drain located in East Burton Street. Stormwater would then follow existing conditions and surface flow to the existing catch basin on East Burton Street.

Area D would consist of 1.7 acres and would use a modular wetland unit to treat the required flow rate of storm water for flow-based BMPs. Storm water would be collected via the inlet located at the eastern driveway, and roof drain runoff would be directed through the curb face and collected by the same inlet. The inlet would route storm water to the modular wetland unit. Storm water in exiting the modular wetland system would gravity flow to the 27-inch public storm drain line located on the east side of the property. Overflow from Area D would flow out the driveway located on the east side of the Project site. All storm water would outlet into Carbon Creek downstream.

In addition, drain inlets would be distributed throughout the Project site and would feature Kristar Filter inserts for pretreatment and be marked with storm drain signage to limit dumping into the storm drain. Landscaping would feature efficient irrigation with common area litter control implemented after construction.

The Project would be required to comply with standard conditions SC HYD-1 and SC HYD-2, which require preparation of a WQMP or stormwater mitigation plan and associated construction and post-construction BMPs in accordance with the Orange County DAMP prior to issuance of a grading permit; and SC HYD-3, which requires the project applicant to coordinate with the City of Fullerton Engineering Department to determine requirements necessary to mitigate impacts to drainage improvements in order to accommodate storage volumes and flood protection for existing and future runoff. Implementation of standard conditions and the proposed on-site stormwater system and Final WQMP, including water quality operational BMPs, would reduce pollutants of concern associated with the stormwater runoff from the Project site in compliance with the County's MS4 Permit and ensure the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.

Standard Conditions of Approval:

SC HYD-1: Prior to issuance of any Grading Permit, future development projects shall prepare, to the satisfaction of the Director of Engineering, a Water Quality Management Plan (WQMP), which includes post-construction Best Management Practices (BMPs) that would be implemented as part of the project, in accordance with the Orange County Drainage Area Management Plan (DAMP), the General MS4 Permit (RWQCB Order No. R8-2009-0030, as amended), and the City of Fullerton's Water Quality Ordinance (Chapter 12.18 of the Fullerton Municipal Code). All BMPs of the WQMP shall be implemented during the operation phase. The project Applicant shall comply with the BMPs detailed in the WQMP, and other measures as the City deems necessary to mitigate potential water quality impacts.

SC HYD-2: Prior to issuance of any Grading Permit, future development projects shall prepare, 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 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 water quality impacts.

SC HYD-3: Prior to site plan approval, the project owner/developer(s) shall be required to coordinate with the City of Fullerton Engineering Department to determine requirements necessary to mitigate impacts to drainage improvements in order to accommodate storage volumes and flood protection for existing and future runoff. Proposed projects shall implement mitigation measures, if required, to the satisfaction of the City of Fullerton Public Works Director. For any new storm drainage projects/studies that have the potential to impact adjacent jurisdictions' storm drainage systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The City of Fullerton provides water service to the City, including the Project site. According to the Fullerton 2020 UWMP, the Project site is located within Pressure Zone 4 in the southeast of the City (Arcadis U.S., Inc., 2021). The City is a retail water supplier that receives its water supplies from a combination of imported potable water from Metropolitan Water District of Southern California (MWD), and local groundwater from the Orange County Groundwater Basin (OC Basin), which is managed by the Orange County Water District (OCWD). The City's main source of water supply is groundwater from the OC Basin. Imported water supplements the City's water supply portfolio. In FY 2019-20, the City relied on 79 percent groundwater and 21 percent imported water.

The City's Water Utility operates 15 reservoirs with a capacity of 67.5 million gallons, 12 booster pumping stations, eight active groundwater wells, and manages a 424-mile water mains system with approximately 31,936 service connections. In 2020, the City had a daily water use of 111 gallons per capita per day (GPCD), which was well below the 2020 water use target of 179 GPCD. According to the Fullerton 2020 UWMP, groundwater pumping for the City totaled 18,758 acre-feet per year (AFY) in 2020, and is expected to increase to 23,672 AFY by 2045. The Fullerton 2020 UWMP forecasts the City's total retail water demand to be 27,850-acre feet (AF) by 2045. The Fullerton 2020 UWMP indicates water supplies would meet the service area's water demands for normal, single dry, and multiple dry year conditions through 2045. UWMP water demand forecasts are based in part on adopted General Plans. The Fullerton Plan identifies the development capacity associated with implementation of The Fullerton Plan land use designations. The Fullerton Plan Community Development Plan (General Plan Community Development and Design Exhibit 2), designates the Project site as Industrial (I) within the Southeast Industrial Focus Area. The Industrial community development type aims to protect and enhance the City's major employment areas by providing opportunities for manufacturing, product assembly, research and development, warehousing, and supporting uses. It is intended for industrial and other employment-generating uses such as industrial or manufacturing, office, retail and service uses, and quasi-public and special uses. The maximum permitted floor area ratio (FAR) is between 0.35 to 0.5 and may vary based on focus area policies or an approved specific plan. Within the Southeast Industrial Focus Area, The Fullerton Plan development capacities assume development intensity of up to 1.0 FAR. For non-residential designations, including the Industrial land use designation, The Fullerton Plan development capacities assume a buildout (2030) development capacity of 56,307,474 square feet can be expected from implementation of land use policies established in The Fullerton Plan.

The Project proposes to remove the existing on-site hotel complex and develop a new industrial building for warehousing/distribution uses. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and Housing*. Due to the nature of the proposed use (industrial and warehousing) significant new employment opportunities would not be generated. Thus, the proposed Project would be within the population projections anticipated by the City and the 2020 UWMP. Further, development, as proposed, would result in a FAR of 0.43, which is less than the 1.0 projected development intensity for the Southeast Industrial Focus Area, and, therefore, less than the development capacity assumptions identified in The Fullerton Plan. Thus, the Project's anticipated water demand is accounted for in the UWMP, and there would be sufficient water supplies

available to serve the Project development during normal, dry and multiple dry years. Impacts to water supply would be less than significant.

The Project site is currently comprised of 1.3 percent (3,379 square feet) of pervious area and 98.7 percent (249,327 square feet) of impervious area. In the proposed condition, the Project site would consist of 7.5 percent (18,923 square feet) of pervious area and 92.5 percent (233,783 square feet) of impervious area. Thus, the Project would increase pervious area in the proposed condition. The Project would install trench drains to capture runoff from the loading docks and construct catch basins to convey stormwater into a pretreatment and trash full capture BMP and convey treated flows into a proposed underground infiltration chamber. According to the Preliminary WQMP, the Project's percolation testing results from the geotechnical investigation state that infiltration is feasible. However, the Project site is located within the North Basin Groundwater Protection Plume. Per the Orange County Technical Guidance Document, infiltration is prohibited where a groundwater pollutant plume is under the site or in close proximity. Accordingly, the Project does not propose infiltration BMPs. The Project site does not currently allow for infiltration and groundwater recharge; thus, the proposed Project would not interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

1) Result in substantial erosion or siltation on- or off-site?

2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

3) 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?

4) Impede or redirect flood flows?

Less Than Significant Impact. Refer to Response 4.10(a) regarding potential impacts involving erosion and water quality.

The Project site is currently developed with a hotel complex and associated improvements, including surface parking and ornamental landscaping. Under existing conditions, the Project site is divided into three watersheds. Watershed A sheet flows to the south to a curb and gutter and outlets via parkway drain to East Burton Street; Watershed B sheet flows to a v-gutter located in the drive aisle along the northern portion of the property and outlets at the driveway to the west of the site; and Watershed C flows to two drain inlets connected to the catch basin on East Burton Street which flows to Carbon Creek. Carbon Creek flows to the west and converges with Coyote Creek which flows to the San Gabriel Estuary before flowing into to the Pacific Ocean. There are no sources of run-on to the site, however, there is an

existing public 27-inch RCP that bypasses the site under the eastern parking lot that outlets to Carbon Creek to the south.

Under proposed conditions, the Project site would be divided into four watersheds: Areas B and D would consist of biofiltration units design to treat the treatment flow rate; Area A would consist of a volume based biofiltration system which utilizes a detention field to store the design capture volume and then a biofiltration unit to filter the design capture volume within 48 hours; and Area C would consist of a self-treating watershed consisting of 99 percent landscaping.

As shown in the Preliminary WQMP, the 2-year storm volume would increase from 11.62 cubic feet per second (cfs) in the existing condition to 11.68 cfs in the proposed condition; and the time of concentration would decrease from 9.9 minutes in the existing condition to 9.4 minutes in the proposed condition. The proposed infiltration BMPs would mitigate the design capture volume. Thus, the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site; increase the rate or amount of surface runoff which would result in flooding on- or offsite; create or contribute runoff that would exceed the capacity of the existing drainage system; or impede or redirect flood flows. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. As indicated in the Preliminary Hydrology Study, Panel 0132J of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map shows an area of approximately 0.6 acres within the southwest portion of the Project site as being located in an area designated as Zone AO. Zone AO is described as an area subject to inundation by the 1% annual chance flood with depths of one to three feet (usually sheet flow on sloping terrain). The FEMA map shows ponding up to the existing building at an approximate elevation of 177 feet. Elevations on-site are consistently two to three feet higher compared to Burton Street, which ranges from 173 to 174.5 feet. Therefore, the on-site ponding that is shown on the FEMA flood map would only occur if flooding is seen over the entire length of East Burton Street, inundating neighboring properties as well as portions to the south of Carbon Creek. Since this is not reflected on the flood map, the Preliminary Hydrology Study concludes that the data shown on the FEMA map was miscalculated and is not relevant to the proposed Project. In order to reduce potential flood hazard impacts and for conservative purposes, the finished floor of the Project is proposed to be increased by two feet from the existing elevation to 179.2 feet.

Tsunamis are sea waves that are generated in response to large-magnitude earthquakes, which can result in coastal flooding. Seiches are the oscillation of large bodies of standing water, such as lakes, that can occur in response to ground shaking. The Project site is approximately 14 miles east of the Pacific Ocean and there are no large bodies of standing water near the Project site. As a result, tsunamis and seiches do not pose hazards due to the Project site's inland location and lack of nearby bodies of standing water. As the Project site is not located within a tsunami or seiche zone, the Project would not risk of release of pollutants due to Project inundation; impacts would be less than significant in this regard.

Development within a FEMA flood zone would be reviewed in accordance with FMC Section 14.01.015, which requires project-specific siting, design, and construction requirements for development within a

flood zone. Thus, through adherence to State and federal regulations and the FMC regulations, impacts related to release of pollutants due to project inundation in a flood hazard zone would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Refer to Responses 4.10(a) regarding water quality. As discussed above, the City of Fullerton provides water service to the City, including the Project site. The City's main source of water supply is groundwater from the OC Basin. Imported water from MWD supplements the City's water supply portfolio. In FY 2019-20, the City relied on 79 percent groundwater and 21 percent imported water.

The OC Basin is not adjudicated (Arcadis U.S., Inc., 2021). Groundwater in the OC Basin is managed by the OCWD, which was formed in 1933 by a special legislative act of the State Legislature to protect and manage the County's groundwater supply and defend its water rights to the OC Basin. In 2014, the California Sustainable Groundwater Management Act (SGMA) was passed to help manage groundwater sustainably, and limit adverse effects such as significant groundwater-level declines, land subsidence, and water quality degradation. SGMA requires all high- and medium-priority basins, as designated by DWR, be sustainably managed. DWR designated the non-adjudicated Coastal Plain of OC Basin (Basin 8-1) as a medium-priority basin, primarily due to heavy reliance on the Basin's groundwater as a source of water supply. The agencies within Basin 8-1 collaborated to prepare and submit an Alternative to a Groundwater Sustainability Plan on December 22, 2016 (OCWD, 2022). On July 17, 2019, DWR determined that the Alternative satisfied SGMA objectives and was therefore approved. Approved alternatives are required to submit annual reports to DWR on April 1 of each year, and to resubmit the alternative by January 1 every five years. The 2022 Update to the Alternative, prepared to satisfy Water Code § 10733.8 and submitted in 2020, shows that the OCWD Management area continues to be managed sustainably.

As discussed in Section 4.14, *Population and Housing*, employment-generating uses currently occur within the Project site and have been anticipated by The Fullerton Plan. Due to the nature of the proposed use (industrial and warehousing) significant new employment opportunities would not be generated. Thus, the proposed Project would be within the population projections anticipated by the City and the 2020 UWMP. Further, development, as proposed, would result in a FAR of 0.43, which is less than the 1.0 projected development intensity for the Southeast Industrial Focus Area, and, therefore, less than the development capacity assumptions identified in The Fullerton Plan. Thus, the Project's anticipated water demand is accounted for in the UWMP, and there would be sufficient water supplies available to serve the Project development during normal, dry and multiple dry years. Impacts to water supply would be less than significant. Thus, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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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?				X
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?			X	

a) Physically divide an established community?

No Impact. The 7.2-acre Project site is currently developed with an approximately 133,000-square foot former hotel consisting of 273 rooms, restaurant/event space, and lobby space within six buildings, and surface parking. The site is designated Industrial (I) and is zoned Manufacturing Park (M-P), with a 40,000-square foot minimum lot size. North of the Project site is an abandoned railroad right-of-way and industrial/commercial uses. Areas to the north are zoned M-P. East of the Project site are industrial uses zoned M-P. East Burton Street is located immediately south of the Project site. South of East Burton Street is a drainage channel, the SR-91 offramp at Raymond Avenue, and SR-91 mainlines. South of SR-91 is a church and residential uses within the City of Anaheim. Areas to the south of SR-91, within the City of Anaheim, are zoned Transitional (T) and Single-Family Residential (RS-2). East Burton Street and an undeveloped parcel are located immediately west of the Project site, followed by South Raymond Avenue. To the west of South Raymond Avenue is industrial uses within the City of Anaheim. The undeveloped parcel immediately west of the Project site is zoned Commercial Manufacturing (C-M). Areas to the west of South Raymond Avenue are zoned Industrial (I) within the City of Anaheim.

The Project proposes to remove the existing on-site structures and develop a new 138,419-square foot industrial building for warehousing/distribution uses. The Project would not involve any roadways or significant infrastructure systems that would physically divide the site or separate the site from surrounding uses. Development of the site, as proposed, would be consistent with other land uses that occur within the surrounding area. Thus, no impact would occur in this regard.

Mitigation Measures: No mitigation measures are 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. According to the City of Fullerton Community Development Plan (Community Development and Design Exhibit 2), the Project site is designated Industrial (I). The Industrial community development type aims to protect and enhance the City's major employment areas by providing opportunities for manufacturing, product assembly, research and development, warehousing,

and supporting uses. It is intended for industrial and other employment-generating uses such as industrial or manufacturing, office, retail and service uses, and quasi-public and special uses. The maximum permitted floor area ratio (FAR) is between 0.35 to 0.5 and may vary based on focus area policies or an approved specific plan.

An analysis of the proposed Project's consistency with relevant policies of The Fullerton Plan adopted for the purpose of avoiding or mitigating an environmental effect is provided in Table 4.11-1, *Project Consistency with Applicable Policies of The Fullerton Plan*. As indicated in Table 4.11-1, the Project is consistent with The Fullerton Plan.

Table 4.11-1
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Chapter 1: Community Development and Design	
P1.11: Compatibility of Design and Uses. Support programs, policies and regulations to consider the immediate and surrounding contexts of projects to promote positive design relationships and use compatibility with adjacent built environments and land uses, including the public realm.	Consistent. As discussed in Section 4.1, *Aesthetics*, the proposed Project would be subject to FMC Section 15.40.040, *Site Development Standards*, which addresses building exterior design, screening of rooftop equipment, landscape requirements, building height limits, setback requirements, and fences and walls, amongst others. Additionally, as part of the City's Site Plan Review process required under FMC Chapter 15.47, *Site Plan Review*, the Project site plan would be reviewed and only approved after finding the proposed development, including the uses and the physical design of the development is consistent with the intent and general purposes of the chapter, and will not adversely affect surrounding development in the area. Therefore, the Project would be consistent with this policy.
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.	Consistent. As discussed in Section 4.6, *Energy*, the proposed Project would include a variety of energy-saving and renewable energy features, including a commitment to install high-efficiency lighting, implement a solar ready roof, install energy efficient appliances, provide parking stalls for clean vehicles and future electric vehicle charging stations, install low flow water fixtures, water-efficient irrigation, and drought tolerant landscaping. Therefore, the Project would be consistent with this policy.
P2.8: Responsiveness to Context. Support projects, programs, policies and regulations to respect the local context, including consideration of cultural and historic resources, existing scale and character and development patterns of the surrounding neighborhood or district.	Consistent. As discussed in Section 4.5, *Cultural Resources*, no historic or potentially historic built environment resources are located within the site. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Chapter 4: Mobility	
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.	Not Applicable. As discussed in Section 4.17, *Transportation*, a VMT Screening analysis concluded that the Project would not have a VMT impact.
P5.16: 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.	Consistent. The Project proposes designated parking for clean air vehicles and future EV charging only stalls.
Chapter 5: Bicycle	
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.	Not Applicable. As discussed in Section 4.17, *Transportation*, there are no designated bicycle facilities located along East Burton Street, adjacent to the Project site. The Project would result in no changes to bicycle parking or facilities within the Project vicinity.
Chapter 6: Growth Management	
P7.5: Appropriate Development Scale. Support projects, programs, policies and regulations to ensure that development is appropriate in scale to current and planned infrastructure capabilities.	Consistent. The Project site is currently developed with a hotel complex and associated improvements. The Project proposes to remove the existing on-site structures and develop a new industrial building. As discussed in Section 4.19, *Utilities and Service Systems*, employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. Significant new employment opportunities would not be generated and would not require the relocation or construction of new or expanded City of Fullerton utilities and infrastructure, including water, wastewater, storm drainage, electric power, natural gas, telecommunications, or solid waste facilities. The Project site currently receives these services and existing infrastructure and supplies are available to serve the proposed redevelopment of the site. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Chapter 7: Noise	
P8.6: Noise Receptors. Support projects, programs, policies and regulations to permit uses where the noise level of the surroundings—after taking into account noise insulation features and other control techniques of the use—is not detrimental to the use.	Consistent. The Project proposes an industrial use and would not be considered a sensitive receptor. As discussed in Section 4.13, *Noise*, the FMC does not establish noise limits for industrial properties. The noise level of surrounding uses would not affect the proposed Project use. Therefore, the Project would be consistent with this policy.
P8.7: Noise Generators. Support projects, programs, policies and regulations to permit uses and/or activities where the noise generated by the use and/or activity is not detrimental or otherwise a nuisance to the surroundings.	Consistent. As discussed in Section 4.13, *Noise*, Project only operational noise levels at adjacent uses are anticipated to range between 44 dBA to 75 dBA Leq (depending on the location), which is below the City of Anaheim's noise limit of 60 dBA Leq and the City of Fullerton's acceptable noise limit of 80 dBA at the affected property lines. Therefore, the Project would be consistent with this policy.
Chapter 10: Public Safety	
P17.16: Project Impact Mitigation. Support programs that foster coordination between the City and local school districts, colleges and universities to assess and mitigate project impacts pertaining to on- and off -campus development.	Consistent. As discussed in Section 4.15, *Public Services*, the Project does not propose the development of residential uses and would not generate significant employment opportunities resulting in potential new students to school districts serving the Project site. The Project would be required to comply with standard condition SC SCH-1, which would ensure school impact fees have been paid per the mitigation established by the applicable school district. Therefore, the Project would be consistent with this policy.
Chapter 16: Water	
P19.7: 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.	Consistent. The Project would include water efficient design features including low flow water fixtures, water-efficient irrigation, and drought tolerant landscaping. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
P20.6: Construction Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by private and public construction projects.	Consistent. As discussed in Section 4.10, *Hydrology and Water Quality*, the Project is subject to the NPDES program's Construction General Permit and would be required to develop and implement a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs to control potential construction-related pollutants. Project construction activities would also be required to comply with water quality measures included in the City of Fullerton's Water Quality Ordinance, which requires compliance with the County DAMP and any conditions and requirements established by the City in order to meet Federal and State water quality requirements related to storm water runoff. These regulations would require the Project contractor to include BMPs to ensure that the discharge of pollutants from the site would be effectively prohibited and would not cause or contribute to an exceedance of water quality standards or alter water quality during construction. In accordance with FMC Section 12.18.030, *Control of Urban Runoff*, prior to issuance of grading permits, the planning agency would be required to review the Project plans and impose terms, conditions and requirements on the Project in accordance with the DAMP and any conditions and requirements established by the City that are reasonably related to the reduction or elimination of pollutants in stormwater runoff from the Project site. Therefore, the Project would be consistent with this policy.
P20.7: Development Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by the design or operation of a site or use.	Consistent. As discussed in Section 4.10, *Hydrology and Water Quality*, the proposed Project would be required to submit a Final WQMP to the City for review and compliance with the County's NPDES stormwater permit. The Final WQMP would be required to implement BMPs into the final Project design to address pollutants of concern associated with runoff from the Project site. The Project incorporates various BMPs as part of the Project, which include biotreatment, treatment control, non-structural source control, and structural source control BMPs to address water quality conditions associated with the proposed Project. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Goal 17: Air Quality and Climate Change	
P21.6: Construction Impacts. Support projects, programs, policies and regulations to reduce impacts to air quality caused by private and public construction projects.	Consistent. As discussed in Section 4.3, *Air Quality*, Project-related construction activities would include demolition, grading, building construction, and paving, architectural coating, and landscaping. Project construction activities would generate short-term emissions of criteria air pollutants. However, this short-term and minor construction would not exceed the SCAQMD's daily emission thresholds at the regional level. In addition, the proposed Project would be subject to compliance with SCAQMD Rules 402, 403, and 1113, which would further reduce specific construction-related emissions. Therefore, the Project would be consistent with this policy.
P21.7: Development Impacts. Support projects, programs, policies and regulations to reduce impacts to air quality caused by the design or operation of a site or use.	Consistent. As discussed in Section 4.3, *Air Quality*, the proposed Project's operational emissions would be associated with motor vehicle use, energy use, and area sources. Project operations would not exceed the SCAQMD thresholds for any criteria air pollutants. Additionally, the Project would not involve the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants, and no significant toxic airborne emissions would result from operation of the proposed Project. Therefore, the Project would be consistent with this policy.
Chapter 18: Integrated Waste Management	
P23.7: Waste Management. Support projects, programs, policies and regulations to consider project level solid waste management needs at the site and building design stages.	Consistent. As discussed in Section 4.19, *Utilities and Service Systems*, in accordance with State law and FMC Section 14.06.010, the Project would be required to divert at least 65 percent of the nonhazardous construction and demolition debris from the Project site by recycling, reuse, and/or salvage. In addition, the City meets its per capita disposal rate target through diversion programs. The City would continue to implement its diversion programs and require compliance with all federal, State and local statutes and regulations for solid waste, including those identified under the most current CALGreen standards and in compliance with AB 939 and SB 1383. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Chapter 19: Open Space and Natural Resources	
P24.12: Environmental Impact of Support Facilities. Support projects, programs, policies and regulations to limit the construction of facilities in open space areas and to design necessary improvements, such as fire roads, access roads, and parking facilities, to minimize environmental impacts and maintain the visual qualities of the open space.	Consistent. The Project site is currently developed with a hotel complex and associated improvements and is not located within an open space area. Therefore, the Project would be consistent with this policy.
P25.7: Mitigation of Impacts on Sensitive Areas. Support projects, programs, policies and regulations to consider and mitigate project level impacts to sensitive habitat areas at the site and building design stages.	Consistent. The Project site is currently developed with a hotel complex and associated improvements and is not located an area of sensitive habitat. Therefore, the Project would be consistent with this policy.
P25.8: Mitigation of Impacts on Waterways. Support projects, programs, policies and regulations to consider and mitigate project level impacts to public waterways at the site and building design stages.	Consistent. As discussed in Section 4.10, *Hydrology and Water Quality*, the Project is subject to the NPDES program's Construction General Permit and would be required to develop and implement a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs to control potential construction-related pollutants. Additionally, the Project incorporates various BMPs as part of the Project, which include biotreatment, treatment control, non-structural source control, and structural source control BMPs to address water quality conditions associated with the proposed Project. Therefore, the Project would be consistent with this policy.

Table 4.11-1 (continued)
Project Consistency with Applicable Policies of The Fullerton Plan

The Fullerton Plan Policies and Actions	Project Consistency
Chapter 20: Natural Hazards	
P26.4: Minimization of Development in High Risk Areas. Support projects, programs, policies and regulations to discourage or limit development within areas that are vulnerable to natural disasters, particularly in areas with recurring damage and/or the presence of multiple natural hazards.	Consistent. As discussed in Section 4.7, *Geology and Soils,* there are no known active faults mapped across the Project site and the site is not located within an Alquist-Priolo Earthquake Fault Zone. The Project would be required to comply with all applicable regulations in the most recent CBSC as amended by the FMC, which includes design requirements to mitigate the effects of potential hazards associated with seismic ground shaking. Liquefaction and landslides are not considered to be potential hazards. As discussed in Section 4.10, *Hydrology and Water Quality*, approximately 0.6 acres within the southwest portion of the Project site is located in an area designated by FEMA as an area subject to inundation by the 1% annual chance flood with depths of one to three feet. In order to reduce potential flood hazard impacts and for conservative purposes, the finished floor of the Project is proposed to be increased by two feet from the existing elevation to 179.2 feet. Additionally, development within a FEMA flood zone would be reviewed in accordance with FMC Section 14.01.015, which requires project-specific siting, design, and construction requirements for development within a flood zone. As discussed in Section 4.20, *Wildfire*, the Project is not located within a Very High, High, or Moderate fire severity zone. Therefore, the Project would be consistent with this policy.
P26.5: Hazard Specific Development Regulations. Support projects, programs, policies and regulations to utilize hazard specific development regulations to mitigate risks associated with identified potential natural hazards, including flooding, wildland fires, liquefaction, and landslides when development does occur.	Consistent. *Refer to discussion above regarding natural hazards.* Therefore, the Project would be consistent with this policy.

The City of Fullerton Zoning Map identifies the zoning for the Project site as Manufacturing Park (M-P), with a 40,000-square foot minimum lot size. FMC Chapter 15.40, *Industrial Zone Classifications*, clarifies that M-P zones are established to allow compatible industrial uses in proximity to each other while protecting the public health, safety and welfare through development standards and the site plan review process. It also states the M-P zone is intended for a wide range of light industrial activities, often based on a multiple-tenant type development. FMC Section 15.40.040, *Site Development Standards*, provides development standards that apply to the M-P zone. An analysis of the proposed Project's consistency with the M-P zone's applicable site development standards is provided in Table 4.11-2, *M-P Zone Applicable Site Development Standards Consistency*.

Table 4.11-2
M-P Zone Applicable Site Development Standards Consistency

Site Development Standard	Project Consistency
A. General	
The exterior design of a building, including paint colors, shall be compatible with surrounding architecture.	Consistent. The proposed building design is similar to existing non-residential development within the vicinity of the Project site and would incorporate a variety of materials including painted concrete, wood cladding, anodized aluminum, and blue reflected glazing. As part of the City's Site Plan Review process required under FMC Chapter 15.47, *Site Plan Review*, the Project site plan would be reviewed and only approved after finding the proposed development, including the physical design of the development, is consistent with the intent and general purposes of the chapter, and will not adversely affect surrounding development in the area.
Rooftop equipment shall be screened from public view so as not to be visible from the public right-of-way.	Consistent. Future mechanical equipment installed on the proposed building would be screened from public view so as not to be visible from the public right-of-way.
All landscaping and irrigation systems and plans shall conform to Section 15.56.140 of this title.	Consistent. Landscaping would be provided around the perimeter of the Project site; refer to Figure 2-5. The landscaping would include trees, groundcover, and shrubs within the landscaped setback adjacent to East Burton Street and along the western, northern, and eastern property lines. Additional landscaping would be provided along a portion of the proposed building and within the parking areas. The Project does not propose synthetic turf.

Table 4.11-2 (continued)
M-P Zone Applicable Site Development Standards Consistency

Site Development Standard	Project Consistency
C. Permitted Building Height	
The maximum height of any building with an industrial zone classification shall be 45 feet.	Consistent. The Project building would have a maximum height of 44 feet seven inches, and would not exceed the maximum height of 45 feet.
D. Setback Requirements	
The minimum required setback for proposed new construction is listed in Table 15.40.040.A.	Consistent. The Project provides front and side setbacks of 20 feet, and rear setbacks of 0 feet, consistent with Table 15.40.040.A.
E. Fences and Walls	
The height of walls, fences, hedges or guardrails on property with an industrial zone classification shall be in accordance with Table 15.40.040.B.	Consistent. The Project does not propose fences, walls, hedges, or guardrails that exceed the maximum heights in accordance with Table 15.40.040.B.
F. Landscape Requirements	
All street setbacks shall be landscaped except for pedestrian and vehicular access ways, parking areas, or other non-irrigated areas designed for non-development (e.g. existing native vegetation).	Consistent. Landscaping would be provided around the perimeter of the Project site; refer to Figure 2-5. The landscaping would include trees, groundcover, and shrubs within the landscaped setback adjacent to East Burton Street and along the western, northern, and eastern property lines. Additional landscaping would be provided along a portion of the proposed building and within the parking areas.

Table 4.11-2 (continued)
M-P Zone Applicable Site Development Standards Consistency

Site Development Standard	Project Consistency
All open parking areas (e.g. non-structured) shall be landscaped such that: a. Planters with a total landscaped area equaling a minimum of 25 square feet per parking space, or 8% of the square footage of the open parking area, whichever is greater, shall be provided and distributed throughout the open parking area; and b. Trees with a total shaded area (e.g. the area under the tree canopy or dripline 15 years after installation) equaling a minimum of 50% of the square footage of the open parking area shall be provided and distributed throughout the open parking area.	Consistent. Refer to discussion above.
Landscaping and irrigation shall be provided for landscaped areas pursuant to Chapter 15.50 for the following: a. Installation of new landscaped areas; or b. Rehabilitation of existing landscaped areas where affected landscaped area is equal to or greater than 2,500 square feet; or c. Installation of a new landscape area or areas less than 2,500 sq. ft. in aggregate may opt to comply instead with the prescriptive measures contained in Chapter 15.50 Appendix A. d. New or rehabilitated projects using treated or untreated graywater or rainwater captured on site, any lot or parcels within the project that has less than 2,500 square feet of landscape area and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with the treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix A Section (5).	Consistent. Refer to discussion above.

The Fullerton Plan identifies the Project site as located within the Southeast Industrial Focus Area. The Focus Area is composed mainly of large parcels with one- and two-story buildings and is characterized by businesses that operate during traditional working hours, with minimal nighttime activity. The Southeast Industrial Focus Area's Planning Objectives identified in The Fullerton Plan include:

- Retain industrial and employment-generating uses while providing amenities and services that will support the work force, such as recreation, retail, and limited housing opportunities.

- Provide for large parcels and flexible spaces to accommodate a variety of industries over the long term while supporting incubator spaces for new and emerging technologies.
- Encourage new businesses and compatible new uses, while discouraging those that are in conflict. Specifically seek to expand and attract industrial users that would benefit from freeway access, technology clusters, and industrial infrastructure.
- Improve appearance and function through design, including landscaping, pedestrian and transit facilities, and alleyway improvements.

The Project proposes to remove the existing on-site hotel complex and develop a new industrial building for warehousing/distribution uses, consistent with the FMC development standards for the M-G zone. The Project would be subject to the requirements of FMC Chapter 15.40, *Industrial Zone Classifications,* which addresses permitted and prohibited development intended to provide for industrial uses. The Project would also be subject to FMC Section 15.40.040, *Site Development Standards*, which addresses building height limits, setback requirements, and minimum lot area, amongst others, as well as FMC Section 15.40.050, *Parking Standards*, which specifies parking requirements. As part of the City's Site Plan Review process required under FMC Chapter 15.47, *Site Plan Review*, the Project site plan would be reviewed and only approved after finding the proposed development, including the uses and the physical design of the development is consistent with the intent and general purposes of the chapter, and will not adversely affect surrounding development in the area. Therefore, the Project would not cause a significant environmental impact due to a conflict with The Fullerton Plan or FMC, or any other land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Measures: 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?				X
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?				X

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. Neither The Fullerton Plan nor The Fullerton Plan EIR identifies significant mineral resources within the City. The Project site is developed with a hotel complex and associated improvements, including paved parking areas and landscaping, and is not used for mineral resource recovery activities. The Surface Mining and Reclamation Act of 1975 requires classification of land into mineral resource zones according to the area's known or inferred mineral potential. According to the California Department of Conservation Division of Mines and Geology, the Project site is identified as being located with Mineral Resource Zone (MRZ) 3 (California Department of Conservation, 1981). MRZ-3 is defined as areas where the available geologic information indicates that mineral deposits exist or are likely to exist; however, the significance of the deposit is undetermined. Although MRZ-3 areas could contain mineral deposits, future mining activities are not anticipated since mining activities could not occur without destroying large built-out areas of the City. Given the Project site is situated in an urban area, Project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State or a locally-important mineral resource recovery site, and no impact would occur.

Mitigation Measures: No mitigation measures are required.

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4.13 Noise

Would the project:	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?			X	
b. Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?				X

This section is based on the *1500 S. Raymond Industrial Project Noise Impact Study* (Noise Study), prepared by MD Acoustics, dated April 27, 2023 and included in its entirety as Appendix G, Noise Study.

FUNDAMENTALS OF NOISE

Sound, Noise, Acoustics

Sound is a disturbance created by a moving or vibrating source and is capable of being detected by the hearing organs. Sound may be thought of as mechanical energy of a moving object transmitted by pressure waves through a medium to a human ear. For traffic, or stationary noise, the medium of concern is air. Noise is defined as sound that is loud, unpleasant, unexpected, or unwanted.

Frequency and Hertz

A continuous sound is described by its frequency (pitch) and its amplitude (loudness). Frequency relates to the number of pressure oscillations per second. Low-frequency sounds are low in pitch (bass sounding) and high-frequency sounds are high in pitch (squeak). These oscillations per second (cycles) are commonly referred to as Hertz (Hz). The human ear can hear from the bass pitch starting out at 20 Hz all the way to the high pitch of 20,000 Hz.

Sound Pressure Levels and Decibels

The amplitude of a sound determines it loudness. The loudness of sound increases or decreases as the amplitude increases or decreases. Sound pressure amplitude is measured in units of micro-Newton per square inch meter (N/m2), also called micro-Pascal (µPa). One µPa is approximately one hundred billionths (0.00000000001) of normal atmospheric pressure. Sound pressure level (SPL or Lp) is used to describe in logarithmic units the ratio of actual sound pressures to a reference pressure squared. These units are called decibels abbreviated dB.

Addition of Decibels

Because decibels are on a logarithmic scale, sound pressure levels cannot be added or subtracted by simple plus or minus addition. When two sounds or equal SPL are combined, they will produce an SPL 3 dB greater than the original single SPL. In other words, sound energy must be doubled to produce a 3 dB increase. If two sounds differ by approximately 10 dB, the higher sound level is the predominant sound.

Human Response to Changes in Noise Levels

In general, the healthy human ear is most sensitive to sounds between 1,000 Hz and 5,000 Hz, (A weighted scale) and it perceives a sound within that range as being more intense than a sound with a higher or lower frequency with the same magnitude. For purposes of this analysis, the A-scale weighting is typically reported in terms of A-weighted decibel (dBA). Typically, the human ear can barely perceive the change in noise level of 3 dB. A change in 5 dB is readily perceptible, and a change in 10 dB is perceived as being twice or half as loud. As previously discussed, a doubling of sound energy results in a 3 dB increase in sound, which means that a doubling of sound energy (e.g. doubling the volume of traffic on a highway) would result in a barely perceptible change in sound level.

Noise Descriptors

Noise in our daily environment fluctuates over time. Some noise levels occur in regular patterns, others are random. Some noise levels are constant while others are sporadic. Noise descriptors were created to describe the different time-varying noise levels.

A-Weighted Sound Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear. A numerical method of rating human judgment of loudness.

Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Community Noise Equivalent Level (CNEL): The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five (5) decibels to sound levels in the evening from 7:00 PM to 10:00 PM and after addition of ten (10) decibels to sound levels in the night before 7:00 AM and after 10:00 PM.

Decibel (dB): A unit for measuring the amplitude of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro-pascals.

dB(A): A-weighted sound level (see definition above).

Equivalent Sound Level (LEQ): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level. The energy average noise level during the sample period.

Habitable Room: Any room meeting the requirements of the Uniform Building Code or other applicable regulations which is intended to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

L(n): The A-weighted sound level exceeded during a certain percentage of the sample time. For example, L10 is the sound level exceeded 10 percent of the sample time. Similarly, L50, L90 and L99, etc.

Noise: *A*ny unwanted sound or sound which is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. The State Noise Control Act defines noise as "...excessive undesirable sound...".

Outdoor Living Area: Outdoor spaces that are associated with residential land uses typically used for passive recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc. associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other noise-sensitive activities; and outdoor school facilities routinely used for educational purposes which may be adversely impacted by noise. Outdoor areas usually not included in this definition are: front yard areas, driveways, greenbelts, maintenance areas and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and, outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (e.g., school play yard areas).

Percent Noise Levels: See L(n).

Sound Level (Noise Level): The weighted sound pressure level obtained by use of a sound level meter having a standard frequency-filter for attenuating part of the sound spectrum.

Sound Level Meter: An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement and determination of noise and sound levels.

Single Event Noise Exposure Level (SENEL): The dB(A) level which, if it lasted for one second, would produce the same A-weighted sound energy as the actual event.

Traffic Noise Prediction

Noise levels associated with traffic depends on a variety of factors: (1) volume of traffic, (2) speed of traffic, (3) auto, medium truck (2–3 axle) and heavy truck percentage (4 axle and greater), and sound propagation. The greater the volume of traffic, higher speeds, and truck percentages equate to a louder

volume in noise. A doubling of the Average Daily Traffic (ADT) along a roadway will increase noise levels by approximately 3 dB.

Sound Propagation

As sound propagates from a source it spreads geometrically. Sound from a small, localized source (i.e., a point source) radiates uniformly outward as it travels away from the source in a spherical pattern. The sound level attenuates at a rate of 6 dB per doubling of distance. The movement of vehicles down a roadway makes the source of the sound appear to propagate from a line (i.e., line source) rather than a point source. This line source results in the noise propagating from a roadway in a cylindrical spreading versus a spherical spreading that results from a point source. The sound level attenuates for a line source at a rate of 3 dB per doubling of distance.

As noise propagates from the source, it is affected by the ground and atmosphere. Noise models use hard site (reflective surfaces) and soft site (absorptive surfaces) to help calculate predicted noise levels. Hard site conditions assume no excessive ground absorption between the noise source and the receiver. Soft site conditions such as grass, soft dirt or landscaping attenuate noise at a rate of 1.5 dB per doubling of distance. When added to the geometric spreading, the excess ground attenuation results in an overall noise attenuation of 4.5 dB per doubling of distance for a line source and 7.5 dB per doubling of distance for a point source.

Research has demonstrated that atmospheric conditions can have a significant effect on noise levels when noise receivers are located 200 feet from a noise source. Wind, temperature, air humidity and turbulence can further impact have far sound can travel.

GROUNDBORNE VIBRATION FUNDAMENTALS

Vibration Descriptors

Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors, since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Several different methods are used to quantify vibration amplitude.

- PPV – Known as the peak particle velocity (PPV) which is the maximum instantaneous peak in vibration velocity, typically given in inches per second.
- RMS – Known as root mean squared (RMS) can be used to denote vibration amplitude.
- VdB – A commonly used abbreviation to describe the vibration level (VdB) for a vibration source.

Vibration Perception

Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. These continuous vibrations are not noticeable to humans whose threshold of perception is around 65 VdB. Outdoor sources that may produce perceptible vibrations are usually caused by construction equipment, steel-wheeled trains, and traffic on rough roads, while smooth roads rarely produce perceptible groundborne noise or vibration. To counter the effects of ground-borne vibration, the Federal Transit Administration (FTA) has published guidance relative to vibration impacts. According to the FTA, fragile buildings can be exposed to ground-borne vibration levels of 0.3 inches per second without experiencing structural damage. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment.

There are three main types of vibration propagation: surface, compression, and shear waves. Surface waves, or Rayleigh waves, travel along the ground's surface. These waves carry most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water. P-waves, or compression waves, are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal (i.e., in a "push-pull" fashion). P-waves are analogous to airborne sound waves. S-waves, or shear waves, are also body waves that carry energy along an expanding spherical wave front. However, unlike P-waves, the particle motion is transverse, or side-to-side and perpendicular to the direction of propagation.

As vibration waves propagate from a source, the vibration energy decreases in a logarithmic nature and the vibration levels typically decrease by 6 VdB per doubling of the distance from the vibration source. As stated above, this drop-off rate can vary greatly depending on the soil but has been shown to be effective enough for screening purposes, in order to identify potential vibration impacts that may need to be studied through actual field tests.

EXISTING NOISE ENVIRONMENT

Noise Measurements

Noise measurements are taken to determine the existing noise levels. A noise receiver or receptor is any location in the noise analysis in which noise might produce an impact. Noise monitoring locations were selected based on the distance of the Project's proposed stationary noise sources to the nearest sensitive on-site receptors. Four short-term (15 minute) noise measurements were conducted on the Project site representing ambient noise levels at the site and nearby surrounding areas. The measurements include the Leq, Lmin, Lmax, and other statistical data (e.g. L2, L8); refer to Table 4.13-1, *Short-Term Noise Measurement Data (dBA)*. As indicated in Table 4.13-1, ambient noise levels range between 57.1 and 75.5 dBA Leq. The field data indicates that traffic and industrial uses are the dominant noise sources.

Table 4.13-1
Short-Term Noise Measurement Data (dBA)[1]

Location	Time	Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L(50)	L(90)
NM-1	8:46 AM- 9:01 AM	67.0	75.3	63.9	69.9	59.3	67.4	66.6	65.4
NM-2	9:08 AM-9:23 AM	57.1	64.8	53.8	60.5	58.7	57.6	56.8	55.0
NM-3	9:27 AM-9:42 AM	70.2	75.9	67.4	72.5	71.6	70.8	70.0	68.7
NM-4	9:44 AM-9:59 AM	75.5	79.2	72.9	77.4	76.7	76.0	75.4	74.3
Source: MD Acoustics, LLC, *1500 S. Raymond Industrial Project Noise Impact Study*, April 27, 2023.									
Notes: 1. Short-term noise monitoring location (NM1 – NM4) is illustrated in Exhibit E of the Noise Study; refer to Appendix G.									

Sensitive Receptors

Noise exposure standards and guidelines for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are treated as the most sensitive to noise intrusion and therefore have more stringent noise exposure targets than do other uses, such as manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. The sensitive receptor nearest to the Project site consists of residential uses to the southeast, approximately 400 feet across SR-91.

REGULATORY FRAMEWORK

The Fullerton Plan

Applicable policies and standards governing environmental noise in the City are set forth in The Fullerton Plan Noise Element (Chapter 7, Noise). Table 8 within The Fullerton Plan provides land use compatibility guidelines as a means of judging the noise environment deemed to be generally acceptable. In addition to the noise standards, the City has outlined goals, policies and implementation measures to reduce potential noise impacts. Table 8 is the primary tool that allows the City to ensure integrated planning between land uses and outdoor noise. Per Table 8, within the Industrial, Manufacturing, Utilities, and Agriculture land use category, a community noise equivalent level (CNEL) of 50 to 75 is identified as normally acceptable; a CNEL of 70-80 is conditionally acceptable; and a CNEL of 75-85 is normally unacceptable.

City of Fullerton Municipal Code

FMC Chapter 15.90, *Noise Standards and Regulation*, controls unnecessary, excessive and annoying sounds emanating from incorporated areas of the City. Per Section 15.90.030, *Noise Standards*, residential zones have an exterior daytime noise limit of 55 dBA 30-minute Leq and a nighttime noise limit of 50 dBA at residential property lines with the exemption of vehicular traffic. The FMC does not set limits for industrial properties.

Per FMC Section 15.90.050, *Activities with Special Provisions*, air conditioning, refrigeration, and pool equipment must be certified within the noise limits of the Code.

FMC Section 15.90.050(A)(1) exempts construction noise from the hours of 7 AM to 8 PM on any day except Sunday or a City-recognized holiday.

City of Anaheim Noise Ordinance

The City of Anaheim Municipal Code Chapter 6.70, *Sound Pressure Levels*, contains the City of Anaheim's Noise Ordinance. Per Section 6.70.010, no person within the City of Anaheim shall create any sound radiated for extended periods from any premises which produces a sound pressure level at any point on the property line in excess of sixty decibels (Re 0.0002 Microbar) read on the A-scale of a sound level meter. Sound created by construction or building repair of any premises within the City of Anaheim shall be exempt from the Noise Ordinance during the hours of 7:00 a.m. to 7:00 p.m.

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?

Less Than Significant Impact.

Short-Term Construction Noise

The degree of construction noise may vary for different areas of the Project site and also vary depending on the construction activities. Noise levels associated with the construction would vary with the different phases of construction. Typical noise levels associated with construction equipment are shown in Table 4.13-2, *Typical Construction Noise Levels*.

Construction activities would include demolition, site preparation, grading, building construction, paving, architectural coating, and landscaping. Such activities would require concrete saws, excavators, and dozers during demolition; tractors and dozers during site preparation; excavators, graders, and dozers during grading; cranes, generators, tractors, and welders during building construction; pavers, compactors, and rollers during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels would be loudest during site preparation phase.

Table 4.13-2
Typical Construction Noise Levels

Type	Noise Levels (dBA) at 50 Feet[1]
Earth Moving	
Compactors (Rollers)	73-76
Front Loaders	73-84
Backhoes	73-92
Tractors	75-95
Scrapers, Graders	78-92
Pavers	85-87
Trucks	81-94
Materials Handling	
Concrete Mixers	72-87
Concrete Pumps	81-83
Cranes (Movable)	72-86
Cranes (Derrick)	85-87
Stationary	
Pumps	68-71
Generators	71-83
Compressors	75-86
Impact Equipment	
Saws	71-82
Vibrators	68-82
Notes: 1. Referenced Noise Levels from the Environmental Protection Agency (EPA).	

Construction noise was projected from the center of the site to represent an average of equipment moving around the site. Table 4.13-3, *Average Construction Noise Level by Phase (dBA)*, provides the average construction noise levels at the nearest receptor, the adjacent industrial building to the east of the Project site.

Table 4.13-3
Average Construction Noise Level by Phase (dBA)

Activity	Leq (Nearest Receptor to the East)
Site Preparation	63.4
Grading	65.1
Building Construction	64.1
Paving	60.6
Architectural Coating	55.3
Source: MD Acoustics, LLC, *1500 S. Raymond Industrial Project Noise Impact Study*, April 27, 2023.	

A likely worst-case construction noise scenario during grading assumes the use of one grader, one dozer, and one backhoe operating at 253 feet from the nearest receptor (industrial building) to the east of the

Project site. Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 253 feet have the potential to reach 69 dBA Leq at the Project site boundary during building construction. This maximum level would only occur during the short periods when equipment is operating along the property line.

Construction noise is considered a short-term impact and would be required to occur within the allowable times of 7:00 a.m. to 8:00 p.m. as permitted by the FMC and 7:00 a.m. to 7:00 p.m. as permitted by the Anaheim Municipal Code. The Project would be required to comply with FMC Chapter 15.90, *Noise Standards and Regulation*, which sets acceptable noise levels. Construction activities associated with the Project would occur during permissible hours in accordance with the FMC. Further, the Project would be required to comply with standard conditions SC NOI-1, SC NOI-2, and SC NOI-3, which would ensure BMPs are implemented during construction activities to reduce construction noise levels; that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible; and that construction staging areas along with the operation of earthmoving equipment within the City would be located as far away from vibration and noise sensitive sites as possible. With implementation of standard conditions, construction-related noise would be further reduced. Therefore, the Project would not result in construction noise in excess of standards established The Fullerton Plan or FMC; impacts would be less than significant.

Long-Term Operational Noise

The Project proposes to remove the existing on-site structures and develop a new 138,419-square foot industrial building for warehousing/distribution uses. Noise associated with the proposed use would include loading and unloading activities, HVAC units, and parking.

The future worst-case noise level projections were modeled using referenced sound level data for the various on-site stationary sources (parking spaces, parking, and HVAC equipment). The model assumes that the proposed industrial building has six trucks loading and unloading within the same hour, four rooftop HVAC units, and approximately 116 parking spaces. Trucks idling at the loading and unloading area were modeled as point sources with a reference noise level of 74 dBA at 10 feet. Reverse beepers were modeled as point sources with a reference of 107 dBA sound power level. Rooftop HVAC units were modeled as point sources with a reference noise level per manufacturer cut sheets. The model does not include parapets, which are anticipated and will further reduce the noise levels. Parking was modeled as one car movement per parking space per hour. Worst-case assumes all Project operational activities are always operational when in reality the noise would be intermittent and cycle on and off depending on usage. A total of six receptors, located around the perimeter of the Project site at the property line, were modeled (refer to Exhibit F in Appendix G) for the Project and for the Project plus ambient noise level projections.

Table 4.13-4, *Worst-Case Predicted Operational Leq Noise Level,* demonstrates the Project plus ambient noise levels and provides the anticipated change in noise level as a result of the proposed Project during daytime operable conditions.

Table 4.13-4
Worst-Case Predicted Operational Leq Noise Level

Receptor[1]	Existing Ambient Noise Level (dBA, Leq)[2]	Project Noise Level (dBA, Leq)[3]	Total Combined Noise Level (dBA, Leq)	Ordinance at Property Line[4]	Change in Noise Level as Result of Project
R1	67	48	67	60	0
R2	57	57	60	80	3
R3	76	44	76	60	0
R4	70	59	71	80	0
R5	70	75	76	80	6
R6	57	63	64	80	7

Source: MD Acoustics, LLC, *1500 S. Raymond Industrial Project Noise Impact Study*, April 27, 2023.

Notes:
1. Receptors 2, 4, 5, and 6 represent Fullerton Industrial uses. Receptor 1 represents Anaheim Industrial use. Receptor 3 represents Anaheim single family residential use. Refer to Exhibit F in Appendix G for the location and operational noise level projections at each receptor.
2. The existing ambient Leq.
3. Project only noise level.
4. Industrial uses in Fullerton are acceptable up to 80 dBA Leq.

Project only operational noise levels at the adjacent uses are anticipated to range between 44 dBA to 75 dBA Leq (depending on the location), which is below the City of Anaheim's noise limit of 60 dBA Leq and the City of Fullerton's acceptable noise limit of 80 dBA at the affected property lines.

As shown in Table 4.13-4, the Project plus ambient noise level projections are anticipated to range between 60 and 76 dBA Leq at the measured receptors. The Project with ambient noise conditions would be below the City of Anaheim's noise limit of 60 dBA Leq and the City of Fullerton's 80 dBA acceptable noise limit at affected property lines, with the exception of Receptors 1 and 3 within the City of Anaheim, where the projected noise would be 67 and 76 dBA respectively. However, the existing ambient noise level at these receptors already exceeds the City of Anaheim's noise limit of 60 dBA Leq. The Project's operational noise would not exceed the City of Anaheim's noise limit and the combined noise level of 67 dBA at Receptor 1 and 76 dBA at Receptor 3 would result in a 0 dB increase over existing ambient noise levels, which would not result in a significant impact.

The Project is expected to generate 85 to 90 total truck trips per day. In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. Traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to generate a 3-dBA increase. Since the Project generates a nominal amount of traffic relative to the existing average daily trips, the Project's traffic noise level increase would be nominal and therefore less than significant.

The Project would be required to comply with FMC Chapter 15.90, *Noise Standards and Regulation*, which sets acceptable noise levels, as well as FMC Section 15.40.080, *Industrial Environmental Controls*, which prescribes standards for activities in industrial zones related to noise. Further, the Project would be required to comply with standard condition SC NOI-4, which would require mechanical equipment to be placed as far as practicable from sensitive receptors. Implementation of these standard conditions would ensure impacts remain less than significant.

Standard Conditions of Approval:

SC NOI-1: Project Applicant shall ensure through contract specifications that construction Best Management Practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). The construction BMPs shall include the following:

- Ensure that construction equipment is properly muffled according to industry standards and be in good working condition.
- Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.
- Schedule high noise-producing activities between the hours of 7:00 AM and 8:00 PM on any day except Sunday or a City-recognized holiday to minimize disruption on sensitive uses.
- Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

SC NOI-2: Project Applicant shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

SC NOI-3: Project applicants shall ensure by contract specifications that construction staging areas along with the operation of earthmoving equipment within the city would be located as far away from vibration and noise sensitive sites as possible. Should construction activities take place within 25 feet of an occupied structure, a project specific vibration impact analysis shall be

conducted. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

SC NOI-4: The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Construction activities can produce vibration that may be felt by adjacent land uses. Project construction would not require the use of equipment, such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during construction would be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet, which is perceptible, but below any risk to architectural damage. The Caltrans Transportation and Construction Induced Vibration Guidance Manual provides general thresholds and guidelines as to the vibration damage potential from vibration impacts. Table 4.13-5, *Guideline Vibration Damage Potential Threshold Criteria*, identifies the thresholds and Table 4.13-6, *Vibration Source Levels for Construction Equipment*, identifies the approximate vibration levels for particular construction activities at a distance of 25 feet.

Table 4.13-5
Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some older buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5
Source: Caltrans, *Transportation and Construction Vibration Guidance Manual*, Table 19, September 2013.		
Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.		

Table 4.13-6
Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 (upper range)	105
	0.170 (typical)	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 (in soil)	66
Slurry wall	0.017 (in rock)	75
Vibratory roller	0.21	94
Hoe ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006.		

The area surrounding the Project site is developed with commercial and industrial commercial uses. The closest building to the site is the industrial building about 35 feet east of the Project site. The construction of the proposed Project would not require construction activities within 25 feet of an occupied structure. At a distance of 50 feet, a large bulldozer would yield a worst-case 0.042 PPV (in/sec) which is below any risk of damage. Further, the Project would be required to comply with standard condition SC NOI-3, which would ensure that construction staging areas along with the operation of earthmoving equipment within the City would be located as far away from vibration and noise sensitive sites as possible. Implementation of these standard conditions would ensure potential vibration impacts remain less than significant.

Mitigation Measures: No mitigation measures are required.

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. Fullerton Municipal Airport is located in the western portion of the City, within the Airport Industrial Focus Area. The Fullerton Plan provides airport noise contours (Exhibit 14) for the Fullerton Municipal Airport. The noise contours associated with the airport do not extend into the Project site. Thus, development of an industrial building within the Project site would not be exposed to excessive noise associated with the Fullerton Municipal Airport.

Mitigation Measures: No mitigation measures are required.

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

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)?

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

Less Than Significant Impact. As described above, the Project site is designated Industrial (I) and located within the Southwest Industrial Focus Area. The Project site is currently developed and surrounded by existing development. The site does not contain any housing. The Project proposes to remove the existing 133,000-square foot former hotel complex and develop a new 138,419-square foot industrial building for warehousing/distribution uses, which would be compatible with the I designation and Southwest Industrial Focus Area, as described in The Fullerton Plan.

Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. In order to determine the number of employees that would be generated by the Project, The Fullerton Plan assumes one employee per 1,000 square feet for Light Industrial uses, which would yield approximately 139 employees. It should be noted that the net increase over existing conditions would be less than 139 employees since employment-generating uses currently occur on the site. It should also be noted that estimating the number of future employees who would choose to relocate to the City would be highly speculative since many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Assuming the 139 net new employees (and their families) relocate to Fullerton, Project implementation would result in a potential

population increase of approximately 397 persons.[9] This is a conservative assumption, as it assumes employees would relocate to the City along with their families instead of a scenario of existing Fullerton residents filling some of the new employment opportunities. The Fullerton Plan projects that the City would undergo an increase of approximately 29,989 persons between 2010 and 2030. The Project would account for approximately one percent (1.3%) of this projected growth. The proposed Project is consistent with the employment land uses anticipated for the site. Thus, the Project would be within the population projections anticipated and planned for by The Fullerton Plan and would not induce substantial unplanned population growth in the area. Further, the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Mitigation Measures: No mitigation measures are required.

[9] Based upon an average household size of 2.85 persons per household per the State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State – January 1, 2011-2022*, Sacramento, California, January 2022.

4.15 Public Services

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1) Fire protection?			X	
2) Police protection?			X	
3) Schools?			X	
4) Parks?			X	
5) Other public facilities?			X	

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:

1) Fire protection?

Less Than Significant Impact. The Fullerton Fire Department provides fire protection services throughout the City, including the Project site. The nearest fire station to the Project site is Station 3, located at 700 South Acacia Avenue, approximately 0.75 miles northeast of the site.

The Project is currently developed with a 133,000-square foot former hotel consisting of 273 rooms, restaurant/event space, and lobby space within six buildings, and surface parking. The Project proposes to remove the existing on-site structures and develop a new 138,419-square foot industrial building for warehousing/distribution uses, including a 6,000 square-foot mezzanine designated for office use. Access to the Project site would continue to occur from the two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. All driveways would allow emergency vehicle access. Access

to the northern parking area and loading docks would be restricted by eight-foot-high steel gates along the driveways generally located at the northwest and northeast corners of the industrial building. Knox box access would be provided at each gate as required by the fire authority. Two existing fire hydrants are located adjacent to East Burton Street and would be protected in place. Two new fire hydrants would be installed to the northwest and northeast of the proposed building. A total of four fire hydrants, including the two existing fire hydrants, would serve the proposed building.

The proposed Project would not result in the construction of new or physically altered fire facilities. The Project would provide a fire pump on-site for use in the event of an emergency. Service to the Project site by the Fullerton Fire Department occurs under existing conditions. The proposed industrial use would be compatible with the Project site's land use (I) designation and Southwest Industrial Focus Area, as described in The Fullerton Plan, and would not incrementally increase the demand for fire protection or emergency medical services to the site. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and Housing*. Significant new employment opportunities would not be generated and would not significantly impact fire protection services resulting in the need for new or physically altered facilities.

As part of the development review process, the Fullerton Fire Department would review the proposed Project site plan and determine if access and water system requirements, which would enhance the proposed development's fire protection, are adequate. The Fullerton Fire Department would review and addresses fire and life safety requirements for project construction at the fire plan check stage. Further, the Project would be required to comply with applicable City, County, and State code and ordinance requirements for fire protection. FMC Section 13.20.10 adopts the California Fire Code, with amendments. Implementation of all Fire Code requirements would further reduce potential impacts concerning fire protection services. Compliance with building and fire codes prior to approval of development plan would reduce impacts to fire services and no expansion of fire facilities would be required. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

2) Police protection?

Less Than Significant Impact. The Fullerton Police Department provides police protection throughout the City, including the Project site. The Fullerton Police Department station is located at 237 West Commonwealth Avenue, approximately 1.7 miles northwest of the Project site.

The proposed Project would not result in the construction of new or physically altered police facilities. The Project proposes to remove the existing on-site buildings and develop a new industrial building for warehousing/distribution uses. Service to the Project site by the Fullerton Police Department occurs under existing conditions. The proposed industrial use would be compatible with the Project site's land use (I) designation and Southwest Industrial Focus Area, as described in The Fullerton Plan, and would not incrementally increase the demand for police protection services to the site. As discussed in Response 4.14(a), employment-generating uses currently occur within the site and have been anticipated by the General Plan. Significant new employment opportunities would not be generated and would not significantly impact police protection services resulting in the need for new or physically altered facilities.

As part of the development review process, the Fullerton Police Department would review the Project site plan and determine if security measures are adequate. The Applicant would be required to comply with any specific conditions related to safety and security specified by the Fullerton Police Department as a condition of approval. The Project would not require the need for new or physically altered police facilities in order to maintain acceptable service ratios, response times or other performance objectives and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

3) Schools?

Less Than Significant Impact. The Project site is within the boundaries of the Fullerton School District (FSD) and the Fullerton Joint Union High School District (FJUHSD). The Project does not propose the development of residential uses; therefore, the Project would not directly result in new students to the FSD or FJUHSD. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and Housing*. Significant new employment opportunities would not be generated and would not result in an increase in potential new students to the FSD or FJUHSD. The Project would be required to comply with standard condition SC SCH-1, which would ensure school impact fees have been paid per the mitigation established by the applicable school district. Implementation of this standard condition would ensure impacts to schools remain less than significant.

Standard Conditions of Approval:

SC SCH-1: Prior to the issuance of building permits, individual project applicants shall submit evidence to the City of Fullerton that legally required school impact fees have been paid per the mitigation established by the applicable school district.

Mitigation Measures: No mitigation measures are required.

4) Parks?

Less Than Significant Impact. The Project does not propose residential development and is not anticipated to generate new residents to the City resulting in a significant increase in the use of park facilities. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and Housing*. Significant new employment opportunities would not be generated and would not result in the use of existing parks within the area. The proposed Project would not involve the construction of new park facilities nor would it result in the need for new or physically altered park facilities. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

5) Other public facilities?

Less Than Significant Impact. The Project proposes to remove existing on-site structures and develop a new industrial building for warehousing/distribution uses. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and*

Housing. Significant new employment opportunities would not be generated and would not significantly impact public facilities resulting in the need for new or physically altered facilities. The proposed Project would not require the provision of new or physically altered libraries or other public facilities and would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.16 Recreation

Would the project:	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?			X	
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?			X	

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?

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?

Less Than Significant Impact. Refer to Response to 4.15(a)(4). The Project proposes to remove the existing on-site hotel structures and develop a new industrial building for warehousing/distribution uses. The Project does not include residential development. The proposed Project is not anticipated to generate new residents to the City resulting in a significant increase in the use of parks or recreational facilities. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan; refer to Section 4.14, *Population and Housing*. Significant new employment opportunities would not be generated and would not result in the use of existing parks or recreational facilities within the area. The Project does not include recreational facilities, nor would it require the construction or expansion of recreational facilities. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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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?			X	
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d. Result in inadequate emergency access?			X	

This section is based in part on the *Transportation Assessment Policies and Procedures (TAPP) Worksheet* (TAPP Worksheet), prepared by the City of Fullerton, dated November 9, 2022 and included in its entirety as Appendix H, TAPP Worksheet.

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact.

Transit Facilities

Public transportation services within the Project site and surrounding area are provided by Orange County Transportation Authority (OCTA). Bus Route 30 provides service from Cerritos to Anaheim via Orangethorpe Avenue; a bus stop is located at the intersection of Orangethorpe Avenue and South Raymond Avenue, approximately 0.3 miles north of the Project site (OCTA, 2023). Bus Route 57 provides service from Brea to Newport Beach via State College Boulevard; a bus stop is located at the intersection of Orangethorpe Avenue and State College Boulevard, approximately 0.9 miles northeast of the Project site. The Project proposes to remove the existing on-site hotel complex and develop a new industrial building for warehousing/distribution uses; employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. Significant new employment opportunities potentially resulting in a significant increase in the use of transit would not be generated; refer to Section 4.14, *Population and Housing*. Therefore, the Project would not conflict with a program plan, ordinance, or policy addressing transit.

Roadway Facilities

East Burton Street provides access to the Project site. The Project does not propose any modifications to East Burton Street. The Project site would continue to be accessed from two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. Vehicles exiting the site from the western driveway on East Burton Street would be limited to right-turns only. Roadway facilities would continue to serve the Project site and surrounding development.

Bicycle Facilities

The City of Fullerton Bicycle Master Plan (Exhibits 3.1 and 5.1) identifies existing and proposed bicycle facilities within Fullerton. According to the Bicycle Master Plan, there are no designated bicycle facilities located along East Burton Street, adjacent to the Project site. The Project would not conflict with a program plan, ordinance, or policy addressing bicycle facilities.

Pedestrian Facilities

A sidewalk is currently provided along East Burton Street, adjacent to the Project site. As discussed above, the Project would be accessible from two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. The Project would also provide landscaping and trees along the Project frontage. The Project would not conflict with a program, plan, ordinance or policy addressing pedestrian facilities and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. The City's Transportation Assessment Policies and Procedures (TAPP) requires a Vehicle Miles Traveled (VMT) assessment for all projects in accordance with CEQA. The City's TAPP sets certain criteria for the evaluation of projects and the preparation of VMT Assessments. The City relies on the North Orange County Collaborative VMT Traffic Study Screening Tool, which assists in identifying projects that meet VMT screening criteria and therefore do not result in project-generated VMT impacts.

A TAPP Worksheet was prepared by the City of Fullerton Traffic Engineer for the proposed Project; refer to Appendix H. The VMT Screening indicates the proposed Project is anticipated to generate less than 836 VMT. As a result, the Project passed the Primary Screening analysis and a Secondary Screening analysis was conducted. The proposed Project also passed the Secondary Screening criteria. Although additional VMT analysis was not required, a VMT Analysis was conducted; refer to Table 4.17-1, *VMT Analysis*.

Table 4.17-1
VMT Analysis

Proposed Project:	
Estimated Daily Trips	282
Average Trip Length	9.1
Service Population	138
VMT/Service Population	18.5
VMT Credit	28,984
Target VMT per Service Population Threshold	29.6
Percentage above/below VMT Target	-37.5%
Source: City of Fullerton, November 2022.	

As indicated in Table 4.17-1, the proposed Project would have a VMT/Service Population of 18.5, which would be approximately 37.5% percent lower than the Target VMT/Service Population Threshold of 29.6. Therefore, the proposed Project would not have a VMT impact and would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b).

Mitigation Measures: No mitigation measures are required.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project proposes to remove the existing on-site hotel complex and develop a new industrial building for warehousing/distribution uses, consistent with the Project site's land use (I) designation and Southwest Industrial Focus Area. Thus, the Project would not introduce an incompatible use to the site. Further, the Project would not provide any off-site roadway improvements that could substantially increase hazards due to a design feature. The Project site would continue to be accessed from two existing driveways along the westerly property line on East Burton Street and the easternmost driveway along the southerly property line on East Burton Street. The existing driveway along the southerly property line in the central portion of the site would be closed and a new curb would be constructed. Vehicles exiting the site from the western driveway on East Burton Street would be limited to right-turns only. As part of the City's Site Plan Review process required under FMC Chapter 15.47, *Site Plan Review*, the Project site plan would be reviewed and only approved after finding the proposed development conforms with applicable requirements and standards set forth in the FMC. Therefore, the Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). No impact would occur.

d) Result in inadequate emergency access?

Less Than Significant Impact. Local access to the site is provided directly from East Burton Street via South Raymond Avenue, or from East Burton Street via Manhattan Avenue. The construction and operation of the proposed Project would not place any permanent physical barriers on East Burton Street, South Raymond Avenue, Manhattan Avenue, or other roadways within the area. There is the potential that one or more traffic lanes located immediately adjacent to the Project site may be temporarily closed or

controlled by construction personnel during construction activities. However, this would be temporary and emergency access to the Project site and surrounding area would be required to be maintained along East Burton Street at all times. All construction staging would occur within the boundaries of the Project site and would not interfere with circulation along East Burton Street or any other nearby roadways. The Project would be required to comply with standard condition SC HAZ-4, in which all temporary closures and alternative travel routes would be disclosed to the Fullerton Police Department, in order to ensure adequate access for emergency vehicles when construction of a development results in temporary lane or roadway closures. Implementation of this standard condition would ensure impacts remain less than significant.

Standard Conditions of Approval:

SC HAZ-4: The City Community and Economic 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 a development results in temporary lane or roadway closures.

Mitigation Measures: No mitigation measures are required.

4.18 Tribal 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 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		X		
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.		X		

a) Would the project 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)?

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 With Mitigation Incorporated. As discussed in Section 4.5, *Cultural Resources*, a Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on February 23, 2023. On March 8, 2023, the NAHC responded that a search of the SLF was completed with negative results. Although the results were negative, the NAHC provided a list of Native American tribes who may have knowledge of cultural resources in the Project area. The tribes were contacted via email and certified mail requesting any information or knowledge regarding tribal resources in the Project area. At the time this Initial Study was made available for public review, no correspondence has been received.

As part of the Cultural Resources Assessment, a records search and intensive pedestrian survey was conducted. The Cultural Resources Assessment concluded that due to the proximity of available freshwater sources in the vicinity, the sensitivity of the Project area for containing intact buried prehistoric archaeological resources would be considered moderate to high; however, due to the absence of known prehistoric archaeological sites in the immediate area and the extensive construction and demolition that have occurred in the Project area since the construction of the hotel in the 1930s, the sensitivity of the Project site for containing intact buried prehistoric archaeological resources is considered low. Due to the intensive development of the Project site during the historic period, the potential to encounter buried historic period archaeological resources during Project construction is relatively low.

Assembly Bill (AB) 52 requires that lead agencies evaluate a project's potential impact on "tribal cultural resources", which include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource." AB 52 applies whenever a lead agency adopts an environmental impact report, mitigated negative declaration, or negative declaration.

AB 52 also establishes a formal consultation process for California tribes regarding tribal cultural resources. Under AB 52 the lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

In compliance with AB 52, the City provided formal notification to those California Native American Tribal representatives requesting notification in accordance with AB 52; refer to Appendix I, Tribal Consultation Communications. The consultation letters provided information regarding the proposed Project and contact information for the Project Planner. Under AB 52, Native American tribes have 30 days to respond and request further project information and formal consultation. The 30-day consultation was initiated on April 14, 2023; the Gabrieleno Band of Mission Indians – Kizh Nation contacted the City requesting consultation. In response to the request for consultation, the City engaged with the Gabrieleno Band of Mission Indians – Kizh Nation.

Although no Native American tribal cultural resources are known to occur within the Project site, based on the Gabrieleno Band of Mission Indians – Kizh Nation's cultural affiliation with the area, the parties agreed to impose mitigation measures to mitigate potential impacts to previously unidentified Native American tribal cultural resources in the event of discovery.

The Project site has been altered by previous ground disturbance and is currently developed with a hotel complex. The Project proposes to remove the existing on-site structures and develop a new industrial building for warehousing/distribution uses. The Project would be required to comply with standard conditions SC CR-1, which would require earth disturbing activities to cease upon discovery of cultural resources, including tribal cultural resources, pending evaluation of the resource by 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; and SC CR-2, which would require activity to cease upon discovery of human remains, pending evaluation by the County coroner. If the remains are determined to be of Native American descent, the coroner would notify the Native American Heritage Commission (NAHC). The NAHC would then contact the most likely descendant of the deceased Native American, who would serve as consultant on how to proceed with the remains.

In addition to the Standard Conditions of Approval, mitigation measures would require the retention of a qualified Native American Monitor, approved by the Tribal Representatives from the Gabrieleno Band of Mission Indians – Kizh Nation, who would be present during all construction related ground disturbance activities. In the event tribal cultural resources are unearthed, they would be evaluated by the Native American Monitor and if determined to be Native American in origin, appropriate treatment and curation of the resources would occur. Additionally, in coordination with Standard Conditions of Approval SC CR-2, mitigation would address the potential discovery of human remains, providing for coordination with the NAHC and Qualified Archaeologist. With implementation of Mitigation Measures TCR-1, TCR-2, and TCR-3, the proposed Project would not cause a substantial adverse change in the significant of a tribal cultural resource and impacts would be reduced to a less than significant level.

Standard Conditions of Approval:

SC CR-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. If not already retained due to conditions present pursuant to CR-2, 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 (refer to Mitigation Measures CR-1, CR-2, and CR-4 in The Fullerton Plan EIR). 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.

SC CR-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 Heritage Commission (NAHC). The NAHC shall then contact the most likely descendant of the deceased Native American, who shall serve as consultant on how to proceed with the remains.

Mitigation Measures:

TCR-1: The Project Applicant shall be required to retain the services of a qualified Native American Monitor(s) (Monitor) approved by the Tribal Representatives from the Gabrieleno Band of Mission Indians – Kizh Nation. The Monitor must be present during all construction related ground disturbance activities for the subject project at all project locations (i.e., both on-site and any off-site locations). Ground disturbance is defined as demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching, rough grading and remediation excavation activities within the Project area. The Monitor will complete monitoring logs on a daily basis. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end at the earliest of when either the Project Site rough grading and remediation excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for Tribal Cultural Resources.

TCR-2: Tribal Cultural Resources unearthed by Project construction activities shall be evaluated by the Monitor. If the resources are Native American in origin, the Tribe shall coordinate with the landowner regarding treatment and curation of these resources. The preferred treatment will be reburial or preservation in place.

TCR-3: Refer also to Standard Conditions of Approval SC CR-2. If any human skeletal material or related funerary objects are discovered during ground disturbance, the Monitor will immediately divert work at minimum of 50 feet and place an exclusion zone around the burial. The Monitor will then notify the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the remains are Native American, the coroner will notify the Native American Heritage Commission (NAHC) as mandated by State law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. The preferred treatment will be to keep the remains in situ and protected. If that treatment is not feasible, as determined by the Applicant, the burials may be removed. The Tribe will work closely with the Qualified Archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all material. Once complete, a final report of all activities is to be submitted to the NAHC.

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, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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?			X	
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

a) Require or result in the relocation or construction of new or expanded water, or 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

The City of Fullerton provides water service to the City, including the Project site. The Project proposes to remove the existing on-site structures and develop a new industrial building for warehousing/distribution uses, including a fire pump for emergency purposes. The Project proposes to install domestic water and fire water service lines within the Project site which connect to existing water lines adjacent to the site. A

three-inch domestic water service line would connect to an existing water meter, water service, and backflow device that connects to an existing 12-inch water main along East Burton Street. Twelve-inch fire water service lines would connect to an existing fire department connection (FDC) device and to an existing 12-inch water main within East Burton Street. The two existing fire hydrants adjacent to East Burton Street would be protected in place. Two new fire hydrants would be installed to the northwest and northeast of the proposed building. A total of four fire hydrants, including the two existing fire hydrants, would serve the proposed building.

Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. Significant new employment opportunities would not be generated and would not require the relocation or construction of new or expanded City of Fullerton water facilities. The Project site is currently receiving water and existing infrastructure and supplies are available to serve the proposed redevelopment of the site. The potential environmental effects associated with construction and operation of the Project, including the proposed water and fire water infrastructure, are analyzed within this Initial Study and impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of standard conditions of approval. Thus, the proposed Project would not require or result in relocation or construction of water facilities, the construction or relocation of which could cause significant environmental effects.

Refer to Response 4.19(b) regarding water supply.

Wastewater and Wastewater Treatment

The City, along with the Orange County Sanitation District (OCSD), provides wastewater services to the Project site. The City owns and operates local wastewater transmission lines which discharge to several of OCSD's trunk lines. As previously stated, the Project proposes to remove existing buildings and develop the site with a new industrial building for warehousing/distribution uses. Employment-generating uses currently occur within the site and have been anticipated by The Fullerton Plan. Significant new employment opportunities would not be generated and would not require the relocation or construction of new or expanded wastewater facilities. The Project would install a six-inch standard sewer lateral on-site and a cleanout at the property line to serve the proposed Project, which would connect to the existing 12-inch sewer line located along the northern property line. Existing wastewater lines located adjacent to the Project site would remain unchanged and continue to serve the Project site. Thus, the proposed Project would not require or result in relocation or construction of wastewater facilities, the construction or relocation of which could cause significant environmental effects.

Refer to Response 4.19(c) below, regarding wastewater treatment.

Stormwater Drainage

Under proposed conditions, the Project site would be divided into four watersheds: Areas B and D would consist of biofiltration units design to treat the treatment flow rate; Area A would consist of a volume based biofiltration system which utilizes a detention field to store the DVC and then a biofiltration unit to filter the DVC within 48 hours; and Area C would consist of a self-treating watershed consisting of 99 percent landscaping. Drainage surface flow in Area A would flow to inlets connected to an underground storm drain system, which would then flow to detention system A and then to modular wetland A. Upon

reaching the maximum height in the detention system, storm water would overflow into the existing 27-inch RCP located at the east of the site. Once leaving the modular wetland system the storm water would be pumped up and gravity flow into the existing 27-inch public storm drain pipe to the east. Drainage surface flow in Area B would flow to inlets connected to an underground storm drain system. The storm drain would flow to modular wetland B. Upon reaching maximum capacity of the modular wetland system, storm water would outflow of the drain inlet located near the west driveway. Storm water leaving the modular wetland system would be pumped up then gravity flow out a parkway drain located in East Burton Street. Stormwater would then follow existing conditions and surface flow to the existing catch basin on East Burton Street. Area D would use a modular wetland unit to treat the required flow rate of storm water for flow-based BMPs. Storm water would be collected via the inlet located at the eastern driveway, and roof drain runoff would be directed through the curb face and collected by the same inlet. The inlet would route storm water to the modular wetland unit. Storm water in exiting the modular wetland system would gravity flow to the 27-inch public storm drain line located on the east side of the property. Overflow from Area D would work its way out the driveway located on the east side of the Project site. All storm water would outlet into Carbon Creek downstream. In addition, drain inlets would be distributed throughout the Project site and would feature Kristar Filter inserts for pretreatment and be marked with storm drain signage to limit dumping into the storm drain. Landscaping would feature efficient irrigation with common area litter control implemented after construction.

No off-site drainage improvements are proposed. The potential environmental effects associated with construction and operation of the Project, including the proposed storm drain improvements to serve the development are analyzed within this Initial Study and impacts have been determined to be less than significant with compliance with regulatory requirements and implementation of standard conditions of approval. Thus, the proposed Project would not require or result in relocation or construction of stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects.

Refer to Section 4.10 regarding drainage patterns and the Project's proposed hydrology and drainage.

Electricity, Natural Gas, and Telecommunications

The Project site receives electrical power from Southern California Edison (SCE) and natural gas service from Southern California Gas (SoCalGas). Telecommunication services are provided by a variety of companies and are typically selected by the individual customer. Transmission lines/infrastructure for these services are provided within the Project area and currently serve on-site uses.

The Project's anticipated electricity demand would be approximately 806 MWh per year. The Project's anticipated natural gas demand would be approximately 27,416 therms per year; refer to Section 4.6 regarding an analysis of the Project's energy use. The Project would connect to existing electrical, natural gas, and telecommunications infrastructure, and no off-site improvements are proposed. The potential environmental effects associated with the Project's energy demand are analyzed within this Initial Study and impacts have been determined to be less than significant.

Before demolition of the hotel begins, as part of a separate entitlement process, a temporary telecommunications tower (10-foot by 10-foot by 5-foot block with pole) will be established in the northeastern portion of the site (adjacent to the proposed permanent location) to provide for continued

uninterrupted service. The temporary telecommunications tower would remain operational during the Project construction phase. As part of the Project, a new permanent telecommunications facility would be constructed on the northeastern portion of the site.

The proposed Project would not require or result in relocation or construction of electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Mitigation Measures: No mitigation measures are required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. The City of Fullerton provides water service to the City, including the Project site. The City is a retail water supplier that receives its water supplies from a combination of imported potable water from MWD and local groundwater from the OC Basin, which is managed by the OCWD. The City of Fullerton 2020 UWMP was developed in conjunction with the Municipal Water District of Orange County, the regional wholesale supplier for much of Orange County, in order to develop future water demand projections. Demand projections were prepared for the Orange County region as a whole, and provided retail agency specific demands. The projections span the years of 2025-2050 and are based upon information surveyed from each Orange County water agency. According to the City of Fullerton's 2020 UWMP Tables 7-2, 7-3, and 7-4, the City's water supplies would meet the service area's water demands for normal, single-dry, and multiple dry-year conditions through 2045.

The Project proposes to remove the existing on-site structures and develop a new industrial building for warehousing/distribution uses, consistent with the Project site's land use (I) designation and Southwest Industrial Focus Area. Significant new employment opportunities would not be generated and would not require a significant increase in water demand. Further, development, as proposed, would result in a FAR of 0.43, which is less than the 1.0 projected development intensity for the Southeast Industrial Focus Area, and, therefore, less than the development capacity assumptions identified in The Fullerton Plan. Thus, the Project's anticipated water demand is accounted for in the UWMP. The City of Fullerton's 2020 UWMP indicates adequate water supplies would be available to serve future water demands during normal, dry and multiple years, which includes water demand associated with the existing site. Thus, impacts to water supplies would be less than significant.

Mitigation Measures: Less Than Significant Impact.

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 previously stated, the Project proposes to remove existing buildings and develop the site with a new industrial building for warehousing/distribution uses. The Project would install a six-inch standard sewer lateral on-site and a cleanout at the property line to serve the proposed Project, which would connect to the existing 12-inch sewer line located along the northern property line.

Existing sewer maximum flows at the Project site are estimated at 363 gallons per minute (gpm) (DRC Engineering, Inc., n.d.). Peak sewer flows for the proposed Project are estimated at 70 gpm. Therefore, the Project would decrease peak sewer generation by approximately 80 percent in the post-development condition as compared to pre-development condition. The existing sewer would have capacity to accommodate the proposed Project. Thus, the future flow rates produced by the proposed Project would not significantly impact or exceed the capacity of the existing sewer infrastructure and adequate wastewater treatment would be available to serve the proposed Project. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are 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, 2023). Waste from Fullerton is disposed of at a number of solid waste facilities, with the majority of waste in 2019 disposed at one of three facilities: Olinda Alpha Landfill, Frank R. Bowerman Landfill, and El Sobrante Landfill (CalRecycle, 2023a).

The Project proposes to remove the existing hotel structure and develop a new industrial building for warehousing/distribution uses. State law requires a 65 percent diversion rate for construction and demolition projects. In accordance with State law and FMC Section 14.06.010, *Green Building Standards Code*, which adopts the California Green Building Standards Code (CALGreen), the Project would be required to divert at least 65 percent of the nonhazardous construction and demolition debris from the Project site by recycling, reuse, and/or salvage.

Based on solid waste generation rates for hotel and industrial uses, Project implementation has the potential to increase solid waste disposal demands over existing conditions by approximately 33 pounds per day. Solid waste within the City is primarily disposed of at the Olinda Alpha Landfill, located at located at 1942 N. Valencia Avenue, Brea. In 2019, approximately 84 percent of solid waste from Fullerton was disposed of at the Olinda Alpha Landfill; the Frank R. Bowerman Landfill and El Sobrante Landfill received approximately 10.5 and 3.2 percent of solid waste from Fullerton, respectively (CalRecycle, 2023a). Olinda Alpha Landfill has a maximum permitted throughput of 8,000 tons per day (CalRecycle, 2023b). The facility's maximum capacity is 148,800,000 cubic yards and has a remaining capacity of 17,500,000 cubic yards. It is anticipated that Olinda Alpha Landfill would continue to receive a majority of the solid waste from the City. Solid waste generated from the Project could be accommodated at the Olinda Alpha Landfill or a combination of the disposal facilities that currently receive solid waste for disposal from the City.

The City has a per capita disposal rate target of 7.9 pounds per person per day. Since 2007, the City has met this target through its diversion programs (CalRecycle, 2023c). The most recent disposal rate (2021) was 6.9 pounds per person per day. The City would continue to implement its diversion programs and require compliance with all federal, State and local statutes and regulations for solid waste, including

those identified under the most current CALGreen standards and in compliance with AB 939 and SB 1383. Thus, the proposed Project would result in less than significant impacts concerning solid waste.

Mitigation Measures: 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?				X
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?				X
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?				X
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?				X

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

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?

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?

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. The Project site is not located within a Very High, High, or Moderate fire severity zone, as identified in Exhibit 5.9-1 of The Fullerton Plan EIR. Further, according to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Map, the Project site is not located within or next to a Very High Fire Hazard Severity Zone within a Local Responsibility Area or State Responsibility

Area (CAL FIRE, 2023). The Project would be required to comply with all City and Fullerton Fire Department requirements for fire prevention and safety measures, including site access. No impacts concerning wildfire would occur.

4.21 Mandatory Findings of Significance

Would the project:	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?		X		
b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.			X	
c. 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)?			X	
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

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?

Less Than Significant Impact With Mitigation Incorporated. As discussed throughout this Initial Study, the Project does not have the potential to substantially degrade the quality of the environmental or result in significant environmental impacts that cannot be mitigated or reduced to a less than significant level

with compliance with the established regulatory framework and implementation of mitigation measures and/or standard conditions of approval.

As discussed in Section 4.4, *Biological Resources*, the Project would not substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. The Project would be required to comply with SC BIO-1, which would require construction activities to be completed in compliance with the Migratory Bird Treaty Act and Sections 3503, 3503.5, 3513 of the California Fish and Game Code, which would reduce potential impacts to a less than significant level.

As discussed in Section 4.5, *Cultural Resources*, the Project would not eliminate important examples of the major periods of California history or prehistory. As concluded in Section 4.5 and Section 4.18, *Tribal Cultural Resources*, the Project would not result in significant adverse impacts to archaeological resources, tribal cultural resources, or human remains. In the unlikely event that buried archaeological resources are encountered during ground disturbance activities, SC CR-1 would require earth disturbing activities to cease upon discovery of cultural resources, including tribal cultural resources, pending evaluation of the resource by 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; and SC CR-2 would require activity to cease upon discovery of human remains, pending evaluation by the County coroner. In addition, based on consultation with the Gabrieleno Band of Mission Indians – Kizh Nation, the Project would implement Mitigation Measures TCR-1, TCR-2, and TCR-3. Mitigation measures would require the retention of a qualified Native American Monitor, approved by the Tribal Representatives from the Gabrieleno Band of Mission Indians – Kizh Nation, who would be present during all construction related ground disturbance activities. In the event tribal cultural resources are unearthed, they would be evaluated by the Native American Monitor and if determined to be Native American in origin, appropriate treatment and curation of the resources would occur. In coordination with Standard Conditions of Approval SC CR-2, mitigation would also address the potential discovery of human remains, providing for coordination with the NAHC and Qualified Archaeologist.

Therefore, the Project would not 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.

Mitigation Measures: No additional mitigation measures are required.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Less Than Significant Impact. As discussed throughout this Initial Study, the Project would not result in significant short-term or long-term environmental impacts that cannot be mitigated or reduced to a less than significant level with compliance with the established regulatory framework and implementation of mitigation measures and/or standard conditions of approval. Compliance with the regulatory

requirements would reduce the potential for short- and long-term environmental impacts that would occur with construction and operation of the proposed Project relevant to the environmental topical areas discussed within this Initial Study. Thus, the Project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation Measures: No mitigation measures are required.

c) 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)?

Less Than Significant Impact. Based on the analysis contained in this Initial Study, the proposed Project would not have cumulatively considerable impacts that cannot be mitigated or reduced to a less than significant level with compliance with the established regulatory framework and implementation of mitigation measures and/or standard conditions of approval. Compliance with the regulatory requirements and implementation of mitigation measures and/or standard conditions of approval at the Project-level would reduce the potential for the incremental effects that would occur with construction and operation of the proposed Project relevant to the environmental topical areas discussed within this Initial Study.

Mitigation Measures: No mitigation measures are required.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. Previous sections of this Initial Study reviewed the proposed Project's potential impacts to human beings related to several environmental topical areas. As determined throughout this Initial Study, the proposed Project would not result in any potentially significant impacts that cannot be mitigated or reduced with compliance with the established regulatory requirements and implementation of mitigation measures and/or standard conditions imposed by the City. The Project would not cause a substantial adverse effect on human beings, either directly or indirectly and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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