



1500 S. RAYMOND AVENUE INDUSTRIAL PROJECT

FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
NOVEMBER 2023

Prepared for:

City of Fullerton
Community & Economic Development Department
Planning Division
303 West Commonwealth Avenue
Fullerton, CA 92832

Prepared by:

De Novo Planning Group
180 E. Main Street, Suite 108
Tustin, CA 92780

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm





1500 S. RAYMOND AVENUE INDUSTRIAL PROJECT

Final Initial Study/Mitigated Negative Declaration

LEAD AGENCY: CITY OF Fullerton

303 West Commonwealth Avenue
Fullerton, CA 92832

Contact: Edgardo Caldera, Senior Planner
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(714) 773-5773

PREPARED BY: DE NOVO PLANNING GROUP

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November 2023

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1.0 INTRODUCTION

The 1500 S. Raymond Avenue Industrial Project (Project) site is located in the City of Fullerton within the County of Orange. The Project site is comprised of approximately 7.2 acres located at 1500 S. Raymond Avenue (APNs 267-031-06 and -25). 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 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. 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 noted that an Alternative Site Plan, primarily associated with parking 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).

In accordance with the California Environmental Quality Act (CEQA) Guidelines, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed Project.

The IS/MND was made available for public review and comment pursuant to CEQA Guidelines Section 15073 and 15105. The public review period commenced on September 20, 2023 and concluded on October 20, 2023. The IS/MND and supporting attachments were available for review by the general public at:

City of Fullerton Website:

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

The Public Review Draft IS/MND identifies the potential environmental impacts associated with development of the Project. The Responses to Comments, together with the Public Review Draft IS/MND, constitutes the Final IS/MND for the proposed 1500 S. Raymond Avenue Industrial Project.

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2.0 RESPONSES TO COMMENTS

During the public review period, comments were received on the IS/MND. The following is a list of the public agencies, organizations, and individuals that submitted comments on the IS/MND during the public review period:

Comment Letter Number	Agency, Organization or Individual	Letter Dated
1	South Coast Air Quality Management District Sahar Ghadimi Air Quality Specialist, CEQA IGR	October 5, 2023
2	Diana Heineck Resident	October 7, 2023
3	Orange County Transportation Authority Dan Phu Manger, Environmental Programs	October 17, 2023
4	California Department of Transportation Scott Shelley Branch Chief	October 18, 2023
5	Jane Reifer Resident	October 19 and 26, 2023

Although the CEQA Guidelines do not require a Lead Agency to prepare written responses to comments received on an IS/MND, the City of Fullerton has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed Project. The comment letters and responses follow. The comment letters have been numbered sequentially. The number designations in the responses correlate to the numbered portions of each comment letter.

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Comment Letter 1

sbarker@denovoplanning.com

From: Sahar Ghadimi <sghadimi@aqmd.gov>
Sent: Thursday, October 5, 2023 3:49 PM
To: Edgardo Caldera
Cc: Sam Wang
Subject: [EXTERNAL MAIL]Technical data request for the 1500 S. Raymond Avenue Industrial Project.

You don't often get email from sghadimi@aqmd.gov. [Learn why this is important](#)

CAUTION: BE CAREFUL WITH THIS MESSAGE

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Dear Edgardo Caldera,

South Coast AQMD staff received the Notice of Intent to Adopt a Mitigated Negative Declaration for the 1500 S. Raymond Avenue Industrial Project (South Coast AQMD Control Number: ORC230927-07). Staff is currently in the process of reviewing the Mitigated Negative Declaration report.

Please provide an electronic copy of any live modeling and emission calculation files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Dear Phayvanh Nanthavongdouangsy, Input Files (.csv files);
- Live EMFAC output files;
- Any emission calculation file(s) (live version of excel file(s); no PDF) used to calculate the Project's emission sources (i.e. truck operations).

You may send the above-mentioned files via a Dropbox link in which they may be accessed and downloaded by South Coast AQMD staff by the middle of next week. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please contact me.

Thank you.

Sincerely,

Sahar Ghadimi
Air Quality Specialist, CEQA IGR
Planning, Rule Development & Implementation
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
(909) 396-2392

1.1

1.2

sghadimi@aqmd.gov

Response to Commenter Letter No. 1

Sahar Ghadimi
Air Quality Specialist, CEQA IGR
South Coast Air Quality Management District
October 5, 2023

- 1.1 This introductory paragraph states that the South Coast Air Quality Management District (AQMD) received and is in the process of reviewing the Draft IS/MND. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 1.2 This comment requests an electronic copy of any live modeling and emission calculation files that were used to quantify the air quality impacts from construction and/or operation of the Project. The comment further states that South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner without all files and supporting documentation. The comment is noted. The requested files were provided to the South Coast AQMD on October 6, 2023. A request for additional modeling files was also received from the South Coast AQMD on October 11, 2023; the additional requested files were provided to the South Coast AQMD on October 11, 2023. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

sbarker@denovoplanning.com

From: [REDACTED]
Sent: Saturday, October 7, 2023 7:35 AM
To: Edgardo Caldera
Subject: [EXTERNAL MAIL]1500 S. Raymond

[You don't often get email from dheineck2022@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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I live at Fullerton Heights and frankly, this could have been an opportunity for additional housing. This place never should have been built here and I hate it! I have raised my children in Fullerton and worked for over 35 years all the while paying each week into the system. A system that has all but abandoned myself and others! I am at the point that I have to have as hearing to get enforcement of contracts your employer signed and fails to enforce. Now, you wish to add more of the same less than 1/4 mile away! There are not even sidewalks for my little dogs! I am 61 years old and I am in tears almost daily at how those charged with protecting us have betrayed and turned their backs on us. **2.1**

All I can say is I would not do this to your mother! Shame on Fullerton! We have PER CONTRACT the RIGHJT TO OBTAIN VOUCHERS AND MOVE! WHY CAN'T FULLERTON WORK WITH US TO CREATE A SMALL TINY HOMES COMMUNITY? I would like to create an educational program that covers topics with input from land managers, owners and case managers. Then, to have the potential residents attend this educational information course and be awarded a certificate declaring them "housing ready." I have received very positive remarks but no one will support me in making this happen. Kind Sirs, my brain did not fall out of my heads becasue I have a diagnosis and the treatment which is discrimination and insulting is dangerous to residents. Here in the last two years, we have seen two single mothers children removed from the home, pome man died from and overdose, and the latest one jumped from the top floor! This is a "Supportive" community? Funded almost 100% with public funds, conveyances, tax breas, etc. Yet, I have discovered over 1.1 million in service amenities that remain paid for but unbuilt! That is more than unfair.

Also, per the hearing and public information act. Please provide me with the inspection documentation for this location. I want to know exactly how this place passed inspection and has over a million bucks in items that have never been built. Can you please explain this to me. **2.2**

Regards,
Diana Heineck

Response to Commenter Letter No. 2

Diana Heineck
Resident
October 7, 2023

- 2.1 The comment voices opposition to the proposed Project and states that the Project location could have been an opportunity for additional housing. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary. The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration.

- 2.2 The comment requests the inspection documentation for the Project location. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary. The comment is noted, and the concerns will be provided to the appointed and elected decision makers for their consideration.



AFFILIATED AGENCIES

Orange County
Transit District

Local Transportation
Authority

Service Authority for
Freeway Emergencies

Consolidated Transportation
Service Agency

Congestion Management
Agency

October 17, 2023

Mr. Edgardo Caldera
Senior Planner
City of Fullerton, Community & Development Services Department
303 West Commonwealth Avenue
Fullerton, CA 92832

Via email: edgardo.caldera@cityoffullerton.com

Subject: Notice of Intent (NOI) to Adopt Mitigated Negative Declaration (MND) for the 1500 S. Raymond Avenue Industrial Project

Dear Mr. Caldera:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Notice of Intent to Adopt a Mitigated Negative Declaration for the 1500 S. Raymond Avenue Industrial Project. The following comment is provided for your consideration:

3.1

- While the TAPP Worksheet shows that a VMT analysis is not required, it is advisable that the city assess the potential traffic impacts stemming from the expected increase in semi-truck activity passing through either the La Palma or Orangethorpe at-grade crossings.

3.2

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at dphu@octa.net.

Sincerely,

Dan Phu
Manager, Environmental Programs

DP:tc

Response to Commenter Letter No. 3

Orange County Transportation Authority
Dan Phu
Manger, Environmental Programs
October 17, 2023

- 3.1 This introductory paragraph thanks the City for the opportunity to review the Draft IS/MND. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 3.2 The comment states that while the TAPP Worksheet shows that a VMT analysis is not required, it is advisable that the City assess the potential traffic impacts stemming from the expected increase in semi-truck activity passing through either the La Palma or Orangethorpe at-grade crossings. In the Draft IS/MND, the environmental analysis addresses the slightly larger proposed industrial building for warehousing/distribution uses, as it is the more likely end-user and results in a more conservative analysis of environmental impacts due to the potential heavy-duty trucks that would access the site. Appendix H, Transportation Assessment Policies and Procedures (TAPP) Worksheet in the Draft IS/MND shows implementation of the proposed Project would have a net peak trip generation decrease of 22 trips in the A.M. and 47 trips in the P.M., based on the replacement of the hotel use with a manufacturing warehouse use. Per the City's TAPP Worksheet, since the Project's peak hour trip generation is not anticipated to exceed 40 net new vehicle trips, the Project is not expected to have an effect on transportation and therefore, a LOS analysis was not required. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
<https://dot.ca.gov/caltrans-near-me/district-12>



October 18, 2023

Mr. Edgardo Caldera
Senior Planner
City of Fullerton
303 W. Commonwealth Ave
Fullerton, CA. 92832

File: LDR/CEQA
SCH: 2023090500
12-ORA-2023-02386
SR-91, PM 4.265

Dear Mr. Caldera,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Mitigated Negative Declaration (MND) for the 1500 S. Raymond Avenue Industrial Project. The Project proposes to remove the existing onsite 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. 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). The proposed building would have a building footprint of 132,419 square feet and a maximum height of 46 feet six 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.

4.1

The 1500 S. Raymond Avenue Industrial Project site is located in the City of Fullerton within the County of Orange. Regional access to the site is provided via State Route 91 (SR-91), located to the immediate south. State Route 91 is owned and operated by Caltrans. Therefore, Caltrans is a responsible agency on this project, and has the following comments:

4.2

Traffic Operations

1. The Project is anticipated to generate significant amount of truck traffic as well as truck-drivers and employee commuter traffic. Potential adverse traffic impacts from the increased truck traffic to freeway facilities, including on and off ramps in the vicinity, should be determined and mitigated.

4.3

System Planning

2. Consider working with City of Fullerton to install bike lanes and other complete streets enhancement measures on Burton Street and S. Raymond Ave. Work with the city to provide protected bike storage for workers accessing the site. For additional guidance on providing functional bike parking, see the attached “Essentials of Bike Parking” guidance created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: <https://www.apbp.org/Publications>).
3. Please Consider encouraging or incentivizing the use of transit among both construction workers of the proposed development and future employees. Increasing multimodal transportation will lead to a reduction in congestion, lower Vehicle Miles Traveled, and improve air quality.
4. Please consider providing adequate wayfinding signage to nearby transit stops within the proposed project. Connectivity of first and last mile mobility options and transit services help integrate a complete multimodal transportation network.

Freight Operations and Planning

5. Please provide electric charging stations for trucks. Electric charging infrastructure provides trucks or transport refrigeration units access to power without running their engines, thus reducing greenhouse and heat emissions. In addition, the project would be preparing for the inevitable shift to alternative energy-fueled vehicles, per the governor’s executive order N-79-20, which phases out sales of gas-powered trucks by 2035.
6. Please ensure that the project does not worsen truck parking shortages in the region. Potential options include providing on-site parking or contributing to a regional truck parking solution.
7. Please consider on-site truck parking facilities for drivers such as restrooms, lighting, trash facilities, drinking water and food or vending machines.

Encroachment Permits

4.10

8. Any project work proposed in the vicinity of the State Right-of-Way (ROW) would require an encroachment permit and all environmental concerns must be adequately addressed. If the environmental documentation for the project does not meet Caltrans's requirements for work done within State ROW, additional documentation would be required before approval of the encroachment permit. Please coordinate with Caltrans to meet requirements for any work within or near State ROW. For specific details for Encroachment Permits procedure, please refer to the Caltrans's Encroachment Permits Manual at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>
9. Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (657) 328-6553 or D12.permits@doct.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment Permits. For specific details on Caltrans Encroachment Permits procedure and any future updates regarding the application process and permit rates, please visit the Caltrans Encroachment Permits homepage at <https://dot.ca.gov/programs/traffic-operations/ep>.

Caltrans' mission is to provide a safe, sustainable, equitable, integrated, and efficient transportation system to enhance California's economy and livability. Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Julie Lugaro at Julie.lugaro@dot.ca.gov.

Sincerely,



Scott Shelley
Branch Chief,
Local Development Review-Climate Change-Transit Planning
Caltrans, District 12

Response to Commenter Letter No. 4

California Department of Transportation
Scott Shelley
Branch Chief
October 18, 2023

- 4.1 This introductory paragraph summarizes the proposed Project. The comment is introductory in nature and does not contain any information requiring changes to the Draft EIR. No further response is warranted.
- 4.2 The comment states that regional access to the Project site is provided via State Route 91, located immediately to the south, which is owned and operated by the California Department of Transportation (Caltrans); therefore, Caltrans is a responsible agency on the Project. The comment is introductory in nature and does not contain any information requiring changes to the Draft EIR. The comment is noted and no further response is warranted.
- 4.3 The comment states that the Project is anticipated to generate a significant amount of truck traffic and that potential adverse traffic impacts from increased truck traffic to freeway facilities should be determined and mitigated. In the Draft IS/MND, the environmental analysis addresses the slightly larger proposed industrial building for warehousing/distribution uses, as it is the more likely end-user and results in a more conservative analysis of environmental impacts due to the potential heavy-duty trucks that would access the site. Appendix H, Transportation Assessment Policies and Procedures (TAPP) Worksheet in the Draft IS/MND shows implementation of the proposed Project would have a net peak trip generation decrease of 22 trips in the A.M. and 47 trips in the P.M., based on the replacement of the hotel use with a manufacturing warehouse use. The City Traffic Engineer's findings are that the proposed Project would have no probable VMT impact and no further study is required. Per the City's TAPP Worksheet, since the Project's peak hour trip generation is not anticipated to exceed 40 net new vehicle trips, the Project is not expected to have an effect on transportation and therefore, a LOS analysis was not required. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.4 The comment recommends that the applicant work with the City to install bicycle lanes on Burton Street and South Raymond Avenue and provide protected bicycle storage for workers. As described in Section 4.17 of the Draft IS/MND, 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 comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.5 The comment recommends encouraging the use of transit among construction workers and future employees. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.

- 4.6 The comment recommends including wayfinding signage to nearby transit stops within the proposed Project. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.7 The comment requests that electric charging stations for trucks be provided. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.8 The comment requests that the Project not worsen truck parking shortages and an option would be to include on-site parking or contributing to a regional truck parking solution. The Project proposes 40 trailer parking stalls to be provided in the northeastern portion of the site. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.9 The comment recommends including on-site truck parking facilities for drivers. The Project proposes 40 trailer parking stalls to be provided in the northeastern portion of the site. The comment does not provide any specific comments or statements regarding the environmental analysis or conclusions contained in the Draft IS/MND; no further response is necessary.
- 4.10 The comment states that any work proposed in the vicinity of the State right-of-way would require an encroachment permit. As described in Section 2.3 of the Draft IS/MND, 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. No work would occur within the State right-of-way. Project implementation would comply with existing relevant requirements. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

sbarker@denovoplanning.com

From: Jane Reifer [REDACTED]
Sent: Thursday, October 19, 2023 5:15 PM
To: Edgardo Caldera
Subject: [EXTERNAL MAIL]1500 S. Raymond Ave. Industrial Project ISMND Comments
Attachments: 1500 S. Raymond ISMND Comments.doc

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JANE REIFER

[REDACTED] • FULLERTON, CA • 92832

PHONE: [REDACTED]

Edgardo Caldera, Senior Planner
City of Fullerton Community and Economic Development
303 W. Commonwealth Ave.
Fullerton, CA 92832-1775

Re: 1500 S. Raymond Ave. Industrial Project ISMND Comments

Dear Mr. Caldera,

Thank you for the opportunity to comment on the 1500 S. Raymond Ave. ISMND. Thank you for releasing the Technical Appendices from their password protection this last Tuesday, but there were still technical issues downloading the 3,338 page document which was very unwieldy. The portal never allowed me to download or print it due to timeouts and possibly other errors, so I was never able to see the sections I wanted. The city's website search function was not working, and Also, due to lack of pagination in the Table of Contents and Appendices, I spent almost 3 hours trying to get to the sections I wanted to view, without luck. From what I could tell, it looks like Appendices E through I are missing. If I hadn't spent time trying to locate these Appendices I could have at least viewed the AQ HRA, but again, not being able to download or search, I was only able to locate the modeling data, but not the HRA.

To be clear, the additional step to open the Appendices was to enter a password to which the public has no access. There was no indication that one would have to click through to another page.

5.1

I respectfully ask for another 5 days in order to comment, once having access to a viewable and searchable copy of the appendices. **5.2**

Public Review Process 1.3

See the three paragraphs above. The Appendices were not available to the public until October 17th, and E through I appear to be missing still. **5.3**

It is troubling that demolition was well underway before the ISMND was released to the public . Please include a disunion of how the project can follow mitigations and meet conditions of approval that took place before the ISMND was produced or distributed to the public and before the project has bene approves.

In addition, many mitigations for construction have already been bypassed as a significant amount of demolition has taken place, especially for hazardous materials. Please include a full discussion and relevant documentation.

Cumulative Impacts

It's important to know what the other proposed projects, programs, strategies or referenced policy action areas are going to be, in order to do a proper assessment of the cumulative impacts, including for surrounding cities. **5.4**

Air Quality Impact 4.3

Since I could not locate the HRA, I'm not sure if the church was included as sensitive receptor. I would like to view SCAQMD comments and lead agency response. The impact of cumulative emissions and impacts has not been adequately discussed since the reasoning seemed to say that there would be no individual project emissions. This seems like a circular argument. Discussion on p. 38 talks about disturbing less than 5 acres a day, but it looks like there is the capacity to affect over 7 acres a day. There should be a COA stating that the facility cannot remodeled into a refrigerated warehouse. **5.5**

Aesthetics 4.1

SC AES--2 and SC AES-3 (staging of construction equipment) may have already been violated since construction has already commenced. **5.6**

Biological Resources – 4.4

The drainage ditch mentioned is actually the channelized Carbon Creek, a tributary of Coyote Creek which runs to the San Gabriel River and estuary. Wildlife still uses this creek as a travel corridor, including to the Ramond Retarding Basin and the Placentia Basin. There may be riparian habitat along this area, but it was not discussed. **5.7**

Happy to see that many trees will be allowed to remain, but please indicate what species they are and which trees are to be removed.

Cultural Resources 4.5

Several times mentions a hotel from the 1930s; I assume they mean 1960s. No mention is made of the project's proximity to the large historic sandwash just south of the projects which was a significant feature in California history and must have been a significant feature in California prehistory **5.8**

Geology and Soil 4.7

No mention is made of the project's proximity to the large historic sandwash just south of the project which is a unique geological and hydrological feature that merits a discussion of impacts. **5.9**

GHG

Please discuss the relation to environmental impact that the City has not reached its goal of GHG reduction by 2020 to 1990 levels. **5.10**

Hazardous Materials

There should be a full discussion of the RECs.

5.11

Mandatory Findings of Significance

There is potential that the project area could contain resources of California history and pre-history based on its proximity to the historic sandwash and the previous Santa Ana River bed.

5.12

Transportation 3.17

There should be a more full analysis of bike and ped facilities despite not being on a designated bike route, and including discussion of any pedestrian gap closure needs and conflict areas with other modes at driveways and through parking lots. No mention is made of sidewalks and bike facilities on Raymond Ave.

5.13

P5.14 pertains to this discussion to contribute to sidewalks and bike infrastructure to at least acceptable levels even if not on designated routes. Raymond was not discussed.

Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? Construction detours must be handled so as not to decrease these modes' performance. Current Traffic Control Plans do not include mitigations for impacts to bus, bike and ped construction impacts so the construction impacts conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. COA-AQ-6 is not adequate mitigation.

Thank you for your time and attention to these issues,

Sincerely,

Jane Reifer

JANE REIFER

• FULLERTON, CA • 92832

PHONE: [REDACTED]

October 26, 2023

Edgardo Caldera, Senior Planner
City of Fullerton Community and Economic Development
303 W. Commonwealth Ave.
Fullerton, CA 92832-1775

Re: 1500 S. Raymond Ave. Industrial Project ISMND Comments

Dear Mr. Caldera,

Thank you for the opportunity to submit comments after being able to view the missing appendices. Here are my additional comments, with a few edits to the original submission (please consider them together): **5.14**

Public Review Process 1.3

I was pleased to be able to access the original and additional appendices but am not certain that others were also able to access these necessary resources. **5.15**

The Notice of Completion made no mention of the 57 Freeway, the BNSF railway the Carbon Creek Channel and Fullerton Creek Waterways and the Thomas Edison Elementary School, all located within 2 miles. There are possibly others. **5.16**

Also, my understanding is that the buildings were not to be demolished in advance of the public review process and /or the vote of the Fullerton Planning Commission and /or City Council. Demolition continues even now with materials still being sorted on site to salvage precious metals, fill, construction materials, etc. ACMs and LCMs were confirmed onsite. Since the buildings continued to be torn down during the review process and were fully demolished on October 20th, there should be some discussion of what the preferred or allowable process is. Also, was a City demolition permit granted? If so, why? **5.17**



October 19th, 2023 (Building fully levelled October 20, 2023)

Air Quality Impact 4.3

The Air Quality appendix shows a construction phase of 5/1/23 to 7/1/23 and grading taking place 7/2/23 to 8/2/23. How can grading take place before the public process, including geological, paleontological, cultural impacts, and potential tribal consultation? Please re-assess for the permissibility, etc. of demolition and the construction impacts of ACMs, dust and other impacts occurring before the public process completed. **5.18**

Pages 71 to 75 estimates active commuting in the area as a very high 67% . It's great that sidewalks will be required along at least one side of East Burton, but a more comprehensive look needs to be taken, and there are other sections missing sidewalk, such as Raymond. **5.19**

Air quality operating impacts may be significantly understated due to the same VMT credits issue indicated below, and may need to be redone. **5.20**

The HRA estimates 45 daily trucks with 89 daily truck trips but this seems unrealistic for a facility with 16 doors. **5.21**

Page 95 in the HRA mentions, “the multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES IV,” shows that cancer risk has decreased more than 50 percent between MATES III (2008) and MATES IV (2015).” but makes no mention that the project is in the area with the worst percentile for air quality. It also states, “The proposed Project would incrementally increase this risk to those living and working in the immediate vicinity of the proposed Project, as well as those in the surrounding environs” but doesn't substantively discuss cumulative risks. **5.22**

It seems like the cancer risk studied for the grid pertaining to the project area is extremely high: “excess cancer risk of 1,067.39 in one million.” Please address this. **5.23**

I don’t see the church listed, or the elementary schools, and there is no map or listing of sensitive receptors. There is no mention of asbestos. There is also no mention of expected truck routes and whether these mobile sources go by sensitive receptors on their trips. **5.24**

Hazardous Materials

Re-assess for the permissibility, etc. of demolition and the construction impacts of LCMs, and other impacts occurring before the public process. It appears that the Phase I ESA was conducted before the purchase of the property. Should there have been an update before including as part of the ISMND? **5.25**

C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? In the ISMND, only Maple School is mentioned, but Thomas Edison is the appropriate one and there may be more. We need to do a better job of studying impacts on sensitive receptors in adjacent cities. A similar issue occurred with a recent Rexford project on Via Burton. **5.26**

1.3. User-Selected Emission Reduction Measures by Emissions Sector indicates a desire to use measure T-32: Orient Project Toward Transit, Bicycle, or Pedestrian Facility, and while commendable to add sidewalks, the project does not include comprehensive usability by bicyclists, pedestrians and transit users. **5.27**

Tribal Cultural Resources 4.18

Pages 395-6 of the PDF of the Phase I ESA include text and historic maps showing that the creek once transected the property and was later re-channeled to the south of the property. This indicates potentially more geological, paleontological and tribal cultural resources and/or impacts and should be addressed. **5.28**

Transportation / VMT / LOS

The VMT TAPP worksheet is dated 11/9/2022. The screening tools only include 1 of the 2 parcel numbers so it’s possible that it’s not complete. It does not indicate the car versus truck trip numbers. **5.29**

The Energy section of the ISMND indicates that, “The Project would generate an estimated total of approximately 2,567 average daily vehicle miles traveled (Average Daily VMT).” Projects that generate less than 836 VMT can be screened out but this exceeds that number, and indicates a significant VMT / transportation impact. **5.30**

The TAPP claims a VMT credit based on the hotel current use, but this is not allowed since the hotel closed several years ago. The LOS screening indicated that both AM and PM peak hour trip generation exceeds the threshold of 40 trips. Again, the credit is not appropriate in this case.

Both VMT and LOS analysis is required, with mitigations proposed to reduce the impacts to less than significant. The project suggests a better than General Plan buildout only due to incorrectly taking the VMT credit. Using the actual numbers, it’s clear that the VMT per service population significantly exceeds the city threshold of General Plan buildout.

Response to Commenter Letter No. 5

Jane Reifer
Resident
October 19, 2023

- 5.1 This introductory paragraph states that there were technical issues accessing the technical appendices of the Draft IS/MND from the City of Fullerton website. The comment does not contain any information requiring changes to the Draft IS/MND. It is noted that the Draft IS/MND, including technical appendices, was available on the City's website for the duration of the public review period. No further response is warranted.
- 5.2 This comment requests five additional days to review and comment on the Draft IS/MND due to technical issues accessing the appendices on the City's website. Understanding the commenter had difficulties accessing the appendices, the City provided the commenter with the opportunity to provide additional comments by October 27, 2023. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.3 The comment expressed concern regarding the demolition that began before the Draft IS/MND was available for public review and requested additional information regarding construction mitigation implementation. Demolition of the building was initiated under a City-issued demolition permit due to public safety and nuisance issues at the site. Demolition activities involved removal of the vertical structure and did not involve ground disturbing activities or disturbance of the slab. No Project-specific construction activities or improvements have occurred at the site. Demolition activities were required to comply with all SCAQMD requirements as well as waste reducing and recycling requirements. At the request of the Gabrieleño Band of Mission Indians – Kizh Nation, the Applicant coordinated with the Tribe to clarify the demolition activities and provide for a Tribal Monitor during specific removal activities.

A Phase I Environmental Site Assessment (ESA) was previously prepared to identify recognized environmental conditions (RECs) at the site. The Phase I ESA identified no evidence of RECs as defined by ASTM in connection with the Project site with the exception of the site's location within the boundaries of the Orange County North Basin (OCNB) Superfund site. However, due to the reported depth to groundwater in the area of the site it was determined unlikely that vapor intrusion is occurring on the site. Further, since the storage and/or usage of the identified contaminants have not been reported on the site, it was determined 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. Thus, the Phase I ESA concluded that no additional investigation was warranted.

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 identified a number of samples positive for ACM. 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.

As discussed in Section 4.3 of the Draft IS/MND, Project-specific construction activities would be subject to compliance with SCAQMD Rules 402 (Nuisance), 403 (Fugitive Dust), and 1113 (Architectural Coatings), which would reduce specific construction-related emissions. Rule 402 restricts discharges that cause nuisance to the public. Rule 403 requires the use of stringent best available control measures to minimize PM₁₀ emissions during grading and construction activities. Rule 1113 requires reductions in the VOC content of coatings. Additionally, the Project would be required to comply with Mitigation Measures TCR-1, TCR-2, and TCR-3 during ground disturbance activities specific to tribal cultural resources. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

- 5.4 The comment requested additional information on potential cumulative impacts for other proposed projects, programs, strategies or policy action areas in the vicinity of the Project site. As discussed in Section 4.14 of the Draft IS/MND, the Project site is designated Industrial (I) and located within the Southwest Industrial Focus Area. 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. 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. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.5 The comment questions whether a church would be considered a sensitive receptor in the HRA and requests to view the SCAQMD comments and lead agency response. Additionally, the comment states that the cumulative emissions impacts have not been adequately discussed. The comment also states that they believe there is the capacity for construction to impact seven acres a day. They also request a Condition of Approval that the facility cannot be turned into a refrigerated warehouse.

A Health Risk Assessment (HRA) was prepared to assess potential public health risks that may occur as a result of the proposed Project. The Office of Environmental Health Hazard Assessment and the SCAQMD provide guidance on the procedures that should be used for preparing HRAs. The health risks that are evaluated in the HRA include: Residential Cancer Risk, Workplace Cancer Risk, and Acute and Chronic Hazard Indices. The 30-year risk applies to residential areas where exposure may potentially occur 24 hours/day, 365 days/year. The 25-year risk is applicable to workplace exposure and therefore accounts for a reduced exposure for the fact that individuals typically would be exposed only during working hours. Non-cancer risks can be described as acute (short-term, exposure) or chronic health impacts. While the church was not specifically included in the analysis, since it is not a residence or workplace, as shown in Table 4.3-7 in Section 4.3 of the Draft IS/MND, 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.

The SCAQMD requested the modeling files, including for the HRA. The modeling files were provided; no further comments were received. Refer to response to Comment Letter 1.

As discussed in Section 4.3 of the Draft IS/MND, 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. Additionally, 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 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.

As discussed in Section 4.3 of the Draft IS/MND, while the entire Project site is approximately 7.2 acres, the maximum daily disturbed acreage would be less than 5.0 acres, since the proposed building would be less than 5.0 acres, and Project construction would not occur across the entire site at the same time. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

5.6 The comment states that SC AES-2 and SC AES-3 may have been violated since construction has already commenced. As stated previously, demolition of the building was initiated under a City-issued demolition permit due to public safety and nuisance issues at the site. Demolition activities involved removal of the vertical structure and did not involve ground disturbing activities or disturbance of the slab. No Project-specific construction activities or improvements have occurred at the site. SC AES-2 and SC AES-3 are standard conditions and there is no indication that implementation did not occur during demolition activities. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

5.7 The comment states that the drainage ditch located to the south of the Project site is the channelized Carbon Creek and that wildlife use this creek as a travel corridor and there is potentially riparian habitat along this area. The comment also requests additional information on the species of trees that would be removed as part of the Project.

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. As discussed in Section 4.4 of the Draft IS/MND, 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 channelized Carbon Creek is fully channelized, and does not contain wetlands or wetland habitat. Further, the

Project does not propose any changes or modifications to the channel. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

As discussed in Section 4.4 of the Draft IS/MND, the Project site does not contain any native landscaping, and the existing trees are all landscape trees. 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. Additionally, 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 these standard conditions would ensure impacts remain less than significant. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

- 5.8 The comment states that the Draft IS/MND discusses a hotel from the 1930s, but assumes the hotel was built in the 1960s. Additionally, the comment states that no mention is made to the large historic sand wash just south of the Project site which was a significant feature in California history.

The Cultural Resource Assessment incorrectly referenced the hotel as from the 1930s and it is noted that the hotel is from the 1960s. The correct construction date of the hotel is referenced in the Draft IS/MND on page 49 as 1967. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

The comment references a large historic sand wash located just south of the Project site. Carbon Creek is located south of the Project site, across East Burton Street. The creek has been highly disturbed associated with its channelization, and the Project does not propose any changes or modifications to the channel. As discussed in Section 4.5 of the Draft IS/MND, the Cultural Resources Assessment concluded that due to the proximity of available freshwater sources in the vicinity, including Carbon Creek, the sensitivity of the Project area for containing intact buried prehistoric archaeological resources would be considered moderate to high; however, no prehistoric sites have been recorded within the half-mile records search radius, including along the creek. 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 1960s, the sensitivity of the Project site for containing intact buried prehistoric archaeological resources is considered low. As noted, the 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, should an unknown or undiscovered resource be uncovered during construction activities, the Project would be required to comply with 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. Additionally, in accordance with Tribal Cultural Resources Mitigation Measure TCR-1, the Project Applicant is required to retain the services of a qualified Native American Monitor(s) (Monitor) 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). In the event any cultural resources or Tribal Cultural Resources are unearthed by Project construction activities, the

- resources would be evaluated. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.9 The comment states that the Draft IS/MND does not include a discussion of the large historic sand wash located south of the Project site and that it is a unique and hydrological feature. As discussed in the response to Comment 5.8, a cultural resource records search and pedestrian survey identified no archaeological resources within or adjacent to the Project site. Additionally, the Geotechnical Investigation prepared for the proposed Project did not find any unique hydrological features underlying the site. 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. Project implementation would not impact the area directly south of the Project site. As discussed in Section 4.10 of the Draft IS/MND, storm water from the Project site would outlet into Carbon Creek downstream. Carbon Creek flows to the west and converges with Coyote Creek which flows to the San Gabriel Estuary before flowing into the Pacific Ocean. Carbon Creek is fully channelized, and further, the Project does not propose any changes or modifications to the channel. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.10 The comment requests that the Draft IS/MND discuss the potential environmental impact of the City not reaching its 2020 GHG reduction goal. Construction of the Project is proposed to begin in 2023, so the 2020 GHG reduction goal is not relevant to the proposed Project. As discussed in Section 4.8 of the Draft IS/MND, Senate Bill (SB) 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). 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. Table 4.8-3 in Section 4.8 of the Draft IS/MND demonstrates the Project's consistency with the 2022 Scoping Plan. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.11 The comment requests a full discussion of the RECs. A Phase I Environmental Site Assessment (ESA) was previously prepared to identify recognized environmental conditions (RECs) at the site. The Phase I ESA identified no evidence of RECs as defined by ASTM in connection with the Project site with the exception of the site's location within the boundaries of the Orange County North Basin (OCNB) Superfund site. However, due to the reported depth to groundwater in the area of the site it was determined unlikely that vapor intrusion is occurring on the site. Further, since the storage and/or usage of the identified contaminants have not been reported on the site, it was determined 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. Thus, the Phase I ESA concluded that no additional investigation was warranted. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.12 The comment states that there is a potential for the Project site to contain archaeological resources based on its proximity to the historic sand wash and previous Santa Ana River bed. Refer to Response to Comment 5.8 regarding the potential for archaeological resources.

- 5.13 The comment requests a more detailed analysis of bicycle and pedestrian facilities including any pedestrian gap closure needs, as specified in the Fullerton Plan Policy P5.14. The comment continues that construction could potentially interfere with a program, plan, ordinance or policy addressing the circulation system since Traffic Control Plans do not include mitigations for impacts to bus, bike, and pedestrian facilities.

Policy P5.14, Fair Share Improvements in the Fullerton Plan says the City will, “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.” The Project would comply with existing City policies and regulations. Additionally, a sidewalk is currently provided along East Burton Street. 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. As shown in Figures 2-2 and 2-3 in the Draft IS/MND, the Project site is not bound by South Raymond Avenue. 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 South Raymond Avenue or East Burton Street. In addition to performing required project-specific public improvements through conditions of approval, the Community and Economic Development Department collects traffic impact fees for new construction calculated based on square footage.

As discussed in Section 5.17 of the Draft IS/MND, construction of the proposed Project would not interfere with existing public transit, since the nearest bust stop is located at the intersection of Orangethorpe Avenue and South Raymond Avenue, approximately 0.3 miles north of the Project site. Additionally, construction would not interfere with existing bicycle facilities, since there are no existing or proposed bicycle facilities on South Raymond Avenue or East Burton Street. Any impact to pedestrian facilities along East Burton Street would be temporary and would not conflict with a program, plan, ordinance or policy addressing pedestrian facilities. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted

- 5.14 This introductory paragraph states that the commentor was able to review the complete appendices of the Draft IS/MND and submit a comment letter after the end of the public review period. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.15 The comment questions whether the appendices were available during the public review period. As previously stated, the Draft IS/MND, including technical appendices, was available on the City’s website for the duration of the public review period. No further response is warranted.
- 5.16 The comment states that the Notice of Completion does not include references to the 57 freeway, the BMSF railway, the Carbon Creek Channel, the Fullerton Creek, and the Thomas Edison Elementary School. The Notice of Completion is a summary transmittal form for the submittal of environmental documents to the Office of Planning and Research (OPR) State Clearinghouse. The Notice of Completion is not a requirement of CEQA and is not intended to serve as environmental

- analysis for a project. Although these specific facilities may not have been referenced in the Notice of Completion, these facilities have been considered to the extent applicable as part of the Draft IS/MND's environmental analysis, which has been prepared consistent with the California Public Resources Code and CEQA Guidelines. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.17 The comment asks for additional information on the demolition that has already occurred on the site. Refer to Response 5.3. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.18 The comment states that the Air Quality analysis shows the construction phase occurring in mid-2023. While the analysis assumes that construction would occur in 2023, this is a more conservative approach to the analysis, since construction related factors provided within the model improve over time due to more stringent State requirements for construction equipment. The Draft IS/MND analyzes the whole of the Project, and includes the demolition of the building and potential construction impacts. Refer to Response 5.3 for additional information. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.19 The comment requests that a more detailed analysis of pedestrian facilities be provided. Refer to Response 5.13. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.20 The comment states that air quality operating impacts may be understated due to the VMT methodology. The VMT assessment was done consistent with the City's Transportation Assessment Policies and Procedures (TAPP), adopted by the Fullerton City Council on June 16, 2020. The TAPP Worksheet included as Appendix H of the Draft IS/MND was prepared by the City of Fullerton Traffic Engineer for the proposed Project in accordance with the City's adopted guidance. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.21 The comment states that the HRA's estimate of daily truck trips does not seem accurate for a facility with 16 doors. The HRA analysis is based on the total diesel truck trips generated by the proposed Project based on the Transportation Assessment Policies and Procedures (TAPP) worksheet provided by the City of Fullerton. An estimate of 89 heavy-duty truck trips (equivalent to approximately 45 heavy-duty trucks visiting the Project site per day, since each truck would have one trip for ingress and another trip for egress) was provided by the City of Fullerton Traffic Engineer on April 26, 2023. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.22 The comments states that the HRA does not include that the Project site is in the area with the worst percentile for air quality and does not discuss cumulative risks. Refer to Response 5.5. As discussed in Response to Comment 5.5, the Office of Environmental Health Hazard Assessment and the SCAQMD provide guidance on the procedures that should be used for preparing HRAs. The HRA was prepared consistent with the guidance provided by the Office of Environmental Health Hazard Assessment and SCAQMD. Page 9 of the HRA (Appendix A of the Draft IS/MND),

describes the cumulative risks of the Project, including the specific health risk for the grid that contains the Project site. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

- 5.23 The comment states that the cancer risk studied for the grid pertaining to the Project site is extremely high. Refer to Response 5.5 and 5.22. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.24 The comment states that the HRA does not include a map or listing of sensitive receptors, including the church or elementary schools and there is no mention of asbestos. The HRA includes a list of the residential receptors that were modeled on page 7. As discussed in Section 4.3 of the Draft IS/MND, 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. 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. As shown in Table 4.3-5 of Section 4.3 of the Draft IS/MND, 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. The HRA does not include an analysis of potential impacts due to asbestos, since the Office of Environmental Health Hazard Assessment and the SCAQMD provided guidance specifies the analysis of emissions of toxic air pollutants. Further, as discussed in Response 5.3, 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 identified a number of samples positive for ACM. 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. Section 4.9 of the Draft IS/MND analyzes potential impacts due to asbestos and concluded impacts would be less than significant. The toxic air pollutant that would occur as a result of the Project is diesel particulate matter (DPM) from on-site truck idling and mobile emissions and off-site mobile emissions. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.25 The comment requests for a new analysis of the demolition and construction impacts which occurred prior to the approval of the proposed Project. The comment also asks whether the Phase I ESA is required to be updated. Refer to Responses 5.3 and 5.18.

Demolition of the building was initiated under a City-issued demolition permit due to public safety and nuisance issues at the site. Demolition activities involved removal of the vertical structure and did not involve ground disturbing activities or disturbance of the slab. No Project-specific construction activities or improvements have occurred at the site. Demolition activities were required to comply with all SCAQMD requirements as well as waste reducing and recycling requirements. The Draft IS/MND analyzes the whole of the Project, and the environmental analysis includes the demolition of the building and potential construction impacts.

As previously discussed, a Phase I Environmental Site Assessment (ESA) was previously prepared to identify recognized environmental conditions (RECs) at the site. The Phase I ESA identified no evidence of RECs as defined by ASTM in connection with the Project site with the exception of the site's location within the boundaries of the Orange County North Basin (OCNB) Superfund site. However, due to the reported depth to groundwater in the area of the site it was determined unlikely that vapor intrusion is occurring on the site. Further, since the storage and/or usage of the identified contaminants have not been reported on the site, it was determined 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. Thus, the Phase I ESA concluded that no additional investigation was warranted. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

- 5.26 The comment states that Thomas Edison Elementary School should be included in the analysis in Response C of Section 4.9 of the Draft IS/MND. Response C specifically addresses the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school. Thomas Edison Elementary school is located approximately one mile southeast of the Project site, and was therefore not include in the analysis. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.27 The comment states that the Project does not include comprehensive usability by bicyclists, pedestrians, and transit users. Refer to Response 5.13. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.28 The comment states that the Phase I ESA shows that the creek one transected the Project site, and could indicate potentially more geological, paleontological, and tribal cultural resources.

As discussed in Section 4.18 of the Draft IS/MND, 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, the sensitivity of the Project site for containing intact buried prehistoric archaeological resources is considered low.

Additionally, 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. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

- 5.29 The comment states that the VMT TAPP Worksheet is dated 11/9/2022 and the screening tools only include 1 of the 2 parcel numbers and does not indicate the car versus truck trip numbers. The VMT assessment was done consistent with the City's Transportation Assessment Policies and Procedures (TAPP). The TAPP Worksheet included as Appendix H of the Draft IS/MND was prepared by the City of Fullerton Traffic Engineer for the proposed Project. The North Orange County Collaborative VMT Traffic Study Screening Tool uses the APN number to assign the Traffic Analysis Zone, and location of the Project site and the results are not impacted by including only one of the two parcel numbers of the Project site. Additionally, the VMT analysis does not differentiated between car trips and truck trips. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.
- 5.30 The comment states that the VMT and LOS analysis should not have provided a credit of trips for the existing hotel use, since the hotel is no longer in use and that both VMT and LOS analysis is required. The VMT and LOS assessments was done consistent with the City's Transportation Assessment Policies and Procedures (TAPP). The TAPP Worksheet included as Appendix H of the Draft IS/MND was prepared by the City of Fullerton Traffic Engineer for the proposed Project. For the VMT analysis, 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. This calculation does not include the additional VMT credit that would occur with the proposed land use change. The VMT and LOS analysis is consistent with the City's requirements. The comment does not contain any information requiring changes to the Draft IS/MND. No further response is warranted.

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3.0 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code §21081.6). Specifically, Public Resources Code §21081.6 states:

- (a) *When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:*
- (1) *The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
 - (2) *The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide the mechanism by which to monitor mitigation measures outlined in the 1500 S. Raymond Avenue Industrial Project IS/MND. The MMRP has been prepared in conformance with Public Resources Code §21081.6 and City of Fullerton (City) monitoring requirements.

State CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation. The City of Fullerton is the Lead Agency for the 1500 S. Raymond Avenue Industrial Project IS/MND and is therefore responsible for ensuring MMRP implementation. This MMRP has been drafted to meet Public Resources Code §21081.6 requirements as a fully enforceable monitoring program.

The MMRP Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the 1500 S. Raymond Avenue Industrial Project IS/MND Project file.

This MMRP delineates responsibilities for monitoring the Project, but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according

to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP Checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

The numbering system in the following table corresponds with the IS/MND's numbering system. The MMRP table "Verification" column will be used by the parties responsible for documenting when the mitigation measure has been completed. The City of Fullerton will complete ongoing documentation and mitigation compliance monitoring. The completed MMRP and supplemental documents will be kept on file at the City of Fullerton Community & Economic Development Department.

Mitigation Monitoring and Reporting Program Checklist

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
AESTHETICS						
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.	Prior to the issuance of grading, demolition, or building permit, whichever occurs first	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			
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.	During construction	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			
BIOLOGICAL RESOURCES						
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	Prior to the issuance of grading permit	Pre-Construction Nesting Bird Survey/ Prior to construction or grading activities/Prior to issuance of any grading permits	Community & Economic Development Department Director, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<p>following measures, which will be Conditions of Approval for the project:</p> <ul style="list-style-type: none"> 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 preconstruction 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 						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
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.						
<p>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:</p> <ul style="list-style-type: none"> Clearly show all existing trees, noting location, species, size, and condition; Note whether existing trees will be retained, removed, or relocated; Show proposed utilities, driveways, sidewalks and tree planting locations, and the size and species of proposed street trees; and 	Prior to the issuance of grading permit	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<ul style="list-style-type: none"> Conform with ground and aerial setback specifications, as defined in the Community Forest Management Plan. 						
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.	During ground-disturbing activities	Assessment of cultural resources by a qualified archaeologist/ Preparation of a treatment plan and archaeologist testing, if necessary/If significant under CEQA, verify additional work, such as data recovery excavation, have been implemented/Native American consultation if identified resources are Native American in origin	Community & Economic Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
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.	During ground-disturbing activities	During construction	Community & Economic Development Department			
GEOLOGY AND SOILS						
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.	Prior to the issuance of grading permit	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			
Refer to Mitigation Measure SC CR-1.						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
HAZARDS AND HAZARDOUS MATERIALS						
Standard Conditions of Approval						
<p>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:</p> <ul style="list-style-type: none"> • 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. 	Prior to construction	Plan review/Prior to final plan approval/During construction	Public Works Department, Traffic Engineering Division			
<p>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.</p>	No more than three days prior to construction or grading activities	On-going during construction	Community & Economic Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
HYDROLOGY AND WATER QUALITY						
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.	Prior to the issuance of grading or building permit, whichever occurs first	Plan review/Prior to final plan approval/During construction	Public Works Department, Engineering Division			
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	Prior to the issuance of grading or building permit, whichever occurs first	Plan review/Prior to final plan approval/During construction	Public Works Department, Engineering Division			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
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.	Prior to the issuance of grading or building permit, whichever occurs first	Plan review/Prior to final plan approval/During construction	Public Works Department, Engineering Division			
NOISE						
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:	During construction	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<ul style="list-style-type: none"> • 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 						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<ul style="list-style-type: none"> 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. 						
<p>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.</p>	Prior to the issuance of grading permit	Plan review/Prior to final plan approval/During construction	Community & Economic Development Department			
<p>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.</p>	Prior to the issuance of grading permit	Plan review/Prior to final plan approval/During construction	City of Fullerton Community & Economic Development Department, or designee			
<p>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</p>	Prior to issuance of building permit	Plan review/Prior to final plan approval/During construction	City of Fullerton Community & Economic			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.			Development Department, or designee			
PUBLIC SERVICES						
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.	Prior to the issuance of building permit	Plan review/Prior to final plan approval	Community & Economic Development Department			
TRANSPORTATION						
Standard Conditions of Approval						
Refer to Mitigation Measure SC HAZ-4.						
TRIBAL CULTURAL RESOURCES						
Standard Conditions of Approval						
Refer to SC CR-1.						
Refer to SC CR-2.						
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	During ground-disturbing activities	Assessment of cultural resources by a qualified archaeologist/ Preparation of a treatment plan and archaeologist testing, if	Community & Economic Development Department			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
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.		necessary/If significant under CEQA, verify additional work, such as data recovery excavation, have been implemented/Native American consultation if identified resources are Native American in origin				
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.	During ground-disturbing activities	During construction	Community & Economic Development Department			
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	During ground-disturbing activities	During construction	Community & Economic Development Department, or designee			

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
<p>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</p>						

Mitigation Measures	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification		
				Initials	Date	Remarks
report of all activities is to be submitted to the NAHC.						