Draft Environmental Impact Report

Fullerton Housing Incentive Overlay Zone Program

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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
A/C	air conditioning
AB	Assembly Bill
ACC	Advanced Clean Cars
ACM	asbestos-containing material
ACT	Advanced Clean Trucks
ADL	aerially deposited lead
ADU	accessory dwelling unit
AELUP	Airport Environs Land Use Plan
AF	acre-feet
AL	Action Level
ALS	Advanced Life Support
ALUC	Airport Land Use Commission
amsl	above mean sea level
APSA	Aboveground Petroleum Storage Act
AQMP	air quality management plan
BMP	best management practice
CAAQS	California Ambient Air Quality Standards
CAC	Certified Asbestos Consultant
CAL FIRE	California Department of Forestry and Fire Protection
CalARP	California Accidental Release Prevention
CalEEMod	California Emissions Estimator Model
CalEnviroScreen	California Communities Environmental Health Screening Tool
CalEPA	California Environmental Protection Agency
CalGEM	California Geologic Energy Management Division
CALGreen	California Green Building Standards
Cal/OSHA	California Occupational Safety and Health Administration
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
CGS	California Geological Survey
CH_4	methane
CHP	California Highway Patrol
CHRIS	California Historical Research Information System

Acronym/Abbreviation	Definition
CIP	Capital Improvements Program
City	City of Fullerton
CIWQS	California Integrated Water Quality System
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
COA	condition of approval
County	County of Orange
CPUC	California Public Utilities Commission
CREC	controlled recognized environmental condition
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
DAMP	Drainage Area Management Plan
dB	decibel
dBA	A-weighted decibel
DHS	Department of Health Services
DOF	California Department of Finance
DOSH	Department of Occupational Safety and Health
DOT	U.S. Department of Transportation
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
DTSC-SL	Department of Toxic Substances Control-modified screening level
du/ac	dwelling units per acre
DWR	California Department of Water Resources
EDD	California Employment Development Department
EERP	Enforcement and Emergency Response Program
EIR	Environmental Impact Report
EO	Executive Order
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protect Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ESA	Environmental Site Assessment
ESL	Environmental Screening Level
EV	electric vehicle
FAA	Federal Aviation Administration
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FFD	Fullerton Fire Department
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FJUHSD	Fullerton Joint Union High School District

Acronym/Abbreviation	Definition
FMA	Fullerton Municipal Airport
FMC	Fullerton Municipal Code
FPD	Fullerton Police Department
FPEIR	Fullerton 2012 General Plan Program Environmental Impact Report
FTC	Fullerton Transportation Center
GHG	greenhouse gas
GSP	Groundwater Sustainability Plan
GWP	global warming potential
HAP	hazardous air pollutant
HCD	California Department of Housing and Community Development
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HERO	Human and Ecological Risk Office
HEU	Housing Element Update
HFC	hydrofluorocarbon
HHRA	Human Health Risk Assessment
HI	hazard index
HIA	health impact assessment
HIOZ	Housing Incentive Overlay Zone
HMBP	Hazardous Materials Business Plan
HMIS	Hazardous Material Inventory Statements
HMMP	Hazardous Material Management Plan
HPI	Healthy Places Index
HPLV	high-pressure-low-volume
HSC	California Health and Safety Code
HVAC	heating, ventilation, and air conditioning
Hz	Hertz
I	Interstate
IATA	International Air Transport Association
IFC	International Fire Code
IPCC	Intergovernmental Panel on Climate Change
ips	inches per second
ITE	Institute of Transportation Engineers
kHz	kilohertz
LBP	lead-based paint
LCD	liquid crystal display
LCFS	Low Carbon Fuel Standard
L_{dn}	day–night level
L_{eq}	equivalent sound level
$L_{eq}[h]$	1-hour A-weighted equivalent sound level
LEV	low-emission vehicle
LHMP	Local Hazard Mitigation Plan
LID	Low Impact Development

Acronym/Abbreviation	Definition
L_{max}	maximum sound level
LOS	level of service
LRA	local responsibility area
LST	localized significance threshold
LUST	leaking underground storage tank
L_{xx}	percentile-exceeded sound level
MATES V	Multiple Air Toxics Exposure Study V
MBTA	Migratory Bird Treaty Act
MERV	Minimum Efficiency Reporting Value
MG	million gallons
mgd	million gallons per day
MLD	Most Likely Descendant
mPa	Micro-Pascal
mpg	miles per gallon
MPH	miles per hour
MPO	metropolitan planning organization
MM	Mitigation Measure
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer System
MT	metric ton
MWD	Metropolitan Water District of Southern California
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF_3	nitrogen trifluoride
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NHTSA	National Highway Traffic Safety Administration
NPMS	National Pipeline Mapping System
NOP	Notice of Preparation
NO	nitric oxide
NO_2	nitrogen dioxide
NO_x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NWL	natural and working land
O_3	ozone
OCFA	Orange County Fire Authority
OCFCD	Orange County Flood Control District
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OCTAM	Orange County Transportation Analysis Model

Acronym/Abbreviation	Definition
OCWD	Orange County Water District
OEHHA	Office of Environmental Health Hazard Assessment (
OES	California Office of Emergency Services
OPR	Office of Planning and Research
PCB	polychlorinated biphenyl
PCR	California Public Resources Code
PEIR	Program Environmental Impact Report
PEL	Permissible Exposure Level
PFC	perfluorocarbon
PHSMA	Pipeline and Hazardous Materials Safety Administration
PM	particulate matter
PM_{10}	particles less than or equal to 10 microns in diameter
$PM_{2.5}$	particles less than or equal to 2.5 microns in diameter
Porter-Cologne Act	California Porter-Cologne Water Quality Control Act
POTW	publicly owned treatment work
PPV	peak particle velocity
PRC	Public Resources Code
Program	Housing Incentive Overlay Zone Project
Project	Housing Incentive Overlay Zone Project
PV	photovoltaic
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RHNA	Regional Housing Needs Allocation
RMS	Root-mean square
RPS	Renewable Portfolio Standard
RSL	regional screening level
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SED	socio-economic data
SEMS	Standardized Emergency Management System
SF_6	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLCP	short-lived climate pollutant
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act

Acronym/Abbreviation	Definition
SO_2	sulfur dioxide
SoCalGas	Southern California Gas Company
SO_x	sulfur oxides
SPD	Specific Plan District
SPL	sound pressure level
SR	State Route
SRA	Source Receptor Area
SRA	State Responsibility Area
STIP	California 2010 Statewide Transportation Improvement Program
SWP	State Water Project
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAPP	Transportation Assessment Policies and Procedures
TAZ	traffic analysis zone
TCAC	California Tax Credit Allocation Committee
TCR	tribal cultural resource
TISG	Caltrans Draft Transportation Impact Study Guide
TMDL	total maximum daily load
TRU	transport refrigeration unit
TSCA	Toxic Substances Control Act
USACE	U.S. Army Corps of Engineers
UST	underground storage tank
UWMP	urban water management plan
VEC	vapor encroachment condition
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compound
WQMP	water quality management plan
ZEV	zero-emission vehicle

1.0 Executive Summary

The purpose of the Executive Summary for this Program Environmental Impact Report (Program EIR or PEIR) is to provide a brief summary of the proposed Housing Incentive Overlay Zone (HIOZ) Program (Program), its environmental consequences, mitigation measures, and alternatives to the Program. Per the requirements of Section 15123 of the State California Environmental Quality Act (CEQA) Guidelines, a summary shall identify:

(1) Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect (see Section 1.4 and 1.6);

(2) Areas of controversy known to the Lead Agency including issues raised by agencies and the public (see Section 1.5)

(3) Issues to be resolved including the choice among alternatives and whether or how to mitigate significant effects (see Section 1.5)

1.1 Introduction

This Program EIR has been prepared by the City of Fullerton (City) to evaluate potential environmental effects that would result from implementation of the proposed Program. This PEIR has been prepared in conformance with the California Environmental Quality Act of 1970 (CEQA) statutes (California Public Resources Code Section 2100 et seq., as amended) and its implementing guidelines (California Code of Regulations Title 14, Section 15000 et seq.). The proposed Program constitutes a "project" as defined in the CEQA Guidelines Section 15378. Pursuant to Section 15367 of the State CEQA Guidelines, the City is the lead agency for the Program.

The proposed Program would establish the Housing Incentive Overlay Zone (HIOZ), which is intended to guide residential growth and development within the City. The Program would apply to select parcels across the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map. While no direct development is proposed as part of the Program, implementation of the Program's proposed land-use changes and amendments to the Fullerton Municipal Code would accommodate future development and redevelopment of previously developed areas, as summarized below in Section ES.3, and discussed in further detail in Chapter 3, Project Description, and Appendix B, HIOZ Site Inventory, of this PEIR.

CEQA requires the preparation of an environmental impact report (EIR) for any project that a lead agency determines may have a significant impact on the environment. CEQA also establishes mechanisms whereby the public and decision makers can be informed about the nature of the project being proposed and the extent and types of impacts that the project and its alternatives would have on the environment if they were to be implemented.

The basic purposes of CEQA are as follows (CEQA Guidelines Section 15002):

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities;
2. Identify the ways that impacts to the environment can be avoided or significantly reduced;

3. Prevent significant, avoidable impacts to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.2 Project Description

State CEQA Guidelines Section 15124(b) requires an EIR to include a statement of objectives sought by the project, including the underlying purpose of the Program. The following Project Objectives have been established and will aid decision-makers in their review of the Program, the Program alternatives, and associated environmental impacts:

1. Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.
2. Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.
3. Identify sites that are most likely to be redeveloped given their current underutilization of land.
4. Discourage development within known local hazard zones.
5. Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.

The Program would establish the HIOZ, which is intended to guide residential growth and development within the City (i.e. the Planning Area). As a component of the General Plan under the City's Housing Element Update (HEU), the HIOZ Program would help achieve a shared vision for the Planning Area by providing a planning framework for the City, the development community, business owners, and residents that would shape the growth of the Planning Area, and thus, the City, through horizon year 2029. The HIOZ Program would serve several important roles, including: (1) setting direction for City Administration, Staff, and elected and appointed officials regarding the long-range land use needs of those who work, live, and play in the Planning Area; (2) informing community members, community-based organizations, business owners, developers, designers, and builders of the City's plans for the future and development priorities; and (3) communicating the agreed upon future form of the Planning Area communities to ensure accountability of decision-makers in achieving the goals of HIOZ Program.

In addition to providing a framework for growth within the Planning Area, the HIOZ Program also addresses land use policy issues that are specific to the Planning Area. The Planning Area is currently subject to the goals and policies of the City's General Plan and Municipal Code. The Program would amend the General Plan to allow for residential land uses within and adjacent to areas in the Planning Area that do not currently allow residential uses and would amend the Municipal Code to revise Citywide Development Standards for multi-family and mixed-use zoning designations to address land use concerns and issues. The Program would implement land use and zoning recommendations from the recently approved HEU and proposes new zoning changes to facilitate additional housing and commercial uses and to ensure consistency between zoning and land use designations.

Future development and redevelopment in the Planning Area is expected to occur as a result of implementation of the proposed Program through land use designation and zoning changes to accommodate future housing growth to meet the City's RHNA allocation. According to the City's HEU, the City does not contain sufficient sites with

appropriate zoning to accommodate the RHNA allocation. As such, the City identified the proposed Program as one policy action to help facilitate housing production in order to meet the City's RHNA requirements. The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. The Planning Area is comprised of 759 parcels across the City, totaling 593 acres. The Program would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone. Implementation of the Program could theoretically result in a buildout potential of 35,611 units.

The Program is considered and analyzed programmatically, as a whole, in this PEIR. The Program is anticipated to increase the population by approximately 103,682 people, and while the Program would result in 4,979 employees, Program implementation, specifically, the proposed redevelopment of existing developed parcels under the Program, would result in a net loss of 6,160 jobs overall.

A list of the parcels selected under the proposed Program, which includes existing and proposed land use designations/zoning, is included as Appendix B, HIOZ Site Inventory, of this PEIR. The methodology used to analyze parcels for inclusion or exclusion under the Program are summarized in Section 3.5.1 of Chapter 3, Project Description and discussed in detail in Appendix B, HIOZ Site Inventory, of this PEIR.

In addition, the Program proposes revisions to the City's General Plan, Citywide Development Standards, and the Municipal Code.

1.3 Summary of Environmental Impacts and Mitigation Measures

Table 1-1, Summary of Program Impacts, provides a summary of the impact analysis related to the Program. Table 1-1 identifies a summary of the significant environmental impacts resulting from the Program pursuant to State CEQA Guidelines Section 15123(b)(1). For a more detailed discussion, please see Chapter 4, Environmental Impact Analysis, of this PEIR. Table 1-1 lists the applicable mitigation measures related to potentially significant impacts, as well as the level of significance after mitigation.

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
4.1 Air Quality			
AQ-1. Would the Program conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant	**MM-AQ-1.** *Construction Emissions*. If during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed SCAQMD's construction mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during construction activities. New projects are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). Additional measures for projects that exceed SCAQMD's construction mass daily thresholds may include, but are not limited to, the following: ▪ Off-Road construction equipment with engines that are 50 horsepower or greater shall be rated by the USEPA as having Tier 4 emission limits or better (whichever is the cleanest technology available at time of project development). If it can be demonstrated to the City that such equipment is not commercially available or feasible, alternate emissions control devices and/or techniques used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations.	**Significant and Unavoidable**

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		▪ Use electric or alternative-fueled (i.e., non-diesel) construction equipment, if available and feasible, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors. ▪ Maintain records of all trucks associated with project construction activities to document that each truck used meets the required emission standards. The Applicant shall provide records for inspection within five business days of request by CARB, SCAQMD, or the City. ▪ Provide electric vehicle (EV) charging stations or appropriately sized electrical infrastructure and electrical panels. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment. ▪ Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary. ▪ Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable. ▪ Ensure vehicle traffic inside the project site is as far away as feasible from sensitive receptors. ▪ Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less. ▪ Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. ▪ Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts.	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		▪ Configure construction parking to minimize traffic interference. ▪ Cover all trucks hauling dirt, sand, soil, or other loose materials. ▪ Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip. ▪ Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). ▪ Replace ground cover in disturbed areas as quickly as possible to minimize dust. ▪ Pave roads and road shoulders, where applicable. ▪ Sweep streets at the end of the day with SCAQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water). ▪ Utilize only super-compliant volatile organic compound (VOC) paints for architectural coatings (0 grams per liter to less than 10 grams per liter VOC) during construction activities. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the application of architectural coatings shall be prohibited during the peak smog season: July, August, and September. Prior to the issuance of a grading permit, the applicant shall provide the City with the construction contractor's inclusion of all required measures on	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		applicable construction plans, including grading and/or building plans. MM-AQ-2. *Operational Emissions*. If, during subsequent project-level environmental review, operation-related criteria air pollutants are determined to have the potential to exceed SCAQMD's operation mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during operational activities. New projects facilitated by the Fullerton Housing Incentive Overlay Zone are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 445 (Wood Burning Devices), Rule 1401 (New Source of Toxic Air Contaminants), and Rule 1110.2 (Emissions from Gaseous- and Liquid-Fueled Engines)Additional measures for projects that exceed SCAQMD's operation mass daily thresholds may include, but are not limited to, the following: ▪ All the Program's buildings shall be powered fully by electricity, with no natural gas infrastructure or appliances, including no fireplaces. Prior to the issuance of building permits, the Program Applicant or its designee shall provide evidence to the City that the building design plans include no natural gas infrastructure. ▪ Install Energy Star rated heating, cooling, lighting, and appliances.	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		▪ Require the use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher. ▪ Install of water heaters with an energy factor of 0.92 or higher. ▪ Install solar water heaters or tank-less water heaters. ▪ Use passive solar cooling/heating. ▪ Designate 10% of parking spaces to be for electric and alternative fuel vehicles. ▪ Install Level 2 electric vehicle charging stations in 6% of all parking spaces. ▪ Super-Compliant volatile organic compound (VOC)-content architectural coatings (0 grams per liter to less than 10 grams per liter VOC) shall be used during operational application of paints and other architectural coatings to reduce ozone precursors for future development projects. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the developer shall avoid application of architectural coatings during the peak smog season: July, August, and September. ▪ The City shall develop and implement a Low-VOC/Green Cleaning Product and Paint education program, including materials educating how to identify low-VOC cleaners and products, that can be provided to applicants, developers, tenants, and residents of development projects associated with the Program.	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		▪ At the time of discretionary approval of new sources of TAC emissions in close proximity to existing sensitive land uses, the City shall require development projects to implement applicable best management practices, as necessary and feasible, that will reduce exposure to TACs. Specific reduction measures will be evaluated and determined depending on proposed land use TAC sources and feasibility. Prior to the issuance of a Certificate of Occupancy, the applicant shall provide the City with appropriate documentation verifying compliance with the required measures. **MM-AQ-3**. *Revised Forecast*. Prior to SCAG's next update to the Regional Housing Needs Assessment, the City shall prepare a revised population, employment and housing forecast for SCAG that reflects anticipated growth generated from the proposed Program. The updated forecast provided to SCAG shall be used to inform the SCAQMD's update to the Regional Air Quality Strategy and State Implementation Plan. The City shall prepare and submit a letter notifying the SCAQMD of this revised forecast for use in the future update to the RAQS and SIP as required.	
AQ-2. Would the Program result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Potentially Significant	**MM-AQ-1** and **MM-AQ-2**	**Significant and Unavoidable**

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
AQ-3. Would the Program expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant	**MM-AQ-1** and **MM-AQ-2**	**Significant and Unavoidable**
Would the Program have a cumulative effect on air quality resources?	Potentially Significant	**MM-AQ-1** through **MM-AQ-3**	**Significant and Unavoidable**
4.2 Greenhouse Gas Emissions			
GHG-1. Would the Program generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant	N/A	Less Than Significant
GHG-2. Would the Program conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant	N/A	Less Than Significant
Would the Program have a cumulative effect on greenhouse gas emissions?	Less Than Significant	N/A	Less Than Significant
4.3 Hazards and Hazardous Materials			
HAZ-1. Would the Program create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially Significant	**COA-HAZ-1.** Prior to issuance of a Grading Permit for properties considered by the City to involve the potential for site contamination, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. Any site specific uses shall be analyzed according to the Phase I Environmental Site Assessment (i.e., auto service stations, agricultural lands, etc.). The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs) (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc.), which may require remedial activities prior to construction.	Less Than Significant Impact

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		COA-HAZ-2. Prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, waste-oil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once removed, a visual inspection of the areas beneath the removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project Applicant shall comply with the following measures in accordance with Federal, State, and local requirements: ▪ Excavation and disposal at a permitted, off-site facility; ▪ On-site remediation, if necessary; or ▪ Other measures as deemed appropriate by the City of Fullerton Fire Department. **COA-HAZ-3**. Prior to structural demolition/renovation activities, should these activities occur, a Certified Environmental Professional shall confirm the presence or absence of ACM's and LBPs. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriate permitted facility. **COA-HAZ-4.** Areas of exposed soils within Caltrans right-of-way that would be disturbed during	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is present). MM-HAZ-1. *Hazardous Materials Survey*. Demolition plans and contract specifications submitted to the City for approval shall incorporate survey and abatement procedures for the identification and removal of materials containing asbestos, lead, polychlorinated biphenyls, hazardous material, hazardous wastes, and universal waste items, including decommissioning and removal of aboveground and underground storage tanks and drums. All survey and abatement work shall be done in accordance with federal, state, and local regulations, including those of the U.S. Environmental Protection Agency (which regulates disposal), Occupational Safety and Health Administration, U.S. Department of Housing and Urban Development, California Occupational Safety and Health Administration (which regulates employee exposure), and the South Coast Air Quality Management District. Surveys will be conducted by an environmental professional certified by California Department of Public Health [lead-based paint] and/or Contractors State License Board [asbestos], and abatement shall be completed by a California-Certified or Licensed Contractor prior to demolition or renovation activities. Transportation of hazardous wastes must also be completed by a licensed transportation company in accordance with federal,	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		state, and local regulations, and disposal will be completed at a permitted facility. **MM-HAZ-2**. *Survey for Oil and Gas Features*. Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), a survey will be completed to confirm the presence or absence of oil and gas wells, pipelines, or oil/gas field administrative boundaries on the proposed development site. The survey will also evaluate the proposed development site's proximity to methane zones as outlined in the OCFA Combustible Soil Gas Hazard Mitigation Guideline C-03. The survey will include review of publicly available documents and databases, aboveground visual inspections, and subsurface surveys (such as ground-penetrating radar or other means of subsurface locates). The survey(s) will be completed by a professional company with experience in these types of surveys. Proof of survey completion will be submitted to City of Fullerton as part of the application package. **MM-HAZ-3**. *Investigation of RECs, CRECs, and VECs*. Following completion of a Phase I ESA and prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), any RECs, CRECs, or VECs identified in the Phase I ESA will be investigated by completion of a Phase II ESA under the requirements of ASTM E1903-19 (or the current applicable standard). The Phase II ESA will evaluate the presence of contaminants of concern related to RECs, CRECs, and/or VECs found in the Phase I ESA and will include a screening level risk evaluation to determine human health risks are present (i.e. if	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		concentrations exceed current regulatory screening levels applicable at the time of the project (DTSC Screening Levels or RWQCB ESLs)). The investigation shall include consideration of aerially deposited lead (ADL) adjoining state highways and overpasses. The findings of the Phase II ESA and recommendations will be provided to the City for review prior to approval of residential development. MM-HAZ-4. *Actions for Contaminated Sites*. If human health risks are identified (e.g. concentrations of contaminants of concern are above applicable regulatory screening levels) during a Phase I ESA or Phase II ESA that would indicate a risk to residential occupancy or would expose construction workers to contaminants of concern above appliable screening levels, the impacts must be remediated or protections must be in place such that future risk to construction workers, adjacent sensitive receptors, future occupants, or future land uses on site are below current risk-based criteria (e.g. applicable regulatory screening levels). Written proof of remediation and/or protective measures would be submitted to the City prior to approval for residential redevelopment (e.g. issuance of permits). MM-HAZ-5. *Conditions of Closure*. Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), if the proposed development site is located on a site that has received regulatory environmental cleanup, review, or assessment and has received regulatory closure by the overseeing environmental agency (federal, state, or local), the closure documents shall be reviewed and conditions or limitations, if any, shall be met. If conditions indicate a risk or limitations to	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		future residential development, requirements from the regulatory agency will be implemented and proof of implementation will be provided to the City prior to approval for redevelopment (e.g. issuance of permits).	
HAZ-2. Would the Program emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant	**COA-HAZ-1** and **COA-HAZ-2** **MM-HAZ-3** through **MM-HAZ-5**	Less Than Significant
HAZ-3. Would the Program be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant	**COA-HAZ-1** and **COA-HAZ-2** **MM-HAZ-3** and **MM-HAZ-4**	Less Than Significant
HAZ-4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Program result in a safety hazard or excessive noise for people residing or working in the Program area?	Less Than Significant	N/A	Less Than Significant
Would the Program have a cumulative effect on hazards or hazardous materials?	Potentially Significant	**COA-HAZ-1** through **COA-HAZ-4** **MM-HAZ-1** through **MM-HAZ-5**	Less Than Significant
4.4 Hydrology and Water Quality			
HYD-1. Would the Program substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less Than Significant	N/A	Less Than Significant
HYD-2. Would the Program substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
i. Result in substantial erosion or siltation on or off site;	Less Than Significant	**COA-HYD-1.** Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana RWQCB providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts. **COA-HYD-2.** Prior to 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	Less Than Significant

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		DAMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts.	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;	Less Than Significant	COA-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.	Less Than Significant
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant	COA-HYD-3.	Less Than Significant
iv. Impede or redirect flood flows?	Less Than Significant	N/A	Less Than Significant
HYD-3. In flood hazard, tsunami, or seiche zones, would the Program risk release of pollutants due to Program inundation?	Less Than Significant	N/A	Less Than Significant
HYD-4. Would the Program conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant	N/A	Less Than Significant

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Would the Program have a cumulative effect on hydrology or water quality resources?	Less Than Significant	N/A	Less Than Significant
4.5 Land Use and Planning			
LU-1. Would the Program cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant	**MM-AQ-1** through **MM-AQ-3** **MM-HAZ-1** through **MM-HAZ-5**	Less Than Significant
Would the Program have a cumulative effect on land use?	Less Than Significant	N/A	N/A
4.6 Mineral Resources			
MIN-1. Would the Program result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact	N/A	N/A
MIN-2. Would the Program result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No Impact	N/A	N/A
Would the project have a cumulative effect on mineral resources?	No Impact	N/A	N/A
4.7 Noise			
NOI-1. Would the Program result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards Program established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant	**COA-N-1.** Project applicants shall ensure through contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels: ▪ Ensure that construction equipment is properly muffled according to industry standards and be in good working condition.	N/A

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		▪ 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 30 minutes. ▪ Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. ▪ 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).	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		COA-N-2. Project applicants 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. COA-N-5. Residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport shall be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL. COA-N-6. The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.	
NOI-2. Would the Program result in generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant	COA-N-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.	N/A

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		COA-N-4. The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels: ▪ Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers). ▪ The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition. Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.	

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Would the Program have a cumulative effect on noise resources?	Potentially Significant	**COA-N-1** through **COA-N-6**	**Significant and Unavoidable**
4.8 Population and Housing			
POP-1. Would the Program induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Potentially Significant	No feasible mitigation measures.	**Significant and Unavoidable**
Would the Program have a cumulative effect on housing and/or population?	Potentially Significant	No feasible mitigation measures.	**Significant and Unavoidable**
4.9 Public Services			
PUB-1. Would the Program result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:			
i. Fire protection?	Less Than Significant	N/A	N/A
ii. Police protection?	Less Than Significant	N/A	N/A
iii. Schools?	Less Than Significant	**COA-PUB-1**. Prior to the issuance of building permits, individual development project applicants shall submit evidence to the City of Fullerton that legally required school impact mitigation fees have been paid per the mitigation established by the applicable school district.	N/A
iv. Parks?	Less Than Significant	N/A	N/A
v. Other public facilities?	Less Than Significant	N/A	N/A
Would the Program have a cumulative effect on public services resources?	Less Than Significant	**COA-PUB-1**.	N/A

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
4.10 Recreation			
REC-1. Would the Program increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less Than Significant	N/A	N/A
Would the Program have a cumulative effect on recreation resources?	Less Than Significant	N/A	N/A
4.11 Transportation			
TRA-1. Would the Program conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less Than Significant	**COA-TR-1.** Prior to approval of any General Plan Amendment and/or Zone Change associated with the focused planning efforts for The Fullerton Plan Focus Areas, the City and/or project proponent shall prepare a detailed multi-modal analysis in order to determine specific impacts associated with the proposed General Plan Amendment and/or Zone Change, and where applicable, identify mitigation measures to reduce impacts to less than significant levels based on City adopted multi-modal thresholds. The multi-modal analysis shall specify the timing, funding, construction, and fair share responsibilities for all traffic improvements necessary to maintain satisfactory levels of service within the City of Fullerton and surrounding jurisdictions, in accordance with the significant impact criteria established by the jurisdiction that controls the affected area.	N/A
TRA-2. Would the Program conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Less Than Significant	N/A	N/A
Would the Program have a cumulative effect on transportation resources?	Less Than Significant	**COA-TR-1.**	N/A

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
4.12 Tribal Cultural Resources			
TCR-1. Would the Program cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	Potentially Significant	**MM-TCR-1**. *Tribal Cultural Resources.* During subsequent project-level environmental review, the City shall obtain a State of California Native American Heritage Commission (NAHC) Sacred Land Files Search, as appropriate, and comply with all applicable requirements of AB 52. Pursuant to AB 52, the City shall provide formal notification of the project to designated contact of each traditionally and culturally affiliated California Native American Tribe that has requested notice. The City shall begin the consultation process within 30 days after receiving a Tribe's request for consultation. The City shall consider all relevant information available for the property to identify potential tribal cultural resources in the project area, evaluate the project's potential impacts to tribal cultural resources, and mitigate those potential impacts. If project impacts to tribal cultural resources are determined to be potentially significant, the City shall require the project to incorporate appropriate measures to avoid or minimize impacts to tribal cultural resources, including but not limited to, the measures recommended in Public Resources Code Section 21084.3, tribal monitoring, or other alternative measures identified in consultation with the California Native American Tribe. If any cultural resources (archaeological, historical, paleontological) are identified in the preparation of a Phase I Cultural Resources Study (see COA-CR-1) or	**Significant and Unavoidable**

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		are inadvertently unearthed during excavation and grading activities (see COA-CR-3), the City shall consult and coordinate with a Native American Tribal monitor who is traditionally or culturally affiliated with the geographic area of the development project that will help analyze the Native American artifacts for identification and to evaluate and mitigate impacts in accordance with the requirements set forth in COA-CR-1 through COA-CR-4.	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Potentially Significant	**MM-TCR-1.**	**Significant and Unavoidable**
Would the Program have a cumulative effect on tribal cultural resources?	Potentially Significant	**MM-TCR-1.**	**Significant and Unavoidable**
4.13 Utilities and Service Systems			
UTL-1. Would the Program require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant	**COA-WW-1.** Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project. For any sewer projects/studies that have the potential to impact adjacent	N/A

Table 1-1. Summary of Program Impacts

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		jurisdictions' sewer systems, the developer shall submit said studies to the applicable jurisdiction for review and approval. COA-WW-2. Prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the OCSD has sufficient transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested. COA-HYD-3. See Section 3.10 Hydrology and Water Quality.	
UTL-2. Would the Program have sufficient water supplies available to serve the Program and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less Than Significant	N/A	N/A
UTL-3. Would the Program result in a determination by the wastewater treatment provider, which serves or may serve the Program that it has adequate capacity to serve the Program's projected demand in addition to the provider's existing commitments?	Less Than Significant	N/A	N/A
UTL-4. Would the Program generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant	N/A	N/A
Would the Program have a cumulative effect on utilities and/or service systems?	Less Than Significant	N/A	N/A

1.4 Areas of Known Controversy

Section 15123(b)(2) of the State CEQA Guidelines indicates that an EIR summary should identify areas of controversy known to the lead agency including issues raised by agencies and the public. The City has complied with the State CEQA Guidelines by providing opportunities for early participation in the environmental review process. Specifically, in accordance with Section 15082(a) of the State CEQA Guidelines, the City circulated a Notice of Preparation (NOP) for a 45-day public review period. The NOP was sent to the State Clearinghouse, the County Clerk, public agencies, responsible and trustee agencies, and other interested parties for a public review period that began on September 8, 2023 and ended on October 9, 2023 (CEQA Public Review and Scoping Period), which included the Scoping Meeting held on September 28, 2023. The purpose of the NOP is to formally convey that the City, as the lead agency, solicited input regarding the scope and proposed content of the PEIR. The NOP included an invitation to agencies and the public to review and comment on the NOP. A copy of the NOP and the comment letters received in response to the NOP are included in Appendix A of this PEIR.

With regard to the Program, the major issues to be resolved include decisions by the City, as lead agency, related to whether the benefits of the Program override those environmental impacts that cannot be feasibly mitigated, whether to adopt proposed mitigation measures, consideration of Program alternatives, and whether to approve, revise, or deny the proposed Program.

The primary areas of controversy identified by the public and agencies included the following potential issues (the Draft PEIR section[s] that address the issue[s] raised are provided in parentheses):[1]

- Potential for air quality, odor, and/or pollution impacts (Section 4.1, Air Quality)
- Potential for hazards and hazardous materials impacts (Section 4.3, Hazards and Hazardous Materials)
- Potential changes to community character and City development standards (Section 4.5, Land Use and Planning)
- Potential for impacts related to population and housing growth (Section 4.8, Population and Housing)
- Potential for impacts related to public services, including emergency response, fire, parks, schools, and police protection services (Section 4.9, Public Services)
- Potential impacts related to the transportation system, including traffic, roadway hazards, pedestrian safety and equitable access for all, and consistency with adopted plans (Section 4.11, Transportation)
- Potential for impacts to tribal cultural resources (Section 4.12, Tribal Cultural Resources)
- Potential impacts related to public infrastructure and service systems (Section 4.13, Utilities and Service Systems)
- Potential impacts resulting from proposed land use density changes (Sections 4.1 through 4.13 of Chapter 4)

1.5 Summary of Project Alternatives

CEQA requires that EIRs "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6[a]). The CEQA Guidelines direct that the selection of alternatives be governed by "a rule of reason" (CEQA Guidelines Section 15126.6[f]).

[1] Comments received in response to the Project's Notice of Preparation are provided as Appendix A-2 and are summarized in Table 1-1, Notice of Preparation and Comment Letters Summary, in Chapter 1, Introduction of this Draft PEIR.

As presented in this PEIR and summarized above in Table 1-1, the Program would result in significant and unavoidable impacts even after implementation of all mitigation measures. Topics for which significant impacts would occur include the following: Air Quality; Cumulative Noise; Population and Housing; and Tribal Cultural Resources.

This PEIR includes the analysis of three alternatives to the proposed Program:

- Alternative 1 – No Project/Buildout According to Adopted Plans
- Alternative 2 – Reduced Sites Alternative
- Alternative 3 – Reduced Density Alternative

Pursuant to Section 15126.6(d) of the CEQA Guidelines, each alternative is evaluated in sufficient detail to determine whether the overall environmental impacts would be less than, similar to, or greater than the corresponding impacts of the proposed Program. Each alternative is also evaluated to determine whether the Program's objectives would be substantially attained. Refer to Chapter 6, Alternatives to the Program, for a complete analysis of Program alternatives. A summary of each proposed alternative is provided below.

1.5.1 Alternative 1 – No Project/Buildout According to Adopted Plans

Under Alternative 1, development of the Program would not occur as detailed in Chapter 3 of this PEIR. As specified in CEQA Guidelines Section 15126.6(e)(3)(A), when a project is the revision of an existing land use or regulatory plan or policy or an ongoing operation, the no project alternative will be the continuation of the plan, policy, or operation into the future. Therefore, the no project alternative, as required by the CEQA Guidelines, would analyze the effects of development consistent with implementation of the General Plan and existing land use/zoning. Given this, Alternative 1 would continue the planned development potential for the Planning Area under the General Plan and existing zoning designations.

1.5.2 Alternative 2 - Reduced Sites Alternative

Under Alternative 2, the Reduced Sites Alternative, select sites would be removed from consideration within the Planning Area. These sites would be removed because of their potential to remain as viable commercial developments. As such, Alternative 2 would be comprised of a Planning Area with 751 parcels, totaling 537 acres. The reduced sites would result in a buildout potential of 32,234 housing units and 2,808,180 square feet of commercial uses within future development projects. Therefore, under this alternative, 96,711 residents and 4,508 employees are anticipated at buildout of the future development projects.

1.5.3 Alternative 3 - Reduced Density Alternative

Under Alternative 3, Reduced Density Alternative, the maximum density for buildout is assumed to be 45 du/ac across the Planning Area. Therefore, Alternative 3 would result in a total development potential of 26,709 units. Implementation of Alternative 3 would include the same commercial development potential with a 0.12 FAR. As such, under this alternative, a total of 3,102,449 square feet of commercial uses, and 4,979 employees (or a net reduction of 6,160 employees) are anticipated at buildout of future development projects.

1.5.4 Environmentally Superior Alternative

Alternative 1 would result in the fewest environmental impacts as this alternative is the only alternative to eliminate a significant unavoidable impact (under Population and Housing). Therefore, Alternative 1 would be considered the Environmentally Superior Alternative. However, where the no project alternative is environmentally superior, the EIR is then required to identify an alternative from among the others evaluated as environmentally superior (CEQA Guidelines Section 15126.6[e][2]).

When compared to the Program and the proposed Alternatives, Alternative 3 would be the environmentally superior alternative. (Refer to Chapter 6, Alternatives, of this Draft PEIR for further details and discussion of proposed Alternatives 1, 2, and 3).

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2.0 Introduction

2.1 Purpose and Scope

The purpose of this Environmental Impact Report (EIR) is to evaluate and disclose the potential environmental consequences of the proposed Fullerton Housing Incentive Overlay Zone Program (Program). The proposed Program constitutes a "project" as defined in the California Environmental Quality Act (CEQA) Guidelines Section 15378. The City of Fullerton (City) is the lead agency preparing this EIR in accordance with the CEQA statutes (California Public Resources Code Section 21000 et seq.), the California CEQA Guidelines (14 CCR 15000 et seq.).

As discussed in detail in Chapter 3, Project Description, of this EIR, the Program would apply an overlay zone to 759 parcels across the City totaling 593 acres. Under existing conditions, these parcels are currently zoned for non-residential uses; however, these sites could most feasibly accommodate new housing development. Implementation of the Program could theoretically result in a buildout potential of up to 35,611 units. The Program would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone. As detailed further in Chapter 3 of this document, the Program would apply to select parcels with the following underlying zoning designations: C-G (Commercial Greenbelt), C-M (Commercial, Manufacturing), G-C (General Commercial), O-P (Office Professional), M-G (Manufacturing, General), M-P (Manufacturing Park) (100,000 square-foot minimum lot size), and M-P (Manufacturing Park) (200,000 square-foot minimum lot size).

2.2 Compliance with CEQA

2.2.1 Format

This chapter of this EIR sets forth the summary requirements of CEQA as required by Section 15123 of the CEQA Guidelines. Chapter 1, Executive Summary, and Chapter 3, Program Description, also comply with CEQA project description requirements by discussing the Project location, providing a statement of the document's purpose and intended use, and identifying the Program objectives.

Issues identified in the Initial Study prepared for the Program that were found to have no impact or a less than significant impact are provided in Appendix A, Initial Study and Notice of Preparation (NOP), and in Chapter 5, Other CEQA Considerations, of this document. This EIR has been formatted to address the issues found to be potentially significant in the Initial Study. For the issue areas found to be potentially significant in the Initial Study, there is a corresponding EIR section. Each EIR section includes an existing setting discussion that describes the physical environmental conditions within the Program area as they existed at the time the NOP was prepared, in September 2023; these conditions are considered the baseline physical conditions from which the City determines whether an impact is considered to be significant (CEQA Guidelines Section 15125[a]). Section 15125(d) of the CEQA Guidelines requires that an EIR "discuss any inconsistencies between the project and applicable general plans and regional plans," which will be addressed in Section 4.5, Land Use and Planning. Each EIR section identifies thresholds of significance and includes an analysis to determine the amount and degree of impact relative to each significance threshold that is associated with the Program. For all significant environmental impacts, mitigation measures, where feasible, are required in order to minimize significant adverse impacts (CEQA Guidelines Section 15126.4[a][1]).

The analysis of impacts and identification of mitigation measures are derived from technical analyses and/or reports that are included as technical appendices to this EIR and from other informational resources as listed at the end, in the references subsection, within each section of this document.

2.2.2 Environmental Procedures

The basic purposes of CEQA are the following (CEQA Guidelines Section 15002):

1. Inform governmental decisionmakers and the public about the potential significant environmental effects of proposed activities;
2. Identify the ways that environmental damage can be avoided or significantly reduced;
3. Prevent significant, unavoidable damage to the environment by requiring changes in the project through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The EIR process typically consists of three parts: (1) the NOP (including the Initial Study), (2) the Draft EIR, and (3) the Final EIR. Pursuant to Section 15063 of the CEQA Guidelines, the City prepared an Initial Study (Environmental Checklist) for the Program in order to determine if the Program would have a significant effect on the environment. The NOP was intended to encourage interagency communication concerning the Program and provide sufficient background information about the Program so that agencies, organizations, and individuals could respond with specific comments and questions on the scope and content of the EIR. Based upon the analysis contained in the Initial Study/NOP, the City concluded that an EIR should be prepared. The NOP for the EIR and a description of potential adverse impacts were distributed to the State Clearinghouse, responsible agencies, and other interested parties on Friday, September 8, 2023. Pursuant to Section 15082 of the CEQA Guidelines, recipients of the NOP were requested to provide responses within 30 days after their receipt of the NOP. During the 30-day public review period of the NOP, the City held a Scoping Meeting on September 28, 2023, to gather additional public input on the Program. Copies of the NOP (including the Initial Study) and the NOP distribution list are provided in Appendix A. All comments received during the NOP public notice period were considered during the preparation of this EIR. Written comments received on the NOP are included in Appendix A of this EIR.

Based on the scope of analysis for this EIR, including comments received during the NOP public scoping period, the following issues were determined to be potentially significant and are therefore addressed in Chapter 4, Environmental Impact Analysis, of this document:

- Air Quality
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation

- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Other potential environmental impact areas, such as agriculture/forestry and mineral resources, were not found to be significant based on the results of the Initial Study. These issues are addressed in Section 5, Other CEQA Considerations, of this EIR.

As the lead agency for the Program, the City has assumed responsibility for preparing this EIR. The decision to consider the Program is within the purview of the City of Fullerton Planning Commission and City Council. The City will use the information included in this EIR to consider potential impacts to the physical environment associated with the Program when considering approval of the Program. As set forth in Section 15021 of the CEQA Guidelines, the City, as lead agency, has the duty to avoid or minimize environmental damage where feasible. Furthermore, Section 15021(d) states that:

> CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

In accordance with CEQA, the lead agency will be required to make findings for each environmental impact of the Program that cannot be mitigated to a less-than-significant level. If the lead agency determines that the benefits of the Program outweigh significant environmental effects that cannot be mitigated to a less-than-significant level, the agency will be required to adopt a statement of overriding considerations stating the reasons supporting its action notwithstanding the Program's significant environmental effects.

The EIR will be made available for review to agencies and the public for 45 days to provide comments on the "sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the Project might be avoided or mitigated" (CEQA Guidelines Section 15204[a]).

2.2.3 Incorporated by Reference

The Fullerton Plan, adopted in May 2021, is the City's General Plan. This document, as well as the Final Program EIR for The Fullerton Plan, and other references were reviewed in order to assist environmental review of the Program. These aforementioned documents are incorporated by reference (CEQA Guidelines 15150) and are available for review at the City of Fullerton, 303 West Commonwealth Avenue, Fullerton, California 92832. Additionally, these documents can be viewed on or downloaded from the City's website at https://www.cityoffullerton.com/government/departments/community-and-economic-development/planning-zoning/general-plan?locale=en.

2.2.4 NOP Comments and Scoping Meeting

The NOP for the Program was published on September 8, 2023, which will thus be the environmental baseline for the Program. Currently, existing development within the Program area includes a variety of commercial (i.e., retail

stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office land uses as well as vacant land (e.g., parking lots). The public review period for the Initial Study/NOP began on September 8, 2023, and ended on October 9, 2023. A number of agencies and organizations commented on the Initial Study/NOP, and those comments can be found in Appendix A. During the 30-day public review period of the NOP, the City held a Scoping Meeting on September 28, 2023. Discussion at the September 28, 2023, Scoping Meeting included concerns regarding cultural and historical resources impacts, impacts to trees, and potential impacts to waterways. Comments raised in comment letters during the 30-day scoping period are summarized in Table 2-1.

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
State Agencies			
Native American Heritage Commission (NAHC)	September 9, 2023	NAHC recommended actions to adequately assess the existence and plan for avoidance, preservation, or mitigation of impacts to tribal cultural resources. NAHC reminds to contact the appropriate regional California Historical Research Information System (CHRIS) Center for an archaeological records search. The comment details that if an archaeological inventory survey is required, the final stage is to prepare a professional report detailing the findings and recommendations of the records search and field survey which should be submitted immediately to the planning department and within 3 months after work has been completed to the regional CHRIS Center. The comment also states to contact the NAHC for a Sacred Lands File search and a Native American Tribal Consultation List of appropriate tribes for consultation. The comment also reminds that the lack of surface evidence of archaeological resources does not preclude their subsurface existence. Additionally, the comment states that lead agencies should include plans to identify and evaluate inadvertently discovered archaeological resources, provisions for the disposition of recovered cultural items, and provisions for the treatment and disposition of discovered Native American human remains in their mitigation and monitoring reporting program.	Section 4.12, Tribal Cultural Resources
Department of Toxic Substances Control (DTSC)	September 28, 2023	DTSC was unable to determine the locations of the proposed Project area, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the Project area to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. DTSC recommends providing further information in the Draft EIR on the Project areas that may fall under	Section 4.3, Hazards

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		DTSC's oversight. Then, DTSC may provide additional comments. DTSC believes the City of Fullerton must address these comments to determine if any significant impacts under CEQA will occur and, if necessary, avoid significant impacts. The comment recommends the City of Fullerton connect with DTSC if any relevant hazardous waste projects are discovered.	
California Department of Transportation (Caltrans), District 12	October 6, 2023	Caltrans made a variety of comments related to LDR, Transportation, and System Planning. Caltrans supports opportunities for affordable housing opportunities, highlights the state mandate to plan for future housing needs of all residents, and asks that additional analysis and discussion are provided to assist RHNA allocation efforts. Caltrans also asks that an equity discussion in the EIR to highlight transportation benefits for communities of color and under-served communities. Caltrans, striving for more equitable safety outcomes for all, encourages the implementation of new technologies and practices to enhance safety in the transportation network. The comment encourages the design of Complete Streets that are safe and comfortable for all users. Caltrans asks to discuss current multimodal transportation options of transit and rail services and to look for opportunities and connectivity to safe and convenient access. Additionally, the comments asks to consider improving multimodal connections to housing to promote diversity of housing choices and additional destinations accessible by Active Transportation. The comment asks that various methods to reduce pedestrian, bicycle, and school exposure to vehicles and traffic be considered, and that bike lanes or other streets be considered along Euclid St. to allow for alternative modes of transportation. The comment also asks to ensure that truck parking, ingress and egress, and staging will not interfere with vehicle parking, pedestrian paths, or bicycle lanes/parking, and to work with community representatives to mitigate any truck traffic routing onto residential streets or conflicting with other road users. Caltrans also asks to identify all existing local and regional transit bus services and connectivity to rail services from the nearest train stations provided by Metrolink and/or Amtrak Pacific Surfliner. Lastly, the comment asks to provide adequate wayfinding	Section 4.13, Transportation

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		signage to transit stops within all the project vicinity and local roadways.	
Regional Agencies			
Orange County Transit District (OCTA)	October 9, 2023	The comment states that OCTA owns and operates a regional park and ride facility (located at 3000 West Orangethorpe Avenue) and transit terminal with fifteen bus docks and 791 public parking spaces. The facility is located at the southwest corner of Orangethorpe Avenue and Magnolia Avenue, just north of the I-5 and SR-91 Interchange. The comment states that initial parking studies have shown that public parking is underutilized. OCTA reminds that they are in the conceptual planning phase for a potential mixed-use housing development project at the Fullerton Park and Ride facility which envisions repurposing the underutilized parking to facilitate development opportunities and to preserve the facility functions. OCTA requests to continue to meet with City of Fullerton staff to discuss whether including the Fullerton Park and Ride in the HIOZ program could help facilitate potential development opportunities at the site. The comment says to contact the writer of the letter at (714) 560-5907 or at dphu@octa.net.	Section 4.13, Transportation
Individuals			
Jeff Koskela	October 6, 2023	The comment notes that while housing development is needed for the stability of our city, the concept tends to upend years of checks and balances that have served our city in a way that has produced desirable residential neighbors and stable property values. The comment notes that the process tends to crowd the existing homes and fills the streets and driveways with a great number of cars. The comment states that single family homes that have been the backbone of Fullerton will now be threatened by the encroachment of multi-story structures in back yards and church properties that are normally only active on Sundays and a few weeknights, now stand to become mega developments adjacent to our homes. The comment states that mixed use may be fine for shopping centers that are underutilized but this is far from the ideal situation for residential areas. The comment states that setting aside the usual density, sewer capacity, street congestion, and	Chapter 3, Project Description; Section 4.1, Air Quality; Section 4.2, Greenhouse Gas Emissions; Section 4.13, Transportation; and Chapter 5, Other CEQA Considerations

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		environmental considerations to bring in more housing will create an unregulated sprawl that will hurt existing homeowners and that only developers will benefit at the cost of the individual homeowners. The comment urges more restraint than is written into this proposal and says that if it is made the standard for Fullerton, the damage may well be irrevocable.	
Jane Reifer	October 9, 2023	Jane Reifer notes that her goal is to preserve unique aspects of Fullerton's natural and built environment, and that Fullerton has a unique feel and characteristics that she believes should be preserved while addressing affordable housing needs. The comment goes on to list some of the unique attributes. The comment states that there should be a discussion that analyzes the potential for new properties to be added to the HIOZ after potential adoption as it is hard to understand (with the current information provided) the various environmental impacts and suggests the PEIR should be analyzed at different levels of affordability, density, and build out. The comment also highlights the importance of knowing cumulative impacts details of other proposed projects, including in other cities, and says there should be a discussion on the impacts of the density bonus most HIOZ projects will be eligible for. The comment states that scenic vistas should be analyzed, aesthetic factors should be included as a potential impact as the City historically ignores its designated Scenic corridors and rural streets, and that acknowledgement of the transition in the neighborhood's architecture is addressed. The comment asks to remedy the exclusion of bats and pollinators from Fullerton CEQA documents and to more thoroughly discuss birds. It also states that impacts should be analyzed in advance since current policies miss mapped riparian areas and current mitigation isn't sufficient. The comment also declares that several city tree policies are not included in the Community Forestry ordinance and that despite eligibility, city trees have not been designated as a landmark. The comment asks to analyze possible displacement of people since the project	Chapter 3, Project Description; Section 4.1, Air Quality; Section 4.2, Greenhouse Gas Emissions; Section 4.13, Transportation; Chapter 5, Other CEQA Considerations; and Chapter 6, Alternatives

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		acknowledges the removal of a significant amount of residential housing. The comment highlights that many new developments in Fullerton have laundry facilities that have exposed air ducts leading to the public right of way, subjecting pedestrians to laundry chemical fumes and asks that a previous City Mitigation measure N-6 be adapted to say something like: "the City shall require mechanical equipment from future development to be placed as far as practicable from pedestrian right of way and bus stops." The comment highlights that Fullerton is a Preserve America city, and prides itself on its history, and that the commenter was shocked to learn how few protections these historic resources have. The comment also states that the proposed COAs apply to designated historic buildings, but not historic-age or designation-eligible structures and districts, and that trenching and shoring precautions, for example, would not be taken on nearby eligible properties which could have significant impacts on the historic environment. The comment says that discussion about viewsheds and adjacent historic properties and districts within an APE is missing and that maps should note historic-age structures so policies can be explored. The comment notes that cultural resources should be part of the scope because there is not an accurate method of recognizing which parcels have cultural / historic impact and that often the City's database does not acknowledge historic structures. The comment says that the Initial Study Checklist says geology and soils won't be included in the scope but has f) marked as potentially significant and asks to reinstate the section as part of the EIR. Additionally, the comment also says to add c) regarding liquefaction, landslide, collapse, and lateral spreading due to the many slope and subsidence issues Fullerton has had over the years. The comment states that this might also affect Wildfire 3.20 d) since not all infill lots have been fully disturbed and developed. In terms of the Mandatory Findings of Significance, the comment says that there could be significant impacts since 3.21 b) predicates its some of its potential analysis on it and that there is potential that the Raytheon parcel could contain resources	

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		of California history and pre-history based on its proximity to resources recovered in a WPA archeological dig and local Rancho Los Coyotes-era adobes. For transportation, the comment states that construction detours must be handled so as not to decrease these modes' performance, that current Traffic Control Plans do not include mitigations for various impacts which makes construction impacts conflict with a program, plan, ordinance, or policy addressing the circulation system. The comment also states that COA-AQ-6 is not adequate mitigation and that Fullerton is not meeting its Complete Streets obligations. The comment declares that availability of Bus stops, benches, shelters and other amenities, have never been methodically analyzed and that impacts on the City's Bicycle Master Plan must be included. The comment notes that since documentation has not been a standard part of city policies for pedestrian gap closure needs and conflict areas with other modes at driveways, parking lots and structures, freeway ramps, intersections, etc., many recent projects have produced increased hazards due to lack of coordination with this mode. Lastly for transportation, the comment states that Bus, rail, biking, and walking should be considered part of general civic infrastructure and that transit needs must be a part of the impacts considered when planning. The comment notes that Bus transit should be added to public services and that new projects should have transit funding built into the project mitigations instead of depending solely on unreliable transit district, state, and federal funds. Under land use and planning, the comment notes that large buildings without pedestrian pass-throughs, where small building and surface parking lots once were, divide communities from a pedestrian, disabled person, and sometimes bicycle, perspective. As for the Project alternatives, the commenter states they'd like to see the PEIR focus on viable alternatives rather than a quick jump to a Statement of Overriding Considerations. The comment asks to include an alternative that analyzes significant development in Harbor Gateway focus area, one that analyzes fewer HIOZ	

Table 2-1. Notice of Preparation and Comment Letters Summary

Sender of Comments	Date Received	General Summary of Comments	Addressed in Section(s)
		units but with a higher percentage of affordable units, and one with lower densities with a higher percentage of affordable units. The comment lastly notes that Appendix A references density but not buildout and that A referenced Appendix B which was not included.	

None of the comments received change the issue areas that the Initial Study determined would be discussed in the EIR. All of the issues and concerns raised in the comments have been fully addressed and analyzed in the EIR.

3.0 Project Description

This chapter of the Program Environmental Impact Report (Program EIR or PEIR) provides a detailed description of the proposed Housing Incentive Overlay Zone (HIOZ) Program (Program). This chapter also discusses the discretionary actions required and includes a brief description of the environmental effects, which are evaluated in Chapter 4, Environmental Impact Analysis, through Chapter 6, Alternatives, of this PEIR.

3.1 Project Location

The Program is proposed within the City of Fullerton (City), a city located in north Orange County, California, as shown in Figure 3-1, Regional Location. The proposed Program would apply to select parcels across the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map.

3.1.1 Planning Area

The Planning Area is comprised of 759 parcels across the City totaling 593 acres. As detailed further in this chapter, the Program would apply to select parcels which contain the following underlying zoning designations: C-G (Commercial Greenbelt), C-M (Commercial, Manufacturing), G-C (General Commercial), O-P (Office Professional), M-G (Manufacturing, General), M-P (Manufacturing Park) (100,000 square-foot minimum lot size), and M-P (Manufacturing Park) (200,000 square-foot minimum lot size) (City of Fullerton 2023a).

3.2 Environmental Setting

3.2.1 California Environmental Quality Act

The baseline for a project is typically the physical environmental condition that exists in the vicinity of a project when the NOP is published (14 CCR 15125(a)). The NOP for the proposed Program was released on September 8, 2023. As such, the existing conditions at the time of publication of the NOP will be the environmental baseline for the proposed Program. Existing conditions of the Planning Area are further detailed in Section 3.2.2, below.

This Program EIR was prepared by the City, as the Lead Agency, to inform decision makers and the public of the potential significant environmental effects associated with the Project. This Program EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines; 14 CCR 15000 et seq.) published by the Public Resources Agency of the State of California.

The purpose of this Program EIR is to focus the discussion on those potential effects on the environment of the Program that the Lead Agency has determined may be significant. In addition, feasible mitigation measures are recommended, when applicable, that could reduce significant environmental impacts or avoid significant environmental impacts.

Full buildout of the Planning Area, as discussed throughout this section of the PEIR, is assumed in the analysis herein. As such, this Program EIR evaluates implementation of the proposed HIOZ at a programmatic level with an

assumed buildout scenario to represent a conservative maximum buildout to fully characterize environmental impacts associated with Program implementation.

3.2.2 Existing Conditions

Based on data collected for the 2021 Draft Housing Element Update (HEU), the City is characterized as a predominantly suburban residential community with the most prevalent housing type being single-family detached homes (approximately 24,551 units out of a total of 47,369 occupied housing units) (City of Fullerton 2021). In addition, under existing conditions, the City's average household size is estimated at 2.91 persons per household. The vacancy rate in the City is estimated to be at 4.8%, and over half of the City's housing units were constructed prior to 1970 (City of Fullerton 2021). The City's total population is approximately 143,617 residents according to the 2020 U.S. Census (U.S. Census 2023). Recent estimates from the California Department of Finance (DOF) approximate that the City has a total population of 142,873 residents and 50,620 housing units in 2023 (DOF 2023).

The Planning Area consists of 759 parcels identified in Appendix B, HIOZ Site Inventory. Under existing conditions, the Planning Area contains a variety of commercial (i.e., retail stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office land uses as well as vacant land (e.g., parking lots). Approximately 486 parcels contain existing commercial uses with an estimated 4,637,709 square feet of structures on site. Industrial uses within the Planning Area comprise 99 parcels with approximately 2,118,566 square feet of existing structures. Office uses consist of 2 parcels with a total of 5,471 square feet. Approximately 51 parcels, or 13 acres of land, are identified as vacant land or parking lots. As shown in Appendix B, the Planning Area is currently zoned for non-residential uses. However, approximately 121 parcels contain existing non-conforming residential uses on site. The total number of existing units is unknown; however, it is estimated that approximately 176,441 square feet of building area is occupied by residential land uses.

Table 3-1 details the Planning Area's underlying zoning, the total acreage per zoning designation, and the estimated existing square feet of structures on site. As shown, the Planning Area consists of parcels with seven different underlying zoning designations containing 6,938,186 square feet of existing structures (including 176,441 square feet of existing non-conforming residential structures).

Table 3-1. Existing Conditions per Zoning Designations

Underlying Zoning Designations	Total Acreage per Zone	Total Existing Square Feet (SF)
C-G (Commercial Greenbelt)	3.62	44,208
C-M (Commercial, Manufacturing)	9.04	121,304
G-C (General Commercial)	290.39	3,215,463
O-P (Office Professional)	53.65	599,940
M-G (Manufacturing, General)	107.01	1,283,046
M-P (Manufacturing Park) (100,000 square-foot minimum lot size)	65.58	890,755
M-P (Manufacturing Park) (200,000 square-foot minimum lot size)	64.24	783,467
Total	**593.52**	**6,938,186**

Source: Appendix B
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding. For informational purposes, the Initial Study (Appendix A) to this Draft PEIR erroneously included the existing square footage for the following zones: O-P, M-G, M-P (100K), and M-P (200K). Calculations have not changed. Instead, the numbers per zone was misplaced.

3.2.3 General Plan

The City's General Plan (or The Fullerton Plan), adopted in May 2012, provides goals and policies to achieve the vision for the City. The General Plan, in accordance with State law and the California's General Plan Guidelines, is organized in four parts: The Fullerton Built Environment, the Fullerton Economy, the Fullerton Community, and the Fullerton Natural Environment (City of Fullerton 2012a). State law requires that general plans address the several topics (or "Elements") of land use, circulation, housing, open space, conservation, safety, noise, and environmental justice, in accordance with California Government Code Section 65302.

The City's General Plan identifies 12 Focus Areas that present opportunities where land use and design change can help fully implement the vision of The Fullerton Plan. The Focus Areas are designed to catalyze revitalization efforts along corridors; create more options for travel between Fullerton's major destinations and neighborhoods; guide the enhancement of unique assets; and support the function of business clusters such as medical facilities and industrial areas. For each Focus Area, the General Plan provides objectives to serve as a framework for further community-based planning efforts. (City of Fullerton 2012a). These focus areas were identified as opportunity areas because they generally possess some or all of the following characteristics: (1) Areas that are currently experiencing transition or anticipated transition in the near future, (2) Areas that exhibit special community resources (historic, educational, cultural, etc.), (3) Areas providing a variety of development options or market interest, and (4) Areas exhibiting potential for enhancement or reinvestment through public or private investment. Given these criteria, the General Plan establishes the following, as shown in Figure 3-3, The Fullerton Plan Focus Areas:

- Focus Area A: Airport Industrial
- Focus Area B: Commonwealth Corridor
- Focus Area C: Orangethorpe Corridor Nodes
- Focus Area D: Harbor Gateway
- Focus Area E: Downtown
- Focus Area F: Transportation Center
- Focus Area G: North Harbor Corridor
- Focus Area H: North Industrial
- Focus Area I: Chapman Corridor
- Focus Area J: Education
- Focus Area K: Southeast Industrial
- Focus Area L: West Coyote Hills

The Planning Area includes parcels within each of the Focus Areas, with the exception of Focus Area F, Transportation Center. A total of 628 parcels are located within the General Plan Focus Areas. A majority of the parcels within Focus Areas are located within Focus Area B, Commonwealth Corridor, followed by Focus Area C and I, Orangethorpe Corridor Nodes and Chapman Corridor, respectively. The remaining 131 parcels within the Planning Area are not located within Focus Areas. These parcels are designated as Commercial, Greenbelt Concept, Industrial, Low Density Residential, Office, and Religious Use by the General Plan.

3.2.4 Housing Element

The State of California requires all local governments to adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans as part of their "general plan." The law mandating that housing be included as an element of each jurisdiction's general plan is known as the "Housing Element law."

Pursuant to State law, the Housing Element must be updated periodically according to statutory deadlines. The most current HEU covers the planning period of October 15, 2021 to October 15, 2029. The HEU represents the City's effort in fulfilling the requirements under State Housing Element law. The California State Legislature has

identified the attainment of a decent home and suitable living environment for every Californian as the State's major housing goal. Recognizing the important role of local planning and housing programs in the pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of the comprehensive General Plan.

State Law requires that the Housing Element, and each HEU, include the following components:

- An evaluation of the efficacy of the previous Housing Element's progress in plan implementation and appropriateness of the goals, policies, and programs.
- An analysis of the City's population, household, and employment base, and the characteristics of the housing stock.
- A summary of the present and projected housing needs of the City's households.
- A review of potential constraints to meeting the City's identified housing needs.
- An evaluation of Fair Housing to identify disproportionate housing needs.
- A statement of the Housing Plan to address the identified housing needs, including housing goals, policies, objectives, and programs.

The City's Housing Element is being updated in conformance with the 2021-2029 cycle for jurisdictions in the Southern California Association of Governments (SCAG) region. The HEU builds upon the other General Plan elements and is consistent with the policies set forth by the General Plan, as amended. As portions of the General Plan are amended in the future, the General Plan (including the Housing Element) will be reviewed to ensure that internal consistency is maintained. The Housing Incentive Overlay Zone is identified as an implementation program in the 2021 Draft HEU (City of Fullerton 2021).

3.2.5 Regional Housing Needs Assessment

The California Department of Housing and Community Development (HCD) is required to prepare a Regional Housing Needs Assessment (RHNA) for each Council of Governments in the State that identifies projected residential dwelling units needed for all economic segments based on Department of Finance population estimates. SCAG is comprised of Los Angeles, Ventura, Riverside, Orange, San Bernardino, and Imperial Counties and allocates to the six counties and 191 cities and the unincorporated County areas their fair share of the total RHNA housing needed for each income category. Each local government must demonstrate that it has planned to accommodate all of its regional housing need allocation in its Housing Element. The City has been assigned a 6th Cycle RHNA allocation (RHNA allocation) of 13,209 units for the 2021–2029 Housing Element (proposed Housing Element), broken down as follows: 3,198 very-low income, 1,989 low income, 2,271 moderate income, and 5,751 above-moderate income housing units (SCAG 2021).

The City prepared their HEU for the planning period from October 2021 to October 2029. HCD reviewed the HEU and requested modifications, which are currently being incorporated. Nonetheless, environmental review of this Program is continuing forward, as this Program is a key component of the City accommodating its 6th Cycle RHNA.

The City's Housing Element does not propose development but rather is designed to facilitate construction of housing throughout the City within the planning period. In addition, the HEU did not result in the re-zoning of parcels to accommodate for future residential development. Instead, the City defined policy action areas to identify adequate sites for housing development, in addition to the proposed Program.

3.2.6 Other Community and Specific Plans

Across the City there are specific plans which regulate land use and development at localized level. Specific plans are used to ensure that multiple property owners and developers adhere to a common plan or coordinate multiple phases of a long-term development. Specific plans must also be consistent with the General Plan goals and policies.

In Fullerton, a Specific Plan District (SPD) is a zoning classification which governs standards and uses for a larger area of land. SPD zoning provides for the establishment of physical development standards and regulations for land uses that may be unique to the particular area. These standards and regulations can include such things as lot sizes, building separation distances, land use, parking standards, and open/recreational space. There are 21 SPDs in the City ranging from a focus on mixed use, residential, or commercial development (City of Fullerton 2023b). However, none of the City's existing SPDs overlap with the proposed Planning Area.

3.3 Project Objectives

CEQA Guidelines Section 15124(b) requires an EIR to include a statement of objectives sought by the project. According to the City's HEU, the City does not contain sufficient sites with appropriate zoning to accommodate the City's RHNA allocation. As such, the City identified the proposed Program as one of two policy actions to help facilitate housing production in order to meet the City's RHNA goals. The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. The following Project Objectives have been established to assist the City in developing a reasonable range of alternatives to be evaluated in this Draft PEIR.

1. Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.
2. Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.
3. Identify sites that are most likely to be redeveloped given their current underutilization of land.
4. Discourage development within known local hazard zones.
5. Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.

3.4 Project Description

According to the City's HEU, the City does not contain sufficient sites with appropriate zoning to accommodate the City's RHNA allocation. As such, the City identified the proposed Program as one policy action to help facilitate housing production in order to meet the City's RHNA goals. The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. The Program would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone. Implementation of the Program could theoretically result in a buildout potential of 35,611 units.

3.4.1 Methodology

Parcel Applicability

The proposed Program is based on a methodology in which parcels Citywide were analyzed and either removed from or considered for inclusion in HIOZ based on a variety of criteria. In summary, four specific criteria were considered when identifying eligible parcels for the inclusion in HIOZ, as listed below:

1. **Economic Viability:** Parcels that are most likely to be redeveloped given their current underutilization of land. For example, these parcels are either vacant or the development is outdated and has a likelihood of redevelopment in the near-term.
2. **Location within Opportunity Areas:** Promotion of affirmatively furthering fair housing policies by including areas identified within the California Tax Credit Allocation Committee (TCAC)/HCD Opportunity Areas to support positive economic, educational, and health outcomes for low-income families. In addition, parcels were included if they are within high-quality transit areas, defined by SCAG as areas within one-half-mile of major transit stops and high-quality transit corridors. Parcels that are adjacent (e.g., within 100 feet) to existing residential were also included.
3. **Location Outside of Local Hazard Zones:** Discourage development within known local hazard zones, such as airport impact zones defined by the Airport Land Use Commission of Orange County, and as noted within the City's 2020 Local Hazard Mitigation Plan (i.e., inundation hazard zones, flood hazard zones, fire hazard zones, landslide hazard zones, earthquake fault hazard zones, liquefaction hazard zones, and oil and gas hazard zones).
4. **Adjacent to Local Amenities:** Encourage residential development with access to community amenities (i.e., within one-quarter mile of a school, college, or university and within one-quarter–mile of open space).

Based on the criteria outlined above, parcels Citywide were screened and either included for, or removed from, consideration. Appendix B provides further detail about the Program's screening analysis and methodology. In addition to using the criteria outlined above, parcels were removed from consideration if the underlying zoning allows for residential, included within an existing Specific Plan area, is currently entitled for residential, contains public uses (i.e., schools, parks, municipal facilities, infrastructure, etc.), and/or is identified on the local register of historical resources.

As a result of the site screening process, the Program would apply an overlay zone to a total of 759 parcels, totaling 593 acres across the City. These sites are shown in Figure 3-2, Fullerton HIOZ Map. Under existing conditions, these parcels are currently zoned with the following underlying zoning designations: C-G (Commercial Greenbelt), C-M (Commercial, Manufacturing), G-C (General Commercial), O-P (Office Professional), M-G (Manufacturing, General), M-P (Manufacturing Park) (100,000 square-foot minimum lot size), and M-P (Manufacturing Park) (200,000 square-foot minimum lot size), as shown in Figure 3-4, Zoning.

Maximum Density Assumed

As currently drafted, the proposed Program recommends a minimum density for implementation and does not identify a maximum density. However, for purposes of analyzing the Program's maximum potential environmental effects, an assumed maximum density is required for the purposes of CEQA.

The General Plan assumed buildout scenarios for each land use designations by establishing minimum and/or maximum density or intensity standards. Table 3-2, below, details each land use designation that allows for residential uses. It is assumed the City's existing R-5 (Maximum Density, Multiple Residential) zone and High Density Residential General Plan land use designation is an appropriate equivalent to the proposed Program. As shown, the "High Density Residential" only specifies a minimum density of 28.1 dwelling units per acre (du/ac), and no maximum is identified.

Table 3-2. General Plan EIR Land Use Residential Density Summary

Designation	Residential Density	Non-Residential Intensity
Residential		
Low Density Residential	Up to 6 du/ac	Up to 0.35 FAR
Low/Medium Density Residential [1]	6.1 to 15 du/ac	Up to 0.35 FAR
Medium Density Residential [1]	15.1 to 28 du/ac	Up to 0.50 FAR
High Density Residential [1]	Over 28.1 du/ac	Up to 0.65 FAR
Greenbelt Concept	Up to 3 du/ac	N/A
Mixed Use		
Downtown Mixed Use [1]	30 to 60 du/ac	0.90 to 2.0 FAR
Neighborhood Center Mixed Use [1]	16 to 60 du/ac	0.50 to 3.0 FAR
Urban Center Mixed Use [1]	30 to 80 du/ac	0.75 to 3.0 FAR

Source: City of Fullerton 2012b, Table 3-3.
Note:
[1] Allowable density/intensity may vary based on Focus Area policies.

Furthermore, the allowable density per land use designation varies based on the Focus Areas identified in the General Plan. Table 3-3 details the Focus Areas that allowed for "High Density Residential" and their assumed density/intensity.

Table 3-3. General Plan Focus Area Residential Density Summary

Focus Areas with Residential	Density/Intensity [1]	Applicable Land Use Designations
Focus Area A (Airport Industrial)	Up to 30 du/ac; up to 0.5 FAR	Medium Density Residential
Focus Area B (Commonwealth Corridor)	Up to 30 du/ac; up to 0.5 FAR	Neighborhood Center Mixed Use, Medium Density Residential
Focus Area C (Orangethorpe Corridor Nodes)	Up to 60 du/ac; up to 1.0 FAR	Neighborhood Center Mixed Use, Medium Density Residential, High Density Residential
Focus Area D (Harbor Gateway)	Up to 80 du/ac; up to 3.0 FAR	Low Density Residential, High Density Residential, Urban Center Mixed Use
Focus Area E (Downtown)	Up to 60 du/ac; up to 2.0 FAR	Medium Density Residential, Downtown Mixed Use, High Density Residential
Focus Area F (Transportation Center)	Based on Specific Plan	Urban Center Mixed Use, High Density Residential
Focus Area G (North Harbor Corridor)	up to 45 du/ac; up to 3.0 FAR	Neighborhood Mixed Use, High Density Residential

Table 3-3. General Plan Focus Area Residential Density Summary

Focus Areas with Residential	Density/Intensity [1]	Applicable Land Use Designations
Focus Area H (North Industrial)	up to 60 du/ac; up to 1.0 FAR	Neighborhood-serving Mixed use, High Density Residential
Focus Area I (Chapman Corridor)	up to 60 du/ac; up to 1.0 FAR	High Density Residential, Commercial, Neighborhood Center Mixed Use, Medium Density Residential
Focus Area J (Education)	up to 60 du/ac; up to 3.0 FAR	High Density Residential, Neighborhood Center Mixed Use, Medium Density Residential
Focus Area L (West Coyote Hills)	3 du/ac	Greenbelt Concept

Source: City of Fullerton 2012a, Table 2.
Note:
[1] Recommended density/intensity range is provided for the Focus Area as a whole. Allowable parcel-by-parcel density/intensity will be specified through development standards in the Zoning Code or Specific Plan.

As discussed in the General Plan, the Focus Areas present opportunities where land use and design change can help fully implement the City's vision. Thus, the land use designations deemed applicable represent potential changes in land uses within the City. Table 3-3 includes eight different Focus Areas that identify the High Density Residential land use designation as an applicable land use. The General Plan recommends maximum densities between 45 to 80 du/ac, with 60 du/ac as the most commonly used maximum density for four of the eight Focus Areas. Given this, 60 du/ac is the assumed maximum density for the purposes of analyzing the Program's maximum potential environmental effects.

3.4.2 Program-Related Growth and Buildout

For the purposes of this Program EIR, a maximum density of 60 du/ac across the Planning Area is assessed to determine the maximum potential environmental effects of the proposed Program. Therefore, the Program would result in a maximum growth potential of 35,611 units. For more information on the parcels identified, including each parcel's Assessor Parcel Number, underlying zoning designation, parcel size, assumed density, and total housing units per zone, see Appendix B.

Table 3-4 details the Program's anticipated maximum buildout per underlying zoning designations. Although the Program would apply to zoning classifications with non-residential designations, there are approximately 136 parcels with existing non-conforming residential uses on site. Given this, the Program-related growth would include residential uses with the potential to be demolished. Based on existing data, the number of existing units is not known. However, it is estimated that approximately 197,529 square feet represents the total square footage of existing non-conforming residential uses within the Planning Area. Additionally, implementation of the proposed Program would include the redevelopment of parcels with existing structures on site. As such, it is assumed that demolition, construction, or renovation of existing occupied properties could occur. As shown in Table 3-4, 6,938,186 square feet of existing structures (including 197,529 square feet of existing non-conforming residential structures) are anticipated to be demolished upon full buildout of the proposed Program.

As shown in Table 3-4, the Program would apply to approximately 593.5 acres and upon full buildout, could result in a total of 35,611 new units. In accordance with State Housing Element Law, the Program is anticipated to

facilitate housing production within the City for the planning period ending in 2029. As such, for the environmental analysis, the Program's buildout year would be consistent with SCAG's 6th RHNA Cycle, ending in October 2029. Therefore, this PEIR analyzes the potential buildout of 35,611 units by October 2029.

Table 3-4. Program-Related Housing Growth per Zone

Underlying Zoning Designations	Total Acreage per Zone	Total Existing Square Feet (SF) to be Demolished	Total Housing-related Growth (du)
C-G (Commercial Greenbelt)	3.62	44,208	217
C-M (Commercial, Manufacturing)	9.04	121,304	542
G-C (General Commercial)	290.39	3,215,463	17,423
O-P (Office Professional)	53.65	599,940	3,218
M-G (Manufacturing, General)	107.01	1,283,046	6,420
M-P (Manufacturing Park) (100,000 square-foot minimum lot size)	65.58	890,755	3,934
M-P (Manufacturing Park) (200,000 square-foot minimum lot size)	64.24	783,467	3,854
Total	**593.52**	**6,938,186**	**35,611**

Source: Appendix B
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding.

In addition to a potential housing buildout, as detailed in Table 3-4, the Program would facilitate the development of on-site commercial uses for each future development project. Below is a table detailing the projected population, housing, and employment per land use type.

Table 3-5. Planning Area Growth Assumption per Land Use Type

Land Use Type	Number of Parcels [a]	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee) [b]	Employees Generated	Housing Generated	Population Generated
Existing Land Uses						
Commercial Uses	486	4,637,709	Other Retail/ Services (623 SF/Employee)	7,444	—	—
Industrial Uses	99	2,118,566	Light Manufacturing (576 SF/Employee)	3,678	—	—
Office Uses	2	5,471	Low-Rise Office (324 SF/Employee)	17	—	—
Vacant Land	51	0	—	—	—	—
Non-Conforming Residential Uses	121	176,441	—	—	—	—
Total Existing Employees	**759**	**6,938,186**	—	**11,139**	—	—

Table 3-5. Planning Area Growth Assumption per Land Use Type

Land Use Type	Number of Parcels [a]	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee) [b]	Employees Generated	Housing Generated	Population Generated
Proposed Land Uses (New)						
Residential	759	—	—	—	35,611	103,628
Commercial	759	3,102,449	Other Retail/ Services (623 SF/Employee)	4,979	—	—
			Total Proposed Housing Growth	—	35,611	—
			Total Proposed Population Growth	—	103,628	—
			Total Proposed Employment Growth	4,979	—	—
			Net Total Employment	*-6,160*	—	—

Sources:
[a] Appendix B
[b] SCAG 2001
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding. Based on data collected for the 2021 HEU, the City's average household size is estimated at 2.91 persons per household (City of Fullerton 2021).

3.4.3 General Plan Consistency

As shown in Figure 3-5, General Plan Land Use Designations, and listed in Appendix B, the Planning Area would apply to parcels with the following existing General Plan land use designations: Commercial, Greenbelt Concept, Industrial, Low Density Residential, Medium Density Residential, Office, and Religious Use (City of Fullerton 2012c). Implementation of the proposed Program would not include a General Plan Amendment to ensure existing underlying zoning designations are consistent with existing General Plan designations on Planning Area parcels. However, there are parcels with existing land use designations that do not currently allow for residential uses.

The General Plan states the Industrial land use designation (also referred to as Community Development Type) should not be located adjacent to a residential neighborhood or center without substantial buffers (City of Fullerton 2012c). As such, implementation of the proposed Program would require a General Plan Amendment to allow residential land uses within and adjacent to Industrial-designated areas. Similarly, for parcels within the Planning Area designated as Commercial, Office, or Religious Use; a General Plan Amendment is required to allow for residential uses on site.

In addition to consistency for allowable land uses, the proposed Program would require consistency with development standards that specify a maximum residential density on site. The Greenbelt Concept includes development standards, such as a maximum density of 3 du/ac. Thus, the Program would require a General Plan Amendment to ensure consistency with HIOZ's allowable density proposed on select parcels within the Planning Area. Similarly, parcels with Low Density Residential and Medium Density Residential land use designations would require a General Plan Amendment to make the respective maximum densities of 6 du/ac and 28 du/ac consistent with the proposed HIOZ.

3.4.4 Municipal Code Amendments

HIOZ Implementation Process

Upon adoption of the proposed HIOZ, procedures for inclusion would be outlined in the City's Municipal Code. For properties not currently included in the HIOZ, a request for a HIOZ designation may be initiated by an application by a property owner made in accordance with Chapter 15.72 (Amendments) of the Municipal Code. As such, amendments to the proposed HIOZ would require approval by the City's Planning Commission and City Council. Furthermore, the application shall be consistent with the objectives of the Zoning Ordinance and General Plan and be reasonably compatible with surrounding land uses to promote the general health, safety, and welfare.

Future Development Projects

Upon adoption of the proposed HIOZ, future development projects would be required to comply with a site plan review for implementation. Future development projects proposed on sites with a HIOZ designation would be subject to a site plan review pursuant to Chapter 15.47, Site Plan Review, of the Municipal Code. In the event a future development project complies with the Municipal Code provisions governing HIOZ and does not require a conditional use permit, variance, and/or a minor exception, the future project would require a Minor Site Plan review, as defined in the Municipal Code. Additionally, future development projects would be required to meet the site assumptions on residential density (within 60 du/ac). With these parameters, future development projects would be exempt from further CEQA review and would be approved by-right by the City's Community and Economic Development Director. Although further CEQA review would not be required for these future development projects, these projects would be required to comply with the conditions of approval (as detailed in Section 3.6 of this chapter) and applicable mitigation measures (as identified throughout this PEIR) for implementation.

In the event future development projects require approval for a lot line adjustment, consolidation of lots, or subdivision, then subsequent discretionary approvals pursuant to Title 16, Subdivisions, of the Municipal Code would be required. Moreover, if a future development project seeks approval in compliance with HIOZ, construction is required within two years of approval by the Community and Economic Development Director.

HIOZ Development Standards

The proposed Program would revise Citywide Development Standards for multi-family zoning classifications. Specifically, the Program proposes revisions to Chapter 15.17.070 of the City's Municipal Code. Additionally, the Program proposes revisions to Citywide Development Standards for mixed-use zoning classifications. Such revisions would include amendments to lot standards (i.e., minimum lot area, lot coverage), setbacks, height, and open space requirements. Future residential development associated with the proposed Program would be developed in compliance with applicable development standards of their respective permitted uses (R-5 or C-3 zones), as shown in Chapter 15.17, Residential Zone Classifications, or Chapter 15.30, Commercial Zone Classifications, of the City's Municipal Code.

HIOZ Affordable Housing Requirement

The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. As such, the Program would incorporate a provision in the Municipal Code to require a minimum percentage of the total number of residential units within a development project for affordable

housing for a minimum of 55 years. This provision would be exclusive of the added units facilitated under State Density Bonus law.

3.5 Conditions of Approval

The following measures are from the City's General Plan Program EIR, which are implemented as conditions of approval (COAs) for the proposed Program:

COA-AES-1 For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.

COA-AES-2 Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.

COA-AES-3 Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.

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

1. All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;
2. Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers' specifications;
3. All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour;
4. On-site vehicle speed shall be limited to 15 miles per hour;
5. All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
6. Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
8. Track-out devices shall be used at all construction site access points;

9. All delivery truck tires shall be watered down and/or scraped down prior to departing the job site;
10. A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation;
11. Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and
12. Replace ground cover in disturbed areas as quickly as possible.

COA-AQ-3 The following measures shall be implemented to reduce VOC emissions resulting from application of architectural coatings:

- Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent;
- Use required coatings and solvents with a VOC content lower than required under Rule 1113;
- Construct/build with materials that do not require painting; and
- Use pre-painted construction materials.

COA-AQ-6 Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

COA-AQ-9 Proposed developments within the City of Fullerton shall include, to the extent feasible, as a part of construction and building management contracts, the following measures:

- All residential and commercial structures shall be required to incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters.
- All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping.
- All residential, commercial, and industrial structures shall be required to incorporate light colored roofing materials.

COA-AQ-14 New sensitive land uses such as residential, a hospital, medical offices, day care facilities, and fire stations shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they shall be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of

ambient air filtration, installation of a central heating, ventilation, and air conditioning (HVAC) system that includes high efficiency filters for particulates (Minimum Efficiency Reporting Value [MERV] 13 or higher) or other similarly effective systems shall be required.

COA-BIO-1 A land use permit application for a project on a site located within or adjacent to an environmentally sensitive habitat area, as determined by the City of Fullerton Community Development Department, shall provide a Biological Resource Assessment prepared by a qualified biologist for review and approval by the Community Development Department. The Biological Resource Assessment shall evaluate the impact the proposed development may have on the habitat, and whether the development would be consistent with the biological continuance of the habitat. For those environmentally sensitive habitat areas which are only seasonally occupied, or where the presence of the species can best be determined during a certain season (e.g., annual wildflower species), the field investigation(s) must be conducted during the appropriate time to maximize detection of the subject species. The report shall identify possible impacts, their significance, measures to avoid possible impacts, mitigation measures required to reduce impacts to less than significant levels when impacts cannot be avoided, measures for the restoration of damaged habitats and long-term protection of the habitats, and a program for monitoring and evaluating the effectiveness of such measures.

COA-CR-1 Future development projects for properties considered to be sensitive for cultural resources by the City of Fullerton shall conduct a Phase I Cultural Resources Study of the subject property in accordance with the City of Fullerton's protocol by a qualified professional, which shall be submitted to the City of Fullerton for review and approval. The Phase I Cultural Resources Study shall determine where the subject development project would potentially cause a substantial adverse change to any significant archaeological, paleontological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by the City and shall, at a minimum, including the results of the following:

1. Records searches at the South Central Coastal Information Center (SCCIC), the National or State Registry of Historic Places, and any appropriate public, private, and tribal archives.
2. Sacred Lands File records search with the Native American Heritage Commission (NAHC), followed by project scoping with the tribes recommended by the NAHC.
3. Field survey of the subject development site.

The proponent of the subject development project and the qualified professional(s) are also encouraged to contact the local Native American tribe (as identified by the NAHC and the City of Fullerton) to obtain input regarding the potential for Native American resources to occur on the subject site.

Feasible measures shall be identified in order to mitigate the known and potential significant effects of the subject development project, if any.

COA-CR-2 If the Phase I Cultural Resources Study required under Mitigation Measure CR-1 determines that monitoring during construction by a professional archaeologist and/or paleontologist is needed for the subject development project, the project proponent shall retain a professional archaeologist and/or paleontologist, subject to approval by the City of Fullerton, prior to the issuance of grading permits. The task of the professional archaeologist and/or paleontologist shall be to verify

implementation of the mitigation measures identified in the City-approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities, including but not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. The professional archaeologist and/or paleontologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. All artifacts and/or fossils discovered at the subject development site shall be inventoried and analyzed by the professional archaeologist and/or paleontologist. If any artifacts of Native American origin are discovered, a Native American Tribal monitor shall be asked to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. A report of the findings, including an itemized inventory of recovered artifacts and/or fossils, shall be prepared and shall include a discussion of the significance and disposition of the recovered artifacts and/or fossils. The report and inventory shall be submitted to the City of Fullerton, signifying completion of the program to mitigate impacts to archaeological and/or paleontological resources.

COA-CR-3 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). If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

COA-CR-4 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.

COA-HAZ-1 Prior to issuance of a Grading Permit for properties considered by the City to involve the potential for site contamination, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. Any site specific uses shall be analyzed according to the Phase I Environmental Site Assessment (i.e., auto service stations, agricultural lands, etc.). The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs) (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc.), which may require remedial activities prior to construction.

COA-HAZ-2 Prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, waste-oil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above

ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once removed, a visual inspection of the areas beneath the removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project Applicant shall comply with the following measures in accordance with Federal, State, and local requirements:

- Excavation and disposal at a permitted, off-site facility;
- On-site remediation, if necessary; or
- Other measures as deemed appropriate by the City of Fullerton Fire Department.

COA-HAZ-4 Areas of exposed soils within Caltrans right-of-way that would be disturbed during excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is present).

COA-HAZ-5 Prior to construction, future developers shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer. The Plan may include the following provisions, among others:

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

COA-HAZ-6 The City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures.

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

construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts.

COA-HYD-2 Prior to issuance of any Grading Permit, future development projects shall prepare, to the satisfaction of the Director of Engineering, a Water Quality Management Plan or Stormwater Mitigation Plan, which includes Best Management Practices (BMPs), in accordance with the Orange County DAMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts.

COA-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.

COA-N-1 Project applicants shall ensure through contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- 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 30 minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.
- 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).

COA-N-2 Project applicants 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.

COA-N-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.

COA-N-4 The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels:

- Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers).
- The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.

COA-N-5 Residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport shall be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL.

COA-N-6 The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

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

COA-TR-1 Prior to approval of any General Plan Amendment and/or Zone Change associated with the focused planning efforts for The Fullerton Plan Focus Areas, the City and/or project proponent shall prepare a detailed multi-modal analysis in order to determine specific impacts associated with the proposed General Plan Amendment and/or Zone Change, and where applicable, identify mitigation measures to reduce impacts to less than significant levels based on City adopted multi-modal thresholds. The

multi-modal analysis shall specify the timing, funding, construction, and fair share responsibilities for all traffic improvements necessary to maintain satisfactory levels of service within the City of Fullerton and surrounding jurisdictions, in accordance with the significant impact criteria established by the jurisdiction that controls the affected area.

COA-WW-1 Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project. For any sewer projects/studies that have the potential to impact adjacent jurisdictions' sewer systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.

COA-WW-2 Prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the OCSD has sufficient transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested.

3.6 Discretionary Actions

The City as the lead agency is seeking the following approvals for the Program.

- **Certification of the Program Environmental Impact Report**
- **Adoption of the Housing Incentive Overlay Zone Program:** Establish Chapter 15.23, Housing Incentive Overlay Zone, within the City's Municipal Code, which would include provisions for review and inclusion, approval processes, affordable housing requirements, permitted uses, and development standards.
- **Adoption of General Plan Amendment:** Amend the General Plan to ensure consistency with the proposed HIOZ for parcels designated with restrictive land uses.
- **Adoption of Zoning Code Amendments:** Amend the Citywide Development Standards for multi-family zoning classifications and mixed-use zoning classifications.

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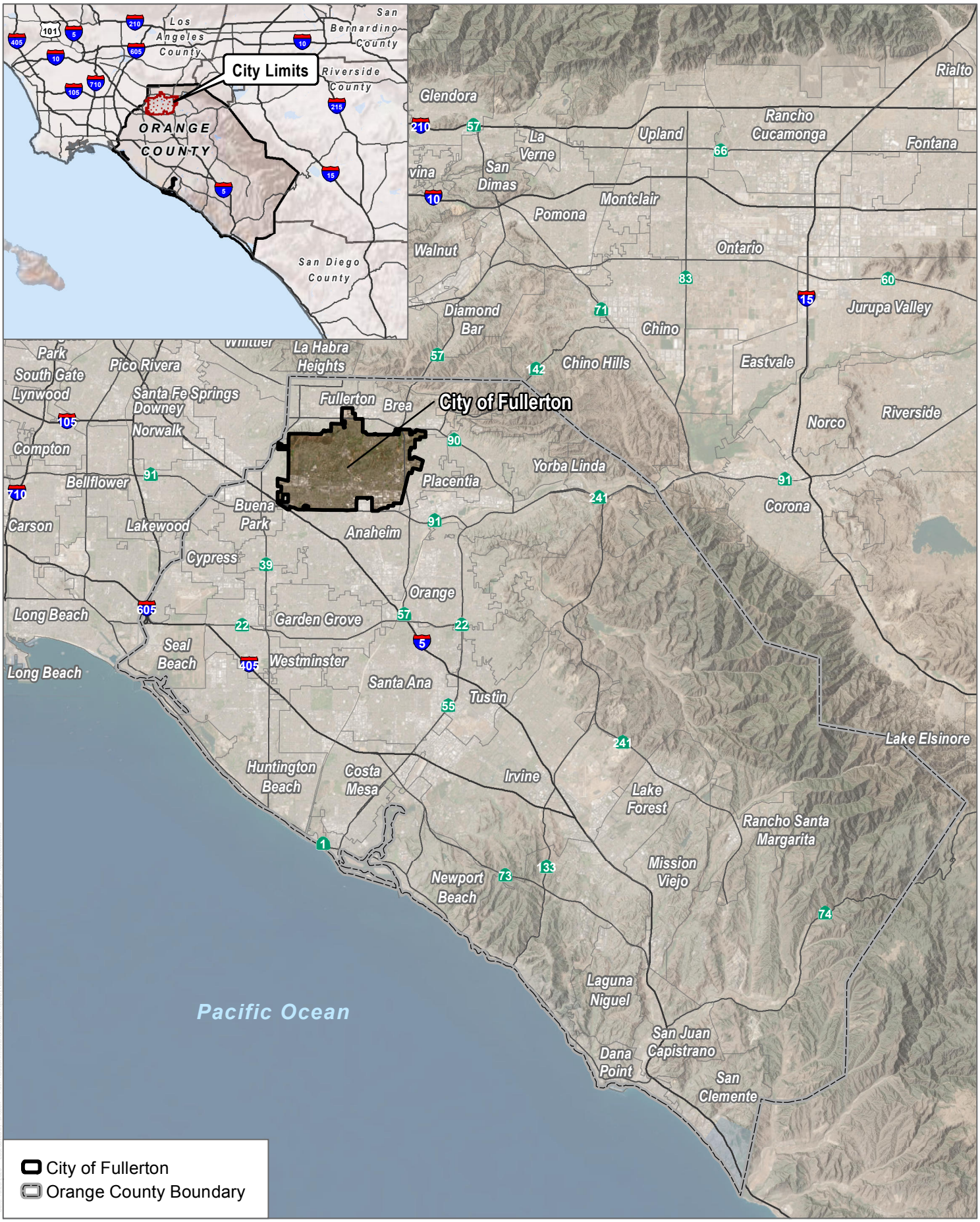

SOURCE: ESRI 2023; Orange County 2020

DUDEK

0 3 6 Miles

FIGURE 3-1

Regional Location

Fullerton Housing Incentive Overlay Zone PEIR

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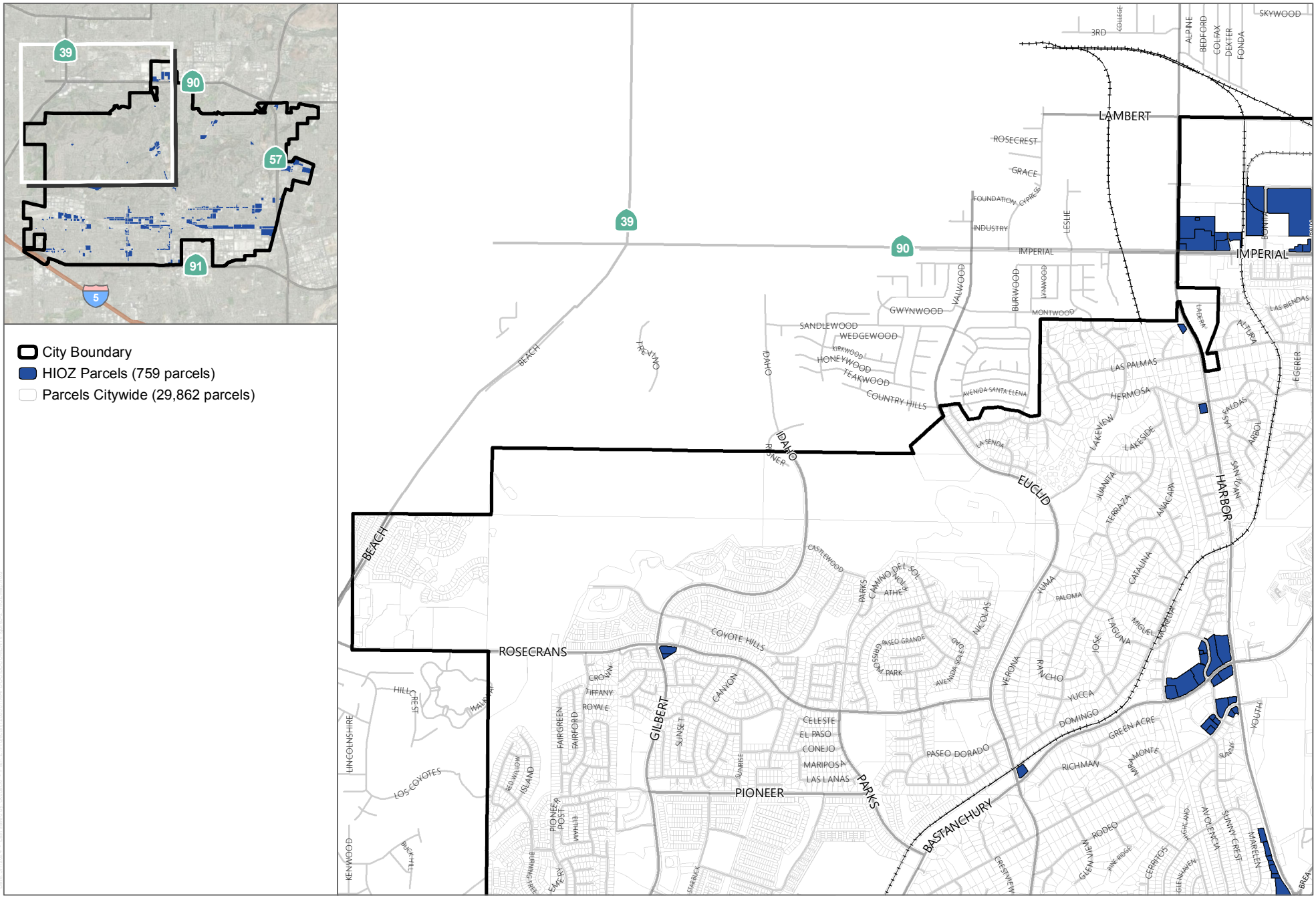

SOURCE:

DUDEK

0 1,250 2,500 Feet

FIGURE 3-2a

Fullerton HIOZ Map

Fullerton Housing Incentive Overlay Zone PEIR

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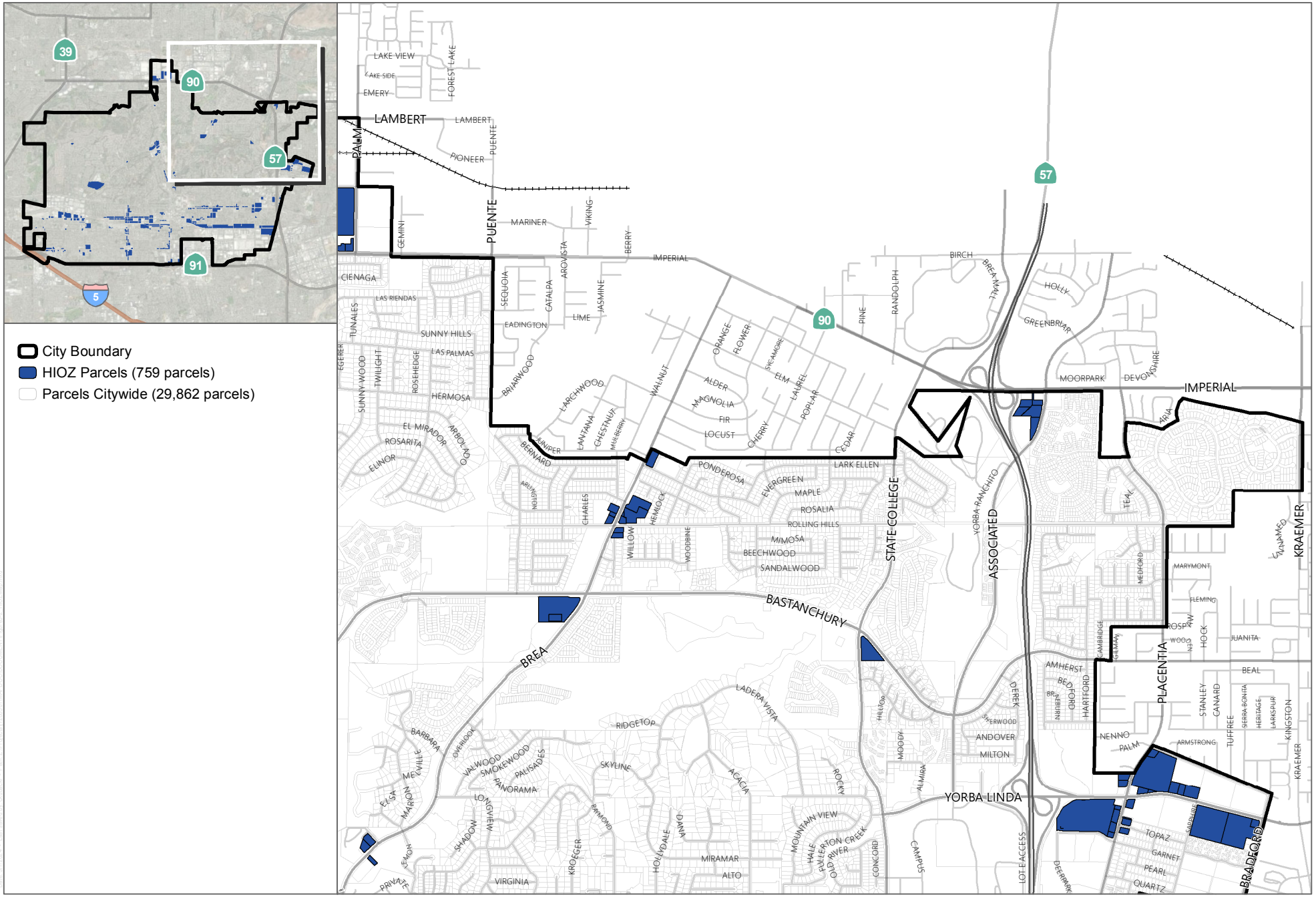

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FIGURE 3-2b

Fullerton HIOZ Map

Fullerton Housing Incentive Overlay Zone PEIR

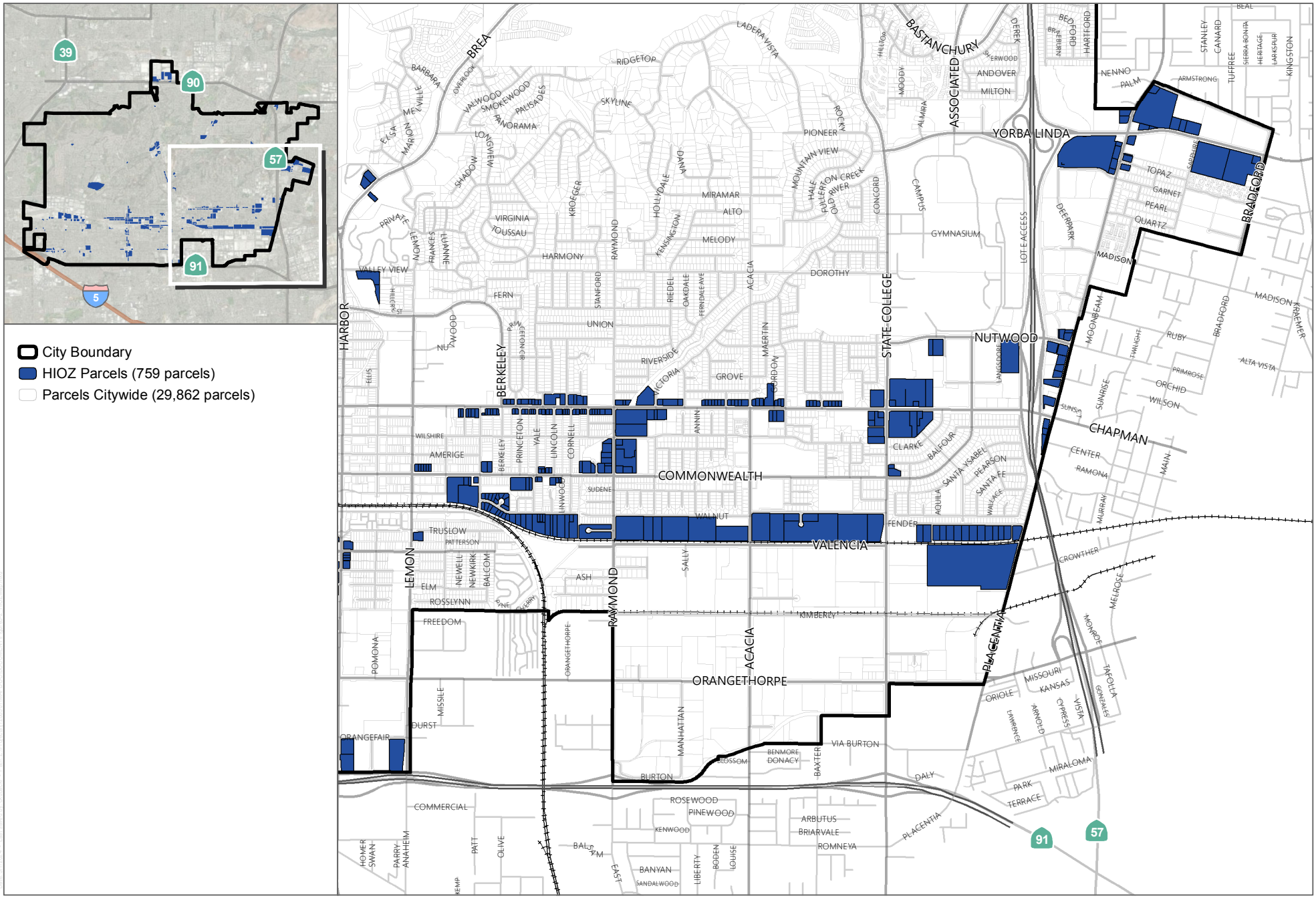

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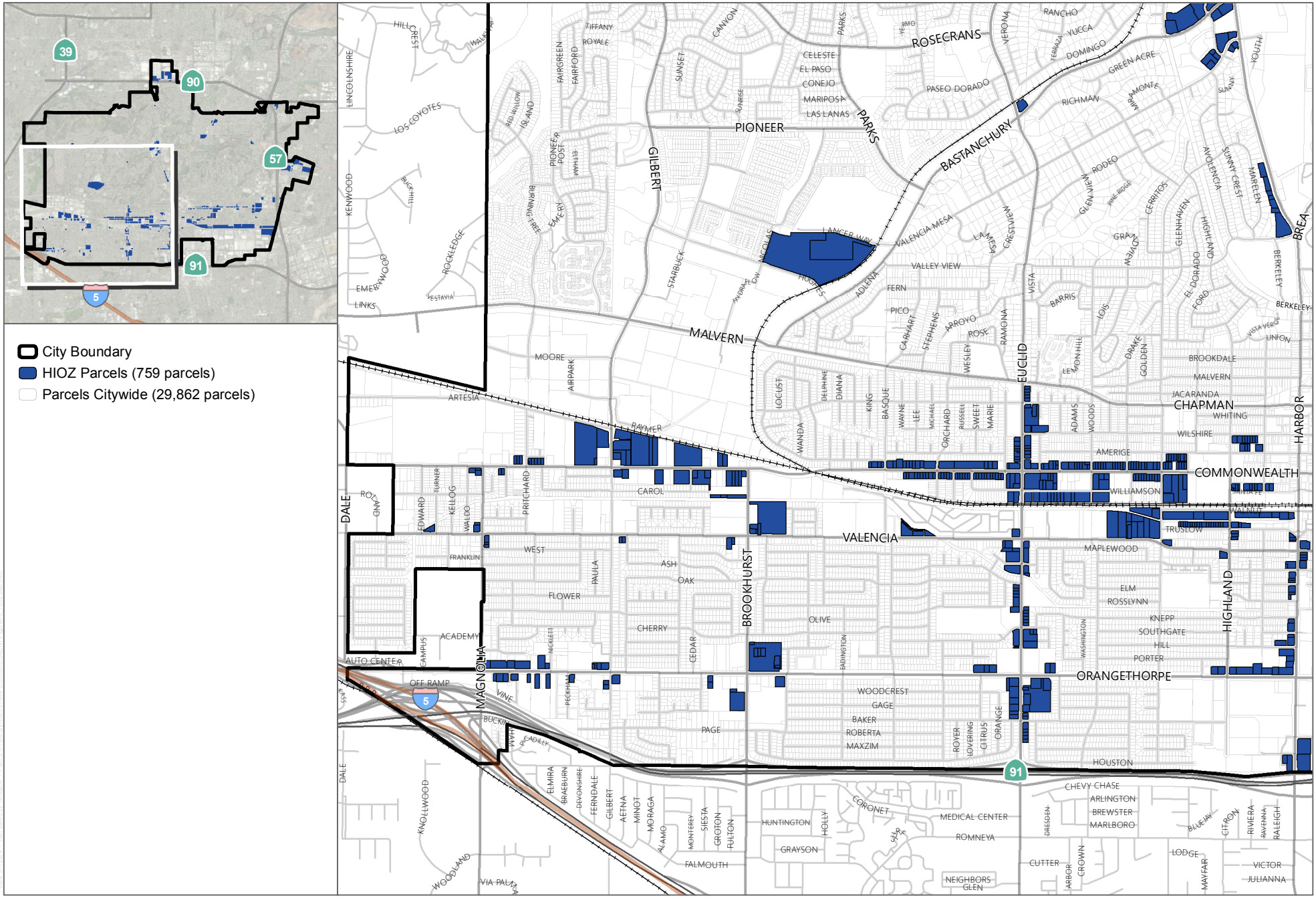
FIGURE 3-2c

Fullerton HIOZ Map

Fullerton Housing Incentive Overlay Zone PEIR



SOURCE:

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FIGURE 3-2d

Fullerton HIOZ Map

Fullerton Housing Incentive Overlay Zone PEIR

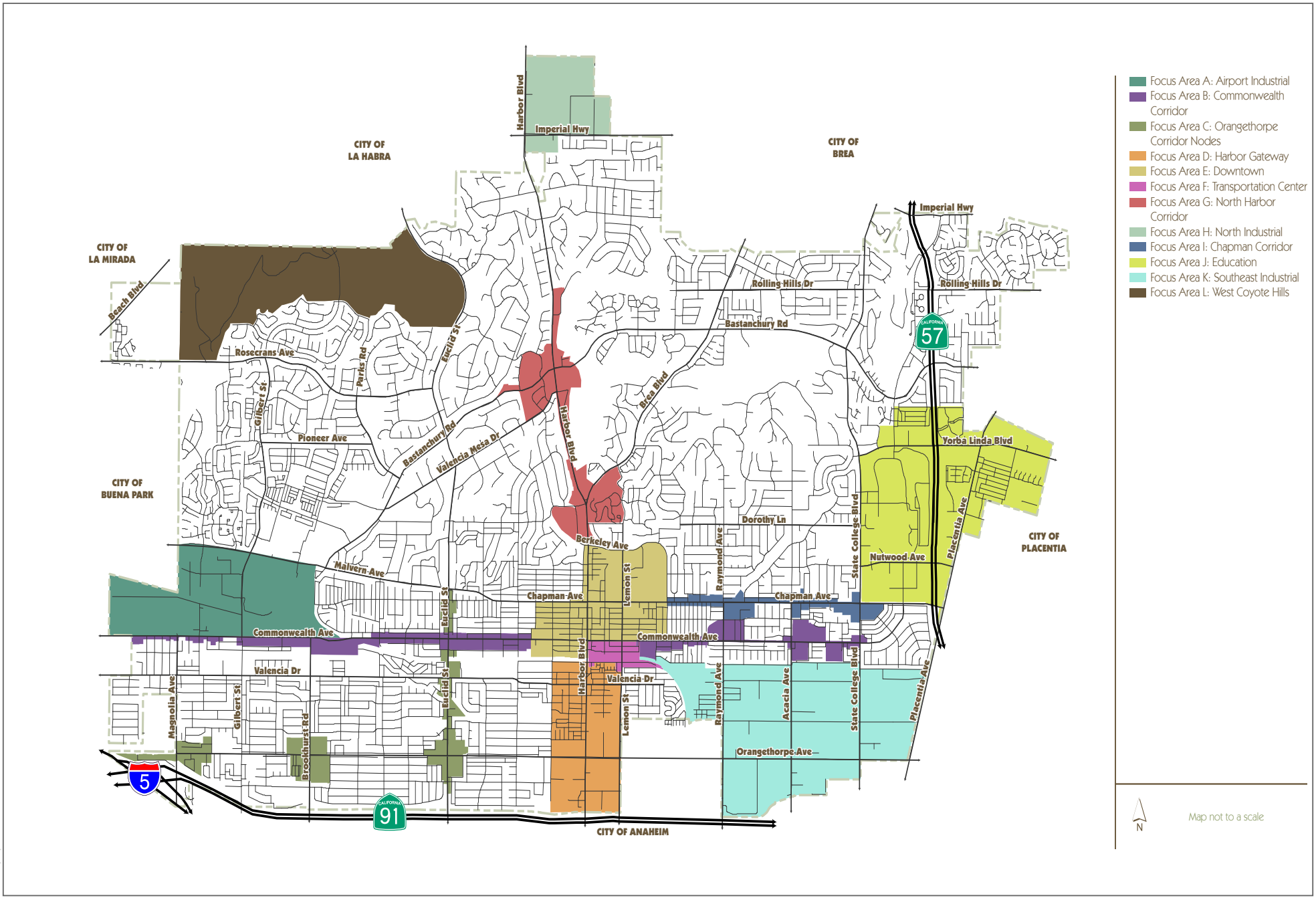

FIGURE 3-3

The Fullerton Plan Focus Areas

Fullerton Housing Incentive Overlay Zone PEIR

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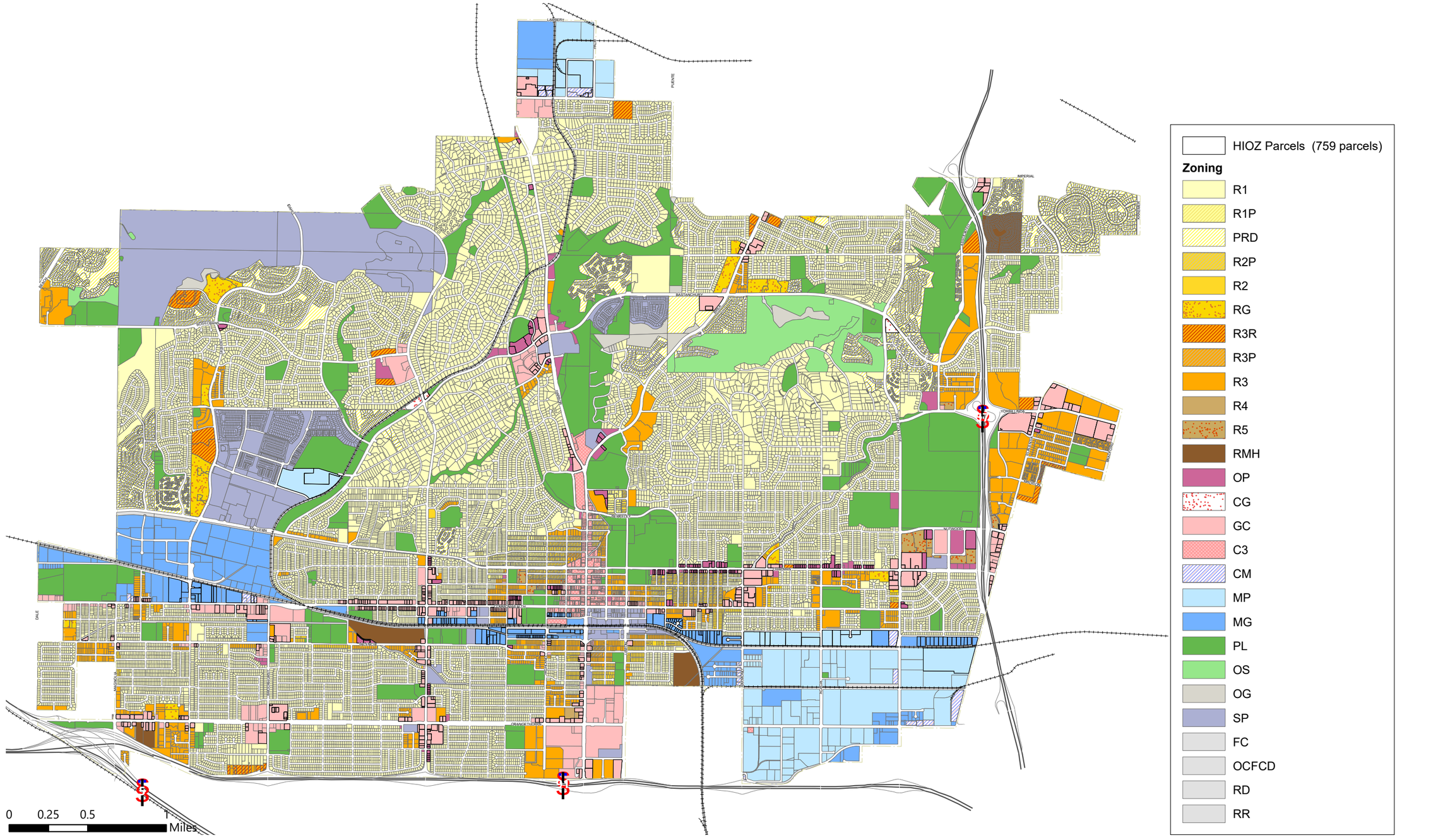

FIGURE 3-4

Zoning

Fullerton Housing Incentive Overlay Zone PEIR

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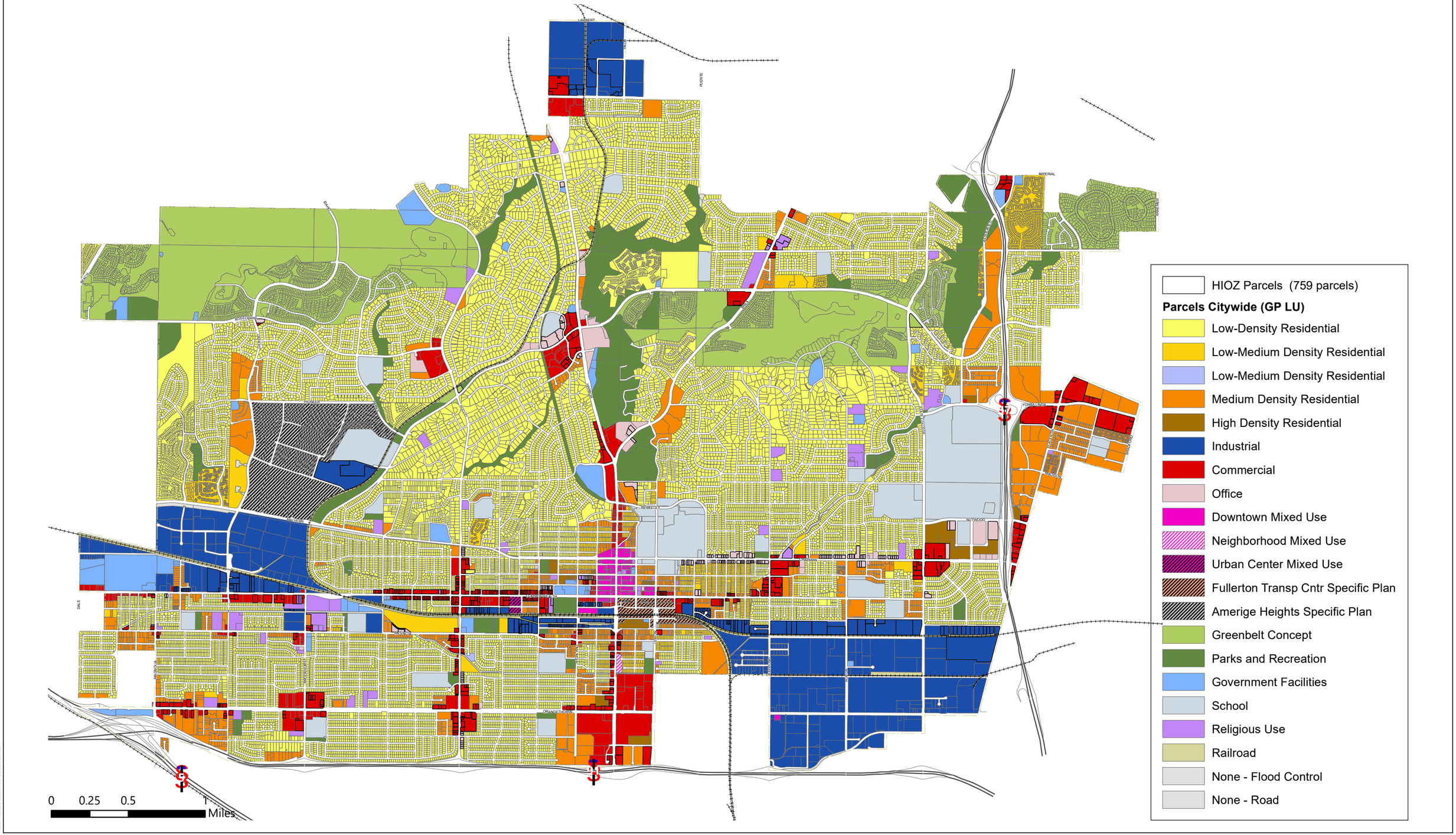

FIGURE 3-5

General Plan Land Use Designations

Fullerton Housing Incentive Overlay Zone PEIR

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4.0 Environmental Impact Analysis

The purpose of this Draft Program Environmental Impact Report (PEIR) is to evaluate the potential environmental effects of the proposed Fullerton Housing Incentive Overlay Zone (HIOZ) Project (Project or Program). The City of Fullerton (City) circulated a Notice of Preparation (NOP) beginning on September 8, 2023, with the public review period ending on October 9, 2023. The NOP was transmitted to the State Clearinghouse, responsible agencies, other affected agencies, and other public and private potential stakeholders to solicit feedback regarding the scope of the environmental analysis to be addressed in the Project's PEIR. The NOP and comment letters received are contained in Appendix A of this Draft PEIR.

Sections 4.1 through 4.13 of the Draft PEIR contain the potential environmental impacts analysis associated with the implementation of the proposed HIOZ Program and focus on the following issues:

- Section 4.1 – Air Quality
- Section 4.2 – Greenhouse Gas Emissions
- Section 4.3 – Hazards and Hazardous Materials
- Section 4.4 – Hydrology and Water Quality
- Section 4.5 – Land Use and Planning
- Section 4.6 – Mineral Resources
- Section 4.7 – Noise
- Section 4.8 – Population and Housing
- Section 4.9 – Public Services
- Section 4.10 – Recreation
- Section 4.11 – Transportation
- Section 4.12 – Tribal Cultural Resources
- Section 4.13 – Utilities and Service Systems

Technical Analyses

Technical analyses were prepared in order to accurately analyze air quality/greenhouse gas emissions, noise, and transportation and were used in the preparation of this PEIR. These documents are identified in the discussions for the individual environmental issues and are included as technical appendices to the PEIR. Hard copies are available at the City and on the City's website, https://www.cityoffullerton.com/government/departments/community-and-economic-development/planning-zoning/public-notices.

Analysis Format

The Draft PEIR assesses how the Program would impact each of these issue areas. Each environmental issue addressed in this Draft PEIR is presented in terms of the following subsections:

- **Environmental Setting –** This subsection describes the physical environmental conditions in the vicinity of the proposed Program at the time of publication of the NOP. The environmental setting establishes the baseline conditions by which the City will determine whether specific Program-related impacts are significant.

- **Regulatory Framework –** This subsection describes the laws, regulations, ordinances, plans, and policies applicable to the environmental issue area and the proposed Program.
- **Thresholds of Significance –** This subsection identifies a set of thresholds by which the level of impact is determined.
- **Impact Analysis –** This subsection provides a detailed analysis regarding the environmental effects of the proposed Program, and whether the impacts of the Program would meet or exceed the thresholds of significance.
- **Mitigation Measures –** This subsection identifies potentially feasible mitigation measures that would avoid or substantially reduce significant adverse Program impacts.
- **Significance Conclusion –** This subsection discusses whether Program-related impacts would be reduced to below a level of significance with implementation of the mitigation measures identified in the EIR. If applicable, this subsection also identifies any residual significant and unavoidable adverse effects of the proposed Program that would result even with implementation of any feasible mitigation measures.
- **Cumulative Effects –** This subsection discusses the cumulative effects of the Program in combination with the effects of other projects in the vicinity.

In addition to the subsections listed above, full citations for all documents referred to in each environmental issue area discussion are included at the end of each section or chapter.

4.1 Air Quality

This section of the Draft EIR analyzes the potential impacts from the implementation of the Fullerton Housing Incentive Overlay Zone (Program) on air quality, including potential for obstruction with the air quality management plan, increases in criteria pollutants, exposure of sensitive receptors to pollutants, and odors. A discussion of the existing air quality conditions within the Program Area and the surrounding areas is also included in this section to present the environmental baseline for the Program. The analysis is based, in part, on review of information from the California Air Resources Board (CARB), Environmental Protect Agency (EPA), the South Coast Air Quality Management District (SCAQMD), the transportation impact analysis (Section 4.11, Transportation, of this Draft EIR) and information provided in the following technical appendix:

Appendix C Air Quality and Greenhouse Gas Emissions Modeling, prepared by Dudek

Other sources consulted are listed in Section 4.1.8, References Cited.

Comments received in response to the Notice of Preparation (NOP) are summarized in Table 2-1, Notice of Preparation and Comment Letters Summary, included in Chapter 2, Introduction, of this Draft EIR.

4.1.1 Existing Conditions

The Program Area is located within the South Coast Air Basin (SCAB), which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The SCAB is a 6,745-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The extent and severity of the air pollution problem in the SCAB is a function of the area's natural physical characteristics (e.g., weather and topography), as well as human-made influences (e.g., development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall, and topography all affect the accumulation and/or dispersion of pollutants throughout the SCAB, as explained below.[1]

Climate, Meteorological, and Topographical Conditions

The SCAB is characterized as having a Mediterranean climate (typified as semiarid with mild winters, warm summers, and moderate rainfall). The general region lies in the semi-permanent high-pressure zone of the eastern Pacific; as a result, the climate is mild and tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

Moderate temperatures, comfortable humidity, and limited precipitation characterize the climate in the SCAB. The average annual temperature varies little throughout the SCAB, averaging 75°F. However, with a less-pronounced oceanic influence, the eastern inland portions of the SCAB show greater variability in annual minimum and maximum temperatures. All portions of the SCAB have recorded temperatures over 100° F in recent years. Although the SCAB has a semiarid climate, the air near the surface is moist because of the presence of a shallow marine layer. Except for infrequent periods when dry air is brought into the SCAB by offshore winds, the ocean effect is dominant. Periods with heavy fog are frequent and low stratus clouds, occasionally referred to as "high fog," are a characteristic climate feature. Annual average relative humidity is 70% at the coast and 57% in the eastern part of the SCAB. Precipitation in the SCAB is typically 9 to 14 inches annually and is rarely in the form of snow or hail

[1] The discussion of meteorological and topographical conditions of the SCAB is based on information provided in the Final 2016 Air Quality Management Plan (SCAQMD 2017a).

because of typically warm weather. Most of the rainfall in Southern California occurs between late fall and early spring, with most rain typically occurring in the months of January and February. The City's climate is characterized by relatively low rainfall, with warm summers and mild winters. Average temperatures range from a high of approximately 88°F in September to a low of approximately 68°F in December. Annual precipitation averages approximately 9.5 inches, falling mostly from December through March (Weather-and-Climate.com 2023).

Sunlight

The presence and intensity of sunlight are necessary prerequisites for the formation of photochemical smog. Under the influence of the ultraviolet radiation of sunlight, certain primary pollutants (mainly reactive hydrocarbons and oxides of nitrogen [NO_x])[2] react to form secondary pollutants (primarily oxidants). Because this process takes time to occur, secondary pollutants can be formed many miles downwind of the emission sources. Southern California also has abundant sunshine, which drives the photochemical reactions that form pollutants such as ozone (O_3) and a substantial portion of fine particulate matter ($PM_{2.5}$, particles less than or equal to 2.5 microns in diameter). In the SCAB, high concentrations of O_3 are normally recorded during the late spring, summer, and early autumn months, when more intense sunlight drives enhanced photochemical reactions. Due to the prevailing daytime winds and time-delayed nature of photochemical smog, oxidant concentrations are highest in the inland areas of Southern California.

Temperature Inversions

Under ideal meteorological conditions and irrespective of topography, pollutants emitted into the air will mix and disperse into the upper atmosphere. However, the Southern California region frequently experiences temperature inversions in which pollutants are trapped and accumulate close to the ground. The inversion, a layer of warm, dry air overlaying cool, moist marine air, is a normal condition in coastal Southern California. The cool, damp, and hazy sea air capped by coastal clouds is heavier than the warm, clear air, which acts as a lid through which the cooler marine layer cannot rise. The height of the inversion is important in determining pollutant concentration. When the inversion is approximately 2,500 feet above mean sea level, the sea breezes carry the pollutants inland to escape over the mountain slopes or through mountain passes. At a height of 1,200 feet above mean sea level, the terrain prevents the pollutants from entering the upper atmosphere, resulting in the pollutants settling in the foothill communities. Below 1,200 feet above mean sea level, the inversion puts a tight lid on pollutants, concentrating them in a shallow layer over the entire coastal basin. Usually, inversions are lower before sunrise than during the daylight hours. Mixing heights for inversions are lower in the summer, resulting in inversions being more persistent during that season. This condition is partly responsible for the high levels of O_3 observed during summer months in the SCAB. Smog in Southern California is generally the result of these temperature inversions combining with coastal day winds and local mountains to contain the pollutants for long periods, allowing them to form secondary pollutants by reacting in the presence of sunlight. The basin has a limited ability to disperse these pollutants due to typically low wind speeds and the surrounding mountain ranges.

As with other cities within the SCAB, the City of Fullerton is susceptible to air inversions. This traps a layer of stagnant air near the ground where pollutants are further concentrated. These inversions produce haziness, which is caused by moisture, suspended dust, and a variety of chemical aerosols emitted by trucks, automobiles, furnaces, and other sources. Elevated concentrations of particulate matter less than or equal to 10 microns in diameter (PM_{10}) and $PM_{2.5}$ can occur in the SCAB throughout the year but occur most frequently in fall and winter. Although there are some changes

[2] NO_x is a general term pertaining to compounds of nitric oxide (NO), nitrogen dioxide (NO_2), and other oxides of nitrogen.

in emissions by day of the week and by season, the observed variations in pollutant concentrations are primarily the result of seasonal differences in weather conditions.

Wind Patterns

The distinctive climate of the SCAB, including the project site, is determined by its terrain and geographical location. The SCAB is located in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant, with high mountains forming the remainder of the perimeter.

Wind patterns across the south coastal region are characterized by westerly and southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Winds are characteristically light, although the speed is somewhat greater during the dry summer months than during the rainy winter season.

Pollutants and Effects

Criteria Air Pollutants

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include O_3, nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), PM_{10}, $PM_{2.5}$, and lead. These pollutants, as well as toxic air contaminants (TACs), are discussed in the following paragraphs.[3] In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility reducing- particles are also regulated as criteria air pollutants.

Ozone. O_3 is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O_3 precursors. These precursors are mainly NO_x and volatile organic compounds (VOCs). The maximum effects of precursor emissions on O_3 concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O_3 formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O_3 exists in the upper atmosphere O_3 layer (stratospheric O_3) and at the Earth's surface in the troposphere (ground-level O_3).[4] The O_3 that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to ground level, where people live, exercise, and breathe. Ground-level O_3 is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O_3. Stratospheric, or "good," O_3 occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O_3 layer, plant and animal life would be seriously harmed.

O_3 in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O_3 at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes

[3] The descriptions of each of the criteria air pollutants and associated health effects are based on EPA's Six Common Air Pollutants (EPA 2016) and CARB's Glossary of Air Pollutant Terms (CARB 2023b).

[4] The troposphere is the layer of the Earth's atmosphere nearest to the surface of the Earth. The troposphere extends outward approximately 5 miles at the poles and 10 miles at the equator.

(EPA 2016). These health problems are particularly acute in sensitive receptors such as sick people, older adults, and young children.

Nitrogen Dioxide. NO_2 is one group of highly reactive gases known as NO_x. NO_2 is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO_2, along with other NO_x, reacts with other chemicals, such as VOCs and sulfur oxides (SO_x), in the air to form both O_3 and particulate matter, both of which are harmful when inhaled due to effects on the respiratory system. NO_2 and NO_x are formed from fuel combustion under high temperature or pressure. In addition, NO_2 is an important precursor to acid rain and may affect terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources, such as electric utility and industrial boilers.

Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO_2 in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these subgroups.

In animals, exposure to levels of NO_2 considerably higher than ambient concentrations results in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of O_3 exposure increases when animals are exposed to a combination of O_3 and NO_2.

Carbon Monoxide. CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbons, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, automobile exhaust accounts for the majority of CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November through February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

In terms of adverse health effects, CO competes with oxygen, often replacing it in the blood, reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can include dizziness, fatigue, and impairment of central nervous system functions.

Sulfur Dioxide. SO_2 is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO_2 are coal and oil used in power plants and industries; as such, the highest levels of SO_2 are generally found near large industrial complexes. In recent years, SO_2 concentrations have been reduced by the increasingly stringent controls placed on stationary-source emissions of SO_2 and limits on the sulfur content of fuels.

SO_2 is an irritant gas that attacks the throat and lungs and can cause acute respiratory symptoms and diminished ventilator function in children. When combined with particulate matter, SO_2 can injure lung tissue and reduce visibility and the level of sunlight. SO_2 can also yellow plant leaves and erode iron and steel.

Particulate Matter. Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. $PM_{2.5}$ and PM_{10} represent fractions of particulate matter. Coarse particulate matter (PM_{10}) consists of particulate matter that is 10 microns or less in diameter and is about 1/7 the thickness of a human hair. Major sources of PM_{10} include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter ($PM_{2.5}$) consists of particulate matter that is 2.5 microns or less in diameter and is roughly 1/28 the diameter of a human hair. $PM_{2.5}$ results from fuel combustion (e.g., from motor vehicles and power generation and industrial facilities), residential fireplaces, and woodstoves. In addition, $PM_{2.5}$ can be formed in the atmosphere from gases such as SO_x, NO_x, and VOCs.

$PM_{2.5}$ and PM_{10} pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. $PM_{2.5}$ and PM_{10} can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances, such as lead, sulfates, and nitrates, can cause lung damage directly or be absorbed into the bloodstream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases, such as chlorides or ammonium, into the lungs, also causing injury. PM_{10} tends to collect in the upper portion of the respiratory system, and $PM_{2.5}$ is so tiny that it can penetrate deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

People with influenza, people with chronic respiratory and cardiovascular diseases, and older adults may suffer worsening illness and premature death as a result of breathing particulate matter. People with bronchitis can expect aggravated symptoms from breathing in particulate matter. Children may experience a decline in lung function due to breathing in PM_{10} and $PM_{2.5}$ (EPA 2016).

Lead. Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phaseout of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phaseout of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and, in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

Volatile Organic Compounds. Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O_3 are referred to and regulated as VOCs (also referred to as reactive organic gases). Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O_3 and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered TACs. There are no separate health standards for VOCs as a group.

Non-Criteria Pollutants

Toxic Air Contaminants. A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics "Hot Spots" Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hot spots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years.

Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Diesel Particulate Matter. Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. More than 90% of DPM is less than 1 micron in diameter (about 1/70th the diameter of a human hair), and thus is a subset of $PM_{2.5}$ (CARB 2023b). DPM is typically composed of carbon particles ("soot," also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2023b). CARB classified "particulate emissions from diesel-fueled engines" (i.e., DPM) (17 CCR 93000) as a TAC in August 1998. DPM is emitted from a broad range of diesel engines: on-road diesel engines of trucks, buses, and cars and off-road diesel engines, including locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70% of all airborne cancer risk in California is associated with DPM (CARB 2023b). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2023b). Because it is part of $PM_{2.5}$, DPM also contributes to the same noncancer health effects as $PM_{2.5}$ exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (CARB 2016). Those most vulnerable to noncancer health effects are children, whose lungs are still developing, and older adults, who often have chronic health problems.

Odorous Compounds. Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological

(e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and overall is subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where these air pollution-sensitive people live or spend considerable amounts of time are known as sensitive receptors. Land uses where air pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (sensitive sites or sensitive land uses) (CARB 2005). The South Coast Air Quality Management District (SCAQMD) identifies sensitive receptors as residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993). As the Program involves the construction of a maximum of 35,611 residential units, it is likely that construction will take place adjacent to existing sensitive receptors. Additionally, the Program would also result in the placement of additional sensitive receptors as it is constructed.

Local Ambient Air Quality

South Coast Air Basin Attainment Designation

Pursuant to the 1990 federal Clean Air Act amendments, EPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for each criteria air pollutant based on whether the National Ambient Air Quality Standards (NAAQS) have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as "attainment" for that pollutant. If an area exceeds the standard, the area is classified as "nonattainment" for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as "unclassified" or "unclassifiable." The designation of "unclassifiable/attainment" means that the area meets the standard or is expected to be meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are re-designated as maintenance areas and must have approved Maintenance Plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as "attainment" or "nonattainment," but based on California Ambient Air Quality Standards (CAAQS) rather than the NAAQS. Table 4.1-1 depicts the current attainment status of the SCAB with respect to the NAAQS and CAAQS.

Table 4.1-1. South Coast Air Basin Attainment Classification

Pollutant	Designation/Classification	
	National Standards	California Standards
Ozone (O_3) – 1 hour	No National Standard	**Nonattainment**
Ozone (O_3) – 8 hour	**Extreme Nonattainment**	**Nonattainment**
Nitrogen Dioxide (NO_2)	Unclassifiable/Attainment	Attainment
Carbon Monoxide (CO)	Attainment/Maintenance	Attainment

Table 4.1-1. South Coast Air Basin Attainment Classification

Pollutant	Designation/Classification	
	National Standards	California Standards
Sulfur Dioxide (SO_2)	Unclassifiable/Attainment	Attainment
Coarse Particulate Matter (PM_{10})	Attainment/Maintenance	**Nonattainment**
Fine Particulate Matter ($PM_{2.5}$)	**Serious Nonattainment**	**Nonattainment**
Lead	**Nonattainment**	Attainment
Hydrogen Sulfide	No National Standard	Unclassified
Sulfates	No National Standard	Attainment
Visibility-Reducing Particles	No National Standard	Unclassified
Vinyl Chloride	No National Standard	No designation

Sources: CARB 2022.
Notes: Attainment = meets the standards; Attainment/Maintenance = achieve the standards after a nonattainment designation; Nonattainment = does not meet the standards; Unclassified or Unclassifiable = insufficient data to classify; Unclassifiable/ Attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.
Standards for which the SCAB is in nonattainment are in **bold** text.

In summary, the SCAB is designated as a nonattainment area for federal and state O_3 standards and federal and state $PM_{2.5}$ standards. The SCAB is also designated as a nonattainment area for state PM_{10} standards; however, it is designated as an attainment area for federal PM_{10} standards. The SCAB is designated as an attainment area for federal and state CO standards, federal and state NO_2 standards, and federal and state SO_2 standards. The Los Angeles County portion of the SCAB is the only area that has been designated as nonattainment for the federal rolling 3-month average lead standard; however, it is designated attainment for the state lead standard (CARB 2022). The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the Program is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

Despite the current nonattainment status, air quality within the SCAB has generally improved since the inception of air pollutant monitoring in 1976. This improvement is mainly a result of lower-polluting on-road motor vehicles, more stringent regulation of industrial sources, and the implementation of emission reduction strategies by the SCAQMD. This trend toward cleaner air has occurred in spite of continued population growth. Despite this growth, air quality has improved significantly over the years, primarily because of the impacts of the region's air quality control program. PM_{10} levels have declined almost 50% since 1990 and $PM_{2.5}$ levels have also declined 50% since measurements began in 1999 (SCAQMD 2013). Similar improvements are observed with O_3, although the rate of O_3 decline has slowed in recent years.

Local Ambient Air Quality

CARB, air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. SCAQMD monitors local ambient air quality at the Program site. The Program area's local ambient air quality is monitored by SCAQMD. Air quality monitoring stations usually measure pollutant concentrations 10 feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations.

SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas [SRAs]) throughout the district to provide Southern California residents with information on the air quality conditions. The Program site is located within SRA 16, North Orange County. The Anaheim-Pampas Lane monitoring

station is located approximately 2.9 miles south of the Program site and is the nearest long-term air quality monitoring site for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$.

The most recent 3 years of data available are shown in Table 4.1-2 and identify the number of days ambient air quality standards were exceeded for the air monitoring area, which is considered to be representative of the local air quality at the Program site. Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ for 2020 through 2022 were obtained from the CARB Air Quality Statistics and EPA Air Monitoring. Data for SO_2 have been omitted because attainment is regularly met in the SCAB and few monitoring stations measure SO_2 concentrations.

Table 4.1-2. Program Site Air Quality Monitoring Summary 2019–2021

Pollutant	Agency/ Method	Ambient Air Quality Standard	Year		
			2020	2021	2022
O_3					
Maximum 1-hour concentration (ppm)	California	0.09 ppm	0.142	0.089	0.102
Maximum 8-hour concentration (ppm)	California	0.070 ppm	0.097	0.068	0.076
Maximum 8-hour concentration (ppm)	National	0.070 ppm	0.097	0.068	0.076
Number of days exceeding state 1-hour standard			*6*	*0*	*1*
Number of days exceeding state 8-hour standard			*15*	*0*	*1*
Number of days exceeding federal 8-hour standard			*15*	*0*	*1*
CO					
Maximum 1-hour concentration (ppm)	California	20	2.40	2.28	2.40
	National	35	2.40	2.28	2.40
Maximum 8-hour concentration (ppm)	California	9.0	2.00	1.70	1.40
	National	9.0	2.00	1.70	1.40
Number of days exceeding state 1-hour standard			*0*	*0*	*0*
Number of days exceeding federal 1-hour standard			*0*	*0*	*0*
Number of days exceeding state 8-hour standard			*0*	*0*	*0*
Number of days exceeding federal 8-hour standard			*0*	*0*	*0*
NO_2					
Maximum 1-hour concentration (ppm)	California	0.18	0.071	0.067	0.053
	National	0.100	0.071	0.067	0.053
Annual concentration (ppm)	California	0.030	0.013	0.012	0.012
	National	0.053	0.013	0.012	0.012
Number of days exceeding state 1-hour standard			*0*	*0*	*0*
Number of days exceeding federal 1-hour standard			*0*	*0*	*0*
Number of days exceeding state 8-hour standard			*0*	*0*	*0*
Number of days exceeding federal 8-hour standard			*0*	*0*	*0*
PM_{10}					
Maximum 24-hour concentration (µg/m^3)	California	50	74.5	63.3	66.7
	National	150	74.8	63.6	67.0
Annual concentration	California	20	ND	23.2	ND
Number of days exceeding state 24-hour standard[a]			*ND*	*5.7*	*ND*
Number of days exceeding federal 24-hour standard			*0*	*0*	*0*

Table 4.1-2. Program Site Air Quality Monitoring Summary 2019–2021

Pollutant	Agency/ Method	Ambient Air Quality Standard	Year		
			2020	2021	2022
$PM_{2.5}$					
Maximum federal 24-hour concentration (µg/m³)	National	35	60.2	54.4	33.1
Annual concentration (µg/m³)	California	12	12.4	11.6	9.9
	National	12.0	12.4	11.6	9.9
Number of days exceeding federal 24-hour standard[a]			*12*	*10*	*0*

Sources: CARB 2023a; EPA 2023a.
Note: O_3 = ozone; NO_2 = nitrogen dioxide; CO = carbon monoxide; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; ppm = parts per million; µg/m³ = micrograms per cubic meter; ND = insufficient data available to determine the value.
Data taken from CARB iADAM (2023c) or EPA AirData (2022) represent the highest concentrations experienced over a given year.
Exceedances of national and state standards are only shown for O_3 and particulate matter. All other criteria pollutants did not exceed either national or state standards during the years shown.
An exceedance of a standard is not necessarily related to a violation of the standard.
[a] Measurements of PM_{10} and $PM_{2.5}$ are usually collected every 6 days and every 1 to 3 days, respectively. Number of days exceeding the standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

MATES V

The Multiple Air Toxics Exposure Study V (MATES V) is a monitoring and evaluation study conducted in the SCAB. The study is a follow up to previous air toxics studies in the SCAB and is part of the SCAQMD Governing Board Environmental Justice Initiative.

The MATES V study consists of several elements including a monitoring program, an updated emissions inventory of TACs, and a modeling effort to characterize risk across the SCAB. The study estimates air toxics cancer risks using a risk assessment approach. Additionally, MATES V includes an exploratory analysis of chronic noncancer health impacts (e.g., cardiovascular, respiratory, neurological health outcomes). The MATES V analysis does not estimate impacts on mortality risk or other health effects from criteria air pollutant exposures; such analyses are instead conducted as part of the air quality management plans (AQMPs).

Toxic air pollution in the SCAB has decreased by more than 54% between 2012 and 2018 but continues to contribute to health risks, including cancers and other chronic diseases. For residents in the SCAB in 2018, exposure to TACs increased the chances of developing cancer by 455 chances in one million.

In the four zip codes containing the Program Area (92835. 92831, 92832, and 92801), the MATES V monitoring shows a cancer risk of 421, 474, 479, and 474 chances in one million, respectively. Air toxics cancer risk in these zip codes are higher than 39%, 56%, 58%, and 57% of the SCAQMD population, respectively (SCAQMD 2023a).

CalEnviroScreen

CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, where people are often especially vulnerable to pollution's effects. CalEnviroScreen ranks census tracts in California based on potential exposures to pollutants, adverse environmental conditions, socioeconomic factors, and the prevalence of certain health conditions. Data used in the CalEnviroScreen model come from national and state sources.

The Program Area is not in a disadvantaged community pursuant to Senate Bill 535 (2012), which directs state and local agencies to make investments that benefit California's disadvantaged communities. The Program Area is located in a Low-Income Community pursuant to AB 1550 but is not in a Community Air Protection Program pursuant to AB 617.

The Program Area zip codes (92835. 92831, 92832, and 92801) achieve scores of 10, 10, 23, and 43 on CalEnviroScreen. The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state (see Appendix C).

Healthy Places

The Healthy Places Index (HPI) is a project of the Public Health Alliance of Southern California. The HPI is a policy platform created to advance health equity through open and accessible data. Neighborhood-by-neighborhood, the HPI maps data on social conditions that drive health—like education, job opportunities, clean air and water, and other indicators that are positively associated with life expectancy at birth. Community leaders, policymakers, academics, and other stakeholders use the HPI to compare the health and well-being of communities, identify health inequities, and quantify the factors that shape health.

The City has an HPI score of 65.6 (Appendix C). The maximum HPI score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

4.1.2 Relevant Plans, Policies, and Ordinances

Regulatory oversight for air quality in the SCAB is maintained by EPA at the federal level, CARB at the state level, and SCAQMD at the local level. Applicable laws, regulations, and standards of these three agencies are described in the following subsections.

Federal

Criteria Air Pollutants

The federal Clean Air Act, passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. EPA is responsible for implementing most aspects of the Clean Air Act, including the setting of the NAAQS (federal standards) for major air pollutants, hazardous air pollutant (HAP) standards, approval of state attainment plans, motor vehicle emission standards, stationary source emission standards and permits, acid rain control measures, stratospheric O_3 protection, and enforcement provisions. Federal standards are established for criteria pollutants under the Clean Air Act, which are O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead.

The federal standards describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The federal standards (other than for O_3, NO_2, SO_2, PM_{10}, and $PM_{2.5}$ and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. Federal standards for O_3, NO_2, SO_2, PM_{10}, and $PM_{2.5}$ are based on statistical calculations over 1- to 3-year periods, depending on the pollutant. The Clean Air Act requires EPA to reassess the federal standards at least every 5 years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the federal standards must prepare state implementation plans that demonstrate how those areas will attain the standards within mandated time frames.

The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the federal standards to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels.

Hazardous Air Pollutants

The 1977 federal Clean Air Act Amendments required EPA to identify national emissions standards for HAPs to protect public health and welfare. HAPs include certain VOCs, pesticides, herbicides, and radionuclides that present a tangible hazard based on scientific studies of exposure of humans and other mammals to these substances. Under the 1990 federal Clean Air Act Amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

State

Criteria Air Pollutants

The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency in 1991, is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products.

CARB has established CAAQS, which are generally more restrictive than the NAAQS. The CAAQS describe adverse conditions; that is, pollution levels must be below these standards before a basin can attain the standard. Air quality is considered "in attainment" if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, PM_{10}, $PM_{2.5}$, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded.

California air districts have based their thresholds of significance for California Environmental Quality Act (CEQA) purposes on the levels that scientific and factual data demonstrate that the air basin can accommodate without affecting the attainment date for the NAAQS or CAAQS. Since an ambient air quality standard is based on maximum pollutant levels in outdoor air that would not harm the public's health, and air district thresholds pertain to attainment of the ambient air quality standard, this means that the thresholds established by air districts are also protective of human health. The NAAQS and CAAQS are presented in Table 4.1-3.

Table 4.1-3. Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS[a]	NAAQS[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
O_3	1 hour	0.09 ppm (180 μg/m³)	N/A	Same as primary standard[f]
	8 hours	0.070 ppm (137 μg/m³)	0.070 ppm (137 μg/m³)[f]	
NO_2[g]	1 hour	0.18 ppm (339 μg/m³)	0.100 ppm (188 μg/m³)	Same as primary standard

Table 4.1-3. Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS[a]	NAAQS[b]	
		Concentration[c]	Primary[c,d]	Secondary[c,e]
	Annual arithmetic mean	0.030 ppm (57 µg/m³)	0.053 ppm (100 µg/m³)	
CO	1 hour	20 ppm (23 mg/m³)	35 ppm (40 mg/m³)	None
	8 hours	9.0 ppm (10 mg/m³)	9 ppm (10 mg/m³)	
SO_2[h]	1 hour	0.25 ppm (655 µg/m³)	0.075 ppm (196 µg/m³)	N/A
	3 hours	N/A	N/A	0.5 ppm (1,300 µg/m³)
	24 hours	0.04 ppm (105 µg/m³)	0.14 ppm (for certain areas)[g]	N/A
	Annual	N/A	0.030 ppm (for certain areas)[g]	N/A
PM_{10}[i]	24 hours	50 µg/m³	150 µg/m³	Same as primary standard
	Annual arithmetic mean	20 µg/m³	N/A	
$PM_{2.5}$[i]	24 hours	N/A	35 µg/m³	Same as primary standard
	Annual arithmetic mean	12 µg/m³	12.0 µg/m³	15.0 µg/m³
Lead[j,k]	30-day average	1.5 µg/m³	N/A	N/A
	Calendar quarter	N/A	1.5 µg/m³ (for certain areas)[k]	Same as primary standard
	Rolling 3-month average	N/A	0.15 µg/m³	
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m³)	N/A	N/A
Vinyl chloride[j]	24 hours	0.01 ppm (26 µg/m³)	N/A	N/A
Sulfates	24 hours	25 µg/m³	N/A	N/A
Visibility reducing particles	8 hours (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70%	N/A	N/A

Source: CARB 2016.

Notes: CAAQS = California Ambient Air Quality Standards; NAAQS = National Ambient Air Quality Standards; O_3 = ozone; µg/m³ = micrograms per cubic meter; N/A = not applicable; ppm = parts per million by volume; NO_2 = nitrogen dioxide; CO = carbon monoxide; mg/m³= milligrams per cubic meter; SO_2 = sulfur dioxide; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; PST = Pacific Standard Time.

[a] CAAQS for O_3, CO, SO_2 (1-hour and 24-hour), NO_2, and suspended particulate matter (PM_{10}, $PM_{2.5}$, and visibility-reducing particles) are values that are not to be exceeded. All others are not to be equaled or exceeded. CAAQS are listed in the Table of Standards in 17 CCR 70200.

[b] NAAQS (other than O_3, NO_2, SO_2, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The O_3 standard is attained when the fourth-highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the

expected number of days per calendar year with a 24-hour average concentration above 150 μg/m³ is equal to or less than 1. For $PM_{2.5}$, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.

[c] Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C (77°F) and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

[d] Primary NAAQS: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

[e] Secondary NAAQS: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[f] On October 1, 2015, the primary and secondary NAAQS for O_3 were lowered from 0.075 ppm to 0.070 ppm

[g] To attain the 1-hour NAAQS, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the 1-hour NAAQS is in units of ppb. CAAQS are in units of parts per million (ppm). To directly compare the 1-hour NAAQS to the CAAQS, the units can be converted from ppb to ppm. In this case, the NAAQS of 100 ppb is identical to 0.100 ppm.

[h] On June 2, 2010, a new 1-hour SO2 NAAQS was established and the existing 24-hour and annual primary NAAQS were revoked. To attain the 1-hour NAAQS, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO2 NAAQS (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 NAAQS, except that in areas designated nonattainment of the 1971 NAAQS, the 1971 NAAQS remain in effect until implementation plans to attain or maintain the 2010 NAAQS are approved.

[i] On December 14, 2012, the annual $PM_{2.5}$ primary NAAQS was lowered from 15 μg/m³ to 12.0 μg/m³. The existing 24-hour $PM_{2.5}$ NAAQS (primary and secondary) were retained at 35 μg/m³, as was the annual secondary NAAQS of 15 μg/m³. The existing 24-hour PM_{10} NAAQS (primary and secondary) of 150 μg/m³ also were retained. The form of the annual primary and secondary NAAQS is the annual mean, averaged over 3 years.

[j] CARB has identified lead and vinyl chloride as toxic air contaminants (TACs) with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[k] The NAAQS for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead NAAQS (1.5 μg/m³ as a quarterly average) remains in effect until 1 year after an area is designated for the 2008 NAAQS, except that in areas designated nonattainment for the 1978 NAAQS, the 1978 NAAQS remains in effect until implementation plans to attain or maintain the 2008 NAAQS are approved.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807. The California TAC list identifies more than 200 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. In 1987, the legislature enacted the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. TAC emissions from individual facilities are quantified and prioritized. "High-priority" facilities are required to perform a health risk assessment and, if specific thresholds are exceeded, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines (CARB 2000). Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment Program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There are several Airborne Toxic Control Measures that reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

California Health and Safety Code Section 41700

Section 41700 of the California Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Local

South Coast Air Quality Management District

SCAQMD is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in the SCAB, where the Program site is located. SCAQMD operates monitoring stations in the SCAB, develops rules and regulations for stationary sources and equipment, prepares emissions inventory and air quality management planning documents, and conducts source testing and inspections. SCAQMD's AQMPs include control measures and strategies to be implemented to attain the NAAQS and CAAQS in the SCAB. SCAQMD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment.

The 2022 AQMP was adopted by the SCAQMD governing board on December 2, 2022, and builds on measures already in place from previous AQMPs. It also includes additional strategies, such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emissions technologies and low NO_x technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency programs), incentives, and other Clean Air Act measures to achieve the 2015 8-hour O_3 standard (SCAQMD 2022). The SCAQMD 2022 AQMP applies the Southern California Association of Governments (SCAG) growth forecasts assumed in the 2020–2045 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) (Connect SoCal) (SCAG 2020). The primary purpose of the 2022 AQMP is to identify, develop, and implement strategies and control measures to meet the 2015 8-hour O_3 NAAQS of 70 parts per billion as expeditiously as practicable but no later than the statutory attainment deadline of August 3, 2038, for the SCAB and August 3, 2033, for the Riverside County portion of the Salton Sea Air Basin (SCAQMD 2022).

Potentially Applicable Rules

Emissions that would result from area sources during construction and operation under the proposed Program may be subject to SCAQMD rules and regulations. The SCAQMD rules applicable to the proposed Program may include the following:

Rule 201: Permit to Construct. This rule establishes an orderly procedure for the review of new and modified sources of air pollution through the issuance of permits. Rule 201 specifies that any facility installing nonexempt equipment that causes or controls the emissions of air pollutants must first obtain a permit to construct from SCAQMD (SCAQMD 2004a).

Rule 203: Permit to Operate. This rule requires any projects involving equipment that may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, to obtain a written permit to operate; further, the equipment shall be operated to the conditions specified in the permit to operate (SCAQMD 2004b).

Rule 401: Visible Emissions. This rule establishes the limit for visible emissions from stationary sources (SCAQMD 2001).

Rule 402: Nuisance. This rule prohibits the discharge of air pollutants from a facility that cause injury, detriment, nuisance, or annoyance to the public or damage to business or property (SCAQMD 1976).

Rule 403: Fugitive Dust. This rule requires projects to implement best available control measures for all fugitive dust sources to ensure all forms of visible particulate matter are prohibited from crossing any property line. SCAQMD Rule 403 is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust (SCAQMD 2005).

Rule 431.2: Sulfur Content of Liquid Fuel. The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose of reducing the formation of SO_x and particulates during combustion and enabling the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers, such as distributors, marketers, and retailers, as well as to users of diesel, low-sulfur diesel, and other liquid fuels for stationary-source applications in the district. The rule also affects diesel fuel supplied for mobile-source applications (SCAQMD 2000).

Rule 1113: Architectural Coatings. This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories (SCAQMD 2016).

Regulation XIV: Toxics and Other Non-Criteria Pollutants. This regulation includes rules that regulate toxics and other non-criteria pollutants. It provides specifications for maximum individual cancer risk, cancer burden, and noncancer acute and chronic hazard index (HI) from new permit units, relocations, or modifications to existing permit units that emit TACs. The rules establish allowable risks for permit units requiring new permits pursuant to Rules 201 or 203 (SCAQMD 2017b).

Southern California Association of Governments

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SCAG serves as the federally designated Metropolitan Planning Organization for the Southern California region and is the largest Metropolitan Planning Organization in the United States.

SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, planning strategies, and the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The SCAG 2020–2045 RTP/SCS was adopted on September 3, 2020.

4.1.3 Thresholds of Significance

The significance criteria used to evaluate the Program impacts to air quality are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to air quality would occur if the Program would:

1. Conflict with or obstruct implementation of the applicable air quality plan.
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the Program region is non-attainment under an applicable federal or state ambient air quality standard.
3. Expose sensitive receptors to substantial pollutant concentrations.
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to generating other emissions (such as those leading to odors) adversely affecting a substantial number of people. As such, the following thresholds are evaluated within this section for the Program:

AQ-1. Would the Program conflict with or obstruct implementation of the applicable air quality plan?

AQ-2. Would the Program result in a cumulatively considerable net increase of any criteria pollutant for which the Program region is non-attainment under an applicable federal or state ambient air quality standard?

AQ-3. Would the Program expose sensitive receptors to substantial pollutant concentrations?

4.1.4 Methodology

As the Fullerton Housing Incentive Overlay Zone could result in a maximum buildout of up to 35,611 units, this Draft EIR does not assess the site-specific construction and operation details of each future development within the Program Area. Rather, it assesses the impacts associated with changes to existing land uses and the associated overall effects of buildout of the Program through 2029, where reasonably foreseeable physical changes to the environment could occur. Analysis at a parcel or site-specific level was not conducted because, unless otherwise noted within this assessment, the actual locations of Program development (and its chronologic sequence or concurrence) that may be implemented in the future are speculative.

Therefore, since specifics for construction and operation of future development under the proposed Program are not known, the California Emissions Estimator Model (CalEEMod) default values were assumed based on development land use type and size.

Construction Emissions

To determine if the Program, particularly the land-use changes that would provide for a maximum of 35,611 dwelling units, would exceed the SCAQMD mass daily thresholds, a development scenario was modeled using CalEEMod Version 2022.1.1.21. For purposes of estimating Program emissions, construction is assumed to start in 2024 and have a duration of 5 years, reaching completion in December 2029. While construction specifics for buildout of the Program are not known, the analysis contained herein is based on the first full year of construction (2024), which is the estimated worst-case construction year because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for off-road equipment and heavy-duty trucks, as

well as fleet turnover replacing older equipment and vehicles in later years. To estimate a single year of construction, the entire Program buildout land use quantities was scaled by 1 year of construction (i.e., 20 percent of total buildout) and then compressed to a 1-year period. CalEEMod default values for buildout of 20 percent of the Program was estimated to take approximately 16 years; therefore, corresponding construction equipment, worker vehicle trips, and vendor truck trips were multiplied by a factor of 16 to account for the compressed 1-year period (i.e., reducing schedule to one sixteenth and increasing intensity by multiplying the equipment by 16). Worker and vendor trips were similarly multiplied by 16. CalEEMod default trip length values were used for the distances for all construction-related trips. The resulting 1-year construction assumptions are provided for each year of construction (duration of phases is approximate):

- Demolition: 13 days
- Site Preparation: 8 days
- Grading: 19 days
- Building Construction: 194 days
- Paving: 14 days
- Application of Architectural Coatings: 14 days

While only one phase of each type of construction activity is included in the model run, it is anticipated that this model scenario would include construction activity at more than one site within the Program area. Not all future development would require all of the construction phases assumed above; however, the following six default CalEEMod construction phases were included to present the potential range of emissions and capture a potential maximum daily and annual scenario: demolition, site preparation, grading, building construction, paving, and architectural coating. For example, due to the developed nature of most parcels in the Program Area, many future projects may only require a demolition phase (of existing buildings and asphalt pavement) and minor site preparation phase prior to building construction, while some future projects may require renovation, which would be less intensive (and therefore, less polluting) than a full reconstruction of a development site. In addition, some future projects may not require any demolition, but would require site preparation and/or grading to prepare the site for development. The total Program demolition value of 6,938,186 square feet (as shown in Section 3.0, Project Description) was used to calculate haul truck trips for the Program demolition phases. Due to the speculative nature of the amount of asphalt paving associated with potential future development, VOC off-gassing from asphalt pavement application is not included in the emissions estimates; however, paving phase emissions associated with paving equipment and vehicle trips are captured. Grading quantities are currently not identified; grading is anticipated to be minimal within the Program Area because the Program Area is generally built out, and therefore, it is likely that the majority of grading for the Program Area took place during initial building development. However, to capture potential haul truck trips during the grading phase, it was assumed that 10,000 cubic yards would be exported during the site preparation and grading phases for the 1-year construction scenario.

The construction equipment mix and vehicle trips used for estimating the Program-generated construction emissions are shown in Table 4.1-4, Construction Scenario Assumptions. For the analysis, it was assumed that heavy construction equipment would be operating at the site 5 days per week (22 days per month) during proposed Program construction.[5]

[5] As shown in Table 4.1-4, most equipment was assumed to operate for up to 8 hours per day. In reality, it is anticipated that equipment would be used for less than 8 hours a day when considering mandated worker breaks and that equipment would only be operated when needed; in addition, it is anticipated that the construction areas are within infill areas, and that not every piece of equipment could be in operation at the same time. Therefore, the equipment usage hours are anticipated to be conservative.

Table 4.1-4. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Demolition	256	32	1,228	Concrete/Industrial Saws	16	8
				Excavators	48	8
				Rubber Tired Dozers	32	8
Site Preparation	288	32	0	Rubber Tired Dozers	48	8
				Tractors/Loaders/ Backhoes	64	8
Grading	320	32	66	Excavators	32	8
				Graders	16	8
				Rubber Tired Dozers	16	8
				Scrapers	32	8
				Tractors/Loaders/ Backhoes	32	8
Building Construction	82,048	12,192	0	Cranes	16	7
				Forklifts	48	8
				Generator Sets	16	8
				Tractors/Loaders/ Backhoes	48	7
				Welders	16	8
Paving	256	96	0	Pavers	32	8
				Paving Equipment	32	8
				Rollers	32	8
Architectural Coating	16,400	0	0	Air Compressors	16	6

Notes: See Appendix C, Air Quality and Greenhouse Gas Emissions Modeling, for details.

Any future construction resulting from implementation of the Program would be required to comply with SCAQMD Rule 403 to control dust emissions during any dust-generating activities. SCAQMD Rule 403 requires implementation of various best available fugitive dust control measures for all construction activity sources within its jurisdictional boundaries. Dust control measures include, but are not limited to, maintaining stability of soil through pre-watering of site prior to clearing, grubbing, cut and fill, and earth-moving activities; stabilizing soil during and immediately after clearing, grubbing, cut and fill, and other earth-moving activities; stabilizing backfill during handling and at completion of activity; and pre-watering material prior to truck loading and ensuring that freeboard exceeds 6 inches. While SCAQMD Rule 403 require fugitive dust control beyond watering control measures, compliance with Rule 403 is represented in CalEEMod by assuming twice daily watering of active sites (55% reduction in PM_{10} and $PM_{2.5}$ [CAPCOA 2022]).

Operational Emissions

To determine if the Program would exceed the SCAQMD mass daily thresholds, the full future potential buildout of the Program, including a maximum increase of 35,611 dwelling units, was modeled using CalEEMod Version 2022.1.1.21. An operational year of 2029 was assumed to provide an estimate of emissions of the anticipated buildout

of development. In order to take credit for the emissions of the existing land uses, a net operational analysis was conducted. As stated in Section 3.2.2, the existing Program land uses are as follows: approximately 486 parcels contain existing commercial uses with an estimated 4,637,709 square feet of structures on site. Industrial uses within the Planning Area comprise 99 parcels with approximately 2,118,566 square feet of existing structures. Office uses consist of 2 parcels with a total of 5,471 square feet. Approximately 51 parcels, or 13 acres of land, are identified as vacant land or parking lots. The total number of existing residential units is unknown; however, it is estimated that approximately 176,441 square feet of building area is occupied by residential land uses.

Area Sources

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. Emissions associated with natural gas usage in space heating, water heating, and stoves are calculated in the building energy use module of CalEEMod, as described in the following text.

It is assumed that any future residential development resulting from implementation of the proposed Program would not include woodstoves or wood-burning fireplaces, per SCAQMD Rule 445. SCAQMD Rule 445, Wood Burning Devices, states that "no person shall permanently install a wood-burning device into any new development" (SCAQMD 2020). Exemptions to SCAQMD Rule 445 include where there is no existing infrastructure for natural gas service within 150 feet of the property line or those 3,000 or more feet above mean sea level; however, these exemptions are not anticipated to be common per the anticipated parcels under development.

Consumer products are chemically formulated products used by household and institutional consumers, including detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2022). Consumer product VOC emissions are estimated in CalEEMod based on the floor area of residential buildings and on the default factor of pounds of VOC per building square foot per day.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings such as in paints and primers using during building maintenance. CalEEMod calculates the VOC evaporative emissions from application of residential surface coatings based on the VOC emission factor, the building square footage, the assumed fraction of surface area, and the reapplication rate. The VOC emission factor is based on the VOC content of the surface coatings and CalEEMod default values, which include 50 grams per liter VOC for residential interior and exterior surfaces. SCAQMD's Rule 1113 (Architectural Coatings) would govern the VOC content for interior and exterior coatings.[6] The CalEEMod default reapplication rate of 10% of area per year is assumed.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers. The emissions associated from landscape equipment use are estimated based on CalEEMod default values for emission factors (grams per residential dwelling unit per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

[6] SCAQMD Rule 1113 includes a 50 grams per liter VOC content limit for both flat and non-flat coatings, which are the most common coatings for interior and exterior paint applications. Accordingly, the CalEEMod default values applied are generally consistent with the air district architectural coating rules.

Energy Sources

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage. Electricity use would contribute indirectly to criteria air pollutant emissions; however, the emissions from electricity use are only quantified for greenhouse gas emissions in CalEEMod, since criteria pollutant emissions would occur at the site of power plants. However, natural gas combustion would occur within the Program area itself, in association with equipment that uses natural gas. As such, its use within the Program Area is estimated and modeled in CalEEMod. The natural gas use from residential land uses is calculated in CalEEMod based on the Residential Appliance Saturation Study. For nonresidential buildings, CalEEMod energy intensity values (natural gas usage per square foot per year) assumptions were based on the California Commercial End-Use Survey database. CalEEMod default values for energy consumption assume compliance with the 2019 Title 24 Building Energy Efficiency Standards.

Mobile Sources

Mobile sources for the development scenario would primarily be motor vehicles (automobiles and light-duty trucks) traveling to and from the parcels developed. Motor vehicles may be fueled with gasoline, diesel, or alternative fuels. The default vehicle mix provided in CalEEMod 2022.1.1.21, which is based on CARB's Mobile Source Emissions Inventory model (EMFAC) version 2021, was applied for all land use types. Emission factors representing year 2029 were used to estimate emissions associated with the final buildout year associated with implementation of the Program.

Applied trip generation rates for the buildout development scenario are based on the traffic data provided in Section 4.11, Transportation, of this Draft EIR and Institute of Transportation Engineers (ITE) 11th edition trip rates for the proposed land uses. Mid-rise apartments were assumed for all residential land uses. Multifamily units proposed in both general urban/sub-urban and dense multi-use urban areas were used since some of the sites would be developed with a higher density with higher accessibility to transit and/or proximity to employment centers.

4.1.5 Impacts Analysis

Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) indicates that, where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to determine whether the Program would have a significant impact on air quality. The City uses the SCAQMD thresholds, in accordance with SCAQMD CEQA Air Quality Handbook, Air Quality Analysis Guidance Handbook, and their guidance, to evaluate the potential air quality impacts associated with Program implementation.

SCAQMD has established Air Quality Significance Thresholds, as revised in March 2023, that set forth quantitative emission significance thresholds below which a project would not have a significant impact on ambient air quality, as shown in Table 4.1-5 (SCAQMD 2023b).

Table 4.1-5. SCAQMD Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	**Construction (pounds per day)**	**Operation (pounds per day)**
VOCs	75	55
NO_x	100	55
CO	550	550

Table 4.1-5. SCAQMD Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
SO_x	150	150
PM_{10}	150	150
$PM_{2.5}$	55	55
Lead[a]	3	3
TACs and Odor Thresholds		
TACs[b]	Maximum incremental cancer risk ≥10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥1 in 1 million) Chronic and acute hazard index ≥1.0 (project increment)	
Odor	Program creates an odor nuisance pursuant to SCAQMD Rule 402	
Ambient Air Quality Standards for Criteria Pollutants[c]		
NO_2 1-hour average NO_2 annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.030 ppm (state) and 0.0534 ppm (federal)	
CO 1-hour average CO 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
PM_{10} 24-hour average PM_{10} annual average	10.4 μg/m³ (construction)[d] 2.5 μg/m³ (operation) 1.0 μg/m³	
$PM_{2.5}$ 24-hour average	10.4 μg/m³ (construction)[d] 2.5 μg/m³ (operation)	

Source: SCAQMD 2023b.
Notes: SCAQMD = South Coast Air Quality Management District; VOC = volatile organic compounds; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; TAC = toxic air contaminant; NO_2 = nitrogen dioxide; ppm = parts per million by volume; μg/m³ = micrograms per cubic meter.

[a] The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the Program is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.
[b] TACs include carcinogens and noncarcinogens.
[c] Ambient air quality standards for criteria pollutants are based on SCAQMD Rule 1303, Table A-2, unless otherwise stated.
[d] Ambient air quality threshold are based on SCAQMD Rule 403.

The phasing out of leaded gasoline started in 1976. As gasoline no longer contains lead, the development of the Program is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

AQ-1. Would the Program conflict with or obstruct implementation of the applicable air quality plan?

The Program area is within the jurisdiction of the SCAQMD, as detailed above. The applicable air quality plan for the Program Area is the SCAQMD's 2022 AQMP. The regional emissions inventory for the SCAB is compiled by the SCAQMD and SCAG. The SCAQMD has established criteria for determining consistency with the AQMP in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD's CEQA Air Quality Handbook (SCAQMD 1993). The criteria are as follows:

- **Consistency Criterion No. 1:** The Program will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2:** The Program will not exceed the assumptions in the AQMP or increments based on the year of Program buildout and phase.

Regarding Consistency Criterion No.1, the response to Threshold AQ-2, below, evaluates the potential for the Program to violate any air quality standard or contribute substantially to an existing or projected air quality violation, which applies the SCAQMD mass daily construction and operational thresholds.

As discussed below, based on the construction scenario discussed in Section 4.1.4, it was determined that construction of future development projects from implementation of the Program could potentially exceed the SCAQMD mass daily construction thresholds for VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$, as shown in Table 4.1-6, below. In addition, the operation of any future development projects, as allowed by the Program, could exceed the SCAQMD mass daily operational thresholds for VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$, for full operational buildout of the Program and for a combined construction and operational scenario, as detailed in Table 4.1-7, below.

All future projects would be required to adhere to all existing regulations to protect air quality which include, but are not limited to:

- The California Airborne Toxics Control Measure (Title 13, Section 2485 of the California Code of Regulations [CCR]), which requires that construction contractors shall minimize equipment idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes; and
- The most recent California Green Building and Standards Code (CALGreen).

Nonetheless, because the total anticipated development associated with implementation of the Fullerton Housing Incentive Overlay Zone could potentially exceed the SCAQMD mass daily regional thresholds, even with implementation of mitigation measures MM-AQ-1 and MM-AQ-2 and compliance with existing regulations, the Program could potentially result in an increase in the frequency or severity of existing air quality violations. As such, the Program would conflict with Consistency Criterion No. 1 of the SCAQMD CEQA Air Quality Handbook.

Regarding Consistency Criterion No. 2, while striving to achieve the NAAQS for O_3 and $PM_{2.5}$ and the CAAQS for O_3, PM_{10}, and $PM_{2.5}$ through a variety of air quality control measures, the 2022 AQMP also accommodates planned growth in the SCAB. Programs are considered consistent with and would not conflict with or obstruct implementation of the 2022 AQMP, if the growth in socioeconomic factors (e.g., population, employment) is consistent with the underlying regional plans used to develop the AQMP (per Consistency Criterion No. 2 of the SCAQMD CEQA Air Quality Handbook).

The SCAQMD primarily uses demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment by industry) developed by the SCAG for its RTP/SCS (SCAG 2020), which is based on general plans for cities and counties in the SCAB, for the development of the AQMP emissions inventory (SCAQMD 2022). The SCAG 2022 RTP/SCS, and associated Regional Growth Forecast, are generally consistent with the local plans; therefore, the 2022 AQMP is generally consistent with local government plans. Implementation of the Program would facilitate additional population

growth and additional housing units within the Program Area. Changes in the population, housing, or employment growth projections associated with the Program have the potential to affect SCAG's demographic projections, and therefore, the assumptions of the SCAQMD's AQMP. However, development that occurs from implementation of the Program would be consistent with SCAG's regional goals of providing infill housing, improving the jobs-to-housing balance, and integrating land uses near major transportation corridors.

However, even with the Fullerton Housing Incentive Overlay Zone goals and policies that are consistent with and support the SCAG's RTP/SCS goals and policies, it is anticipated that Program implementation could potentially exceed the growth forecasts and change the underlying land use assumptions utilized in the 2022 AQMP. As such the Program would conflict with Consistency Criterion No.2 of the SCAQMD CEQA Air Quality Handbook.

Approval of the Program would not provide any goals, policies, or programs that would significantly conflict with or obstruct implementation of the applicable air quality plan. However, future development resulting from implementation of the Program has the potential to exceed the SCAQMD's criteria pollutant mass daily thresholds for construction and operations. Therefore, the Program would conflict with Consistency Criterion No. 1. Additionally, the Program would conflict with Consistency Criterion No. 2, as implementation of the Program could exceed the demographic growth forecasts in the SCAG 2020 RTP/SCS. Therefore, Mitigation Measure (MM)-AQ-1 and MM-AQ-2 are included to reduce air quality impacts for short-term construction and operational emissions. Additionally, MM-AQ-3 has been included to ensure that the City shall prepare a revised population, employment and housing forecast for SCAG that reflects anticipated growth generated from the proposed Program. The updated forecast provided to SCAG shall be used to inform the SCAQMD's update to the Regional Air Quality Strategy and State Implementation Plan. However, these measures do not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As such, even with implementation of existing regulations, applicable Fullerton Housing Incentive Overlay Zone goals and policies, and MM-AQ-1, MM-AQ-2, and MM-AQ-3, potential impacts related to the Program's potential to conflict with or obstruct implementation of the applicable air quality plan would be **significant and unavoidable**.

AQ-2. Would the Program result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

For the reasons discussed below, even with the implementation of MM-AQ-1 and MM-AQ-2, the Program could result in a cumulatively considerable net increase of criteria pollutants for which the Program region is non-attainment under an applicable federal or state ambient air quality standard, and impacts would be significant and unavoidable.

Construction Emissions

Construction activities resulting from potential future projects developed under Program implementation would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing from architectural coatings and asphalt pavement application) and off-site sources (i.e., on-road haul trucks, delivery trucks, and worker vehicle trips). Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions. Therefore, such emissions levels can only be estimated, with a corresponding uncertainty in precise ambient air quality impacts.

While the exact number and timing of individual development projects and infrastructure improvements that could occur as a result of implementation of the Program are unknown at this time, construction activities associated with future development facilitated by the Program would generate criteria air pollutant emissions from the on- and off-site sources described above. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM_{10} and $PM_{2.5}$ emissions. Construction of future development would be required to comply with SCAQMD Rule 403 to control dust emissions generated during the grading activities, which was assumed in the quantification of Program emissions, detailed below. Internal combustion engines used by construction equipment, haul trucks, vendor trucks (i.e., delivery trucks), and worker vehicles would result in emissions of VOCs, NO_x, CO, PM_{10}, and $PM_{2.5}$. The application of architectural coatings, such as exterior application/interior paint and other finishes, and application of asphalt pavement would also produce VOC emissions; however, the contractor is required to procure architectural coatings from a supplier in compliance with the requirements of SCAQMD Rule 1113. Due to the speculative nature of the amount of asphalt paving associated with any future development resulting from the Program, VOC off-gassing from asphalt pavement application is not included in the emissions estimates.

As discussed in the Construction Emissions subsection in Section 4.1.4, Methodology, to provide a conservative scenario of potential construction activity as a result of the Program, this analysis assumes that 20 percent of the Program would be developed within one year (i.e., 1 year of 5 years, which is the estimated buildout of the Program, is 20 percent). Construction emissions were calculated for the estimated worst-case day over the construction period associated with each phase and reported as the maximum daily emissions estimated during construction of the eight percent development scenario. Due to the speculative nature of construction, CalEEMod default values were relied upon for the assumed land use type and size, with minor exceptions, as detailed in Section 4.1.4.

Table 4.1-6, Estimated Maximum Daily Construction Criteria Air Pollutant Emissions, presents the estimated maximum daily construction emissions generated during construction of the eight percent construction scenario, for the first year of construction. Details of the emission calculations are provided in Appendix C.

Table 4.1-6. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per day					
1 Year of Construction (20 percent of total construction)	3,060.62	1,816.72	5,156.94	9.13	1,182.74	283.40
SCAQMD Threshold	*75*	*100*	*550*	*150*	*150*	*55*
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = particulate matter with an aerodynamic diameter equal to or less than 10 microns; $PM_{2.5}$ = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns; SCAQMD = South Coast Air Quality Management District
See Appendix C for complete results.
The values shown are the maximum summer or winter daily emissions results from CalEEMod and provided in Appendix C.
The estimates reflect control of fugitive dust (watering two times daily) required by SCAQMD Rule 403.

As shown in Table 4.1-6, although construction-related SO_x, emissions would not exceed the SCAQMD thresholds during the construction of the 20 percent construction scenario, the Program would exceed the SCAQMD mass daily threshold for VOCs, NO_x, CO, PM_{10} and $PM_{2.5}$ during construction. Therefore, impacts related to exceedance of SCAQMD mass daily regional thresholds during construction of the Program would

be potentially significant. All projects would be required to adhere to all existing regulations during construction to protect air quality which include, but are not limited to:

- The California Airborne Toxics Control Measure (Title 13, Section 2485 of the California Code of Regulations [CCR]), which requires that construction contractors minimize equipment idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes; and
- The most recent California Green Building and Standards Code (CALGreen).

These regulations would minimize potentially significant impacts. However, mitigation is required to address potentially significant impacts. Implementation of MM-AQ-1, Construction Emissions, would reduce NO_x and PM emissions from equipment exhaust and PM emissions associated with fugitive dust. MM-AQ-1 includes measures such as requiring off-road equipment with engines rated at 50 horsepower or greater use be Tier 4 Final, and specific watering requirements at construction sites. However, due to the nature of the Program, the accuracy of the reductions that would be realized from MM-AQ-1 is not able to be accurately quantifiable. Further, MM-AQ-1 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As such, even with implementation of existing regulations and MM-AQ-1, potential impacts related to short-term construction emissions would be **significant and unavoidable**.

Operational Emissions

Operation of the Program, due to future development within the Program area, could potentially generate VOC, NO_x, CO, SO_x, PM_{10}, and $PM_{2.5}$ emissions from mobile sources, including vehicular traffic; energy sources from natural gas usage; area sources, including the use of landscaping equipment and consumer products; and from architectural coatings. As discussed in the Operational Emissions subsection of Section 4.1.4, pollutant emissions associated with long-term operations were quantified using CalEEMod using a combination of Program-specific information (i.e., land use inputs and trip rates) and CalEEMod default values for the buildout of the Program.

The SCAQMD does not provide emission-based thresholds or provide guidance on how to evaluate large area projects and programmatic development such as the Program. To provide a conservative analysis of indirect emissions associated with buildout of the Program, emissions from full buildout of the Program are compared to the SCAQMD's project-level emission-based daily thresholds. Furthermore, because of the potential for Program construction to overlap with operation of portions of the Program, construction emissions from Table 4.1-6 are added to operational emissions in Table 4.1-7, below.

Table 4.1-7, Estimated Combined Construction and Operational Criteria Air Pollutant Emissions, presents the maximum daily area, energy, and mobile emissions associated with total operational buildout of the Program as compared to the SCAQMD's thresholds, with a net analysis that takes the removal of the existing land uses into account. The SCAQMD operational thresholds are expressed as mass daily thresholds in pounds per day. Details of the emission calculations are provided in Appendix C.

Table 4.1-7. Estimated Combined Construction and Operational Criteria Air Pollutant Emissions

Estimated Maximum Daily Operational Emissions for Program Implementation						
	VOC	NO_x	CO	SO_X	PM_{10}	$PM_{2.5}$
Emission Source	**Pounds per day**					
Program						
Area	107.93	79.81	897.31	2.45	246.87	63.57
Energy	199.31	106.33	450.37	0.70	8.78	8.74
Mobile	1.17	19.97	8.50	0.13	1.61	1.61
Total	**308.41**	**206.11**	**1,356.18**	**3.28**	**257.27**	**73.92**
Combined Construction and Operational Emissions (Worst-Case)						
Construction Emissions (Table 4.1-6)	3,060.62	1,816.72	5,156.94	9.13	1,182.74	283.40
Operational Emissions (above)	308.41	206.11	1,356.18	3.28	257.27	73.92
Combined Construction and Operation Emissions	**3,369.03**	**2,022.83**	**6,513.12**	**12.41**	**1,440.01**	**357.32**
Existing Land Uses						
Area	561.87	316.04	3,323.34	7.98	788.57	203.29
Energy	220.26	3.46	350.51	0.18	7.15	6.78
Mobile	1.24	22.43	18.63	0.13	1.71	1.71
Total	**783.36**	**341.94**	**3,692.47**	**8.30**	**797.42**	**211.78**
Net Total Construction and Operation Emissions (with Existing Land Use Reduction)	**2,585.67**	**1,680.89**	**2,820.65**	**4.11**	**642.59**	**145.54**
SCAQMD Operational Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = particulate matter with an aerodynamic diameter equal to or less than 10 microns; $PM_{2.5}$ = particulate matter with an aerodynamic diameter equal to or less than 2.5 microns; SCAQMD = South Coast Air Quality Management.
The values shown are the maximum summer or winter daily emissions results from CalEEMod and provided in Appendix C.
See Appendix C for complete results.

As shown in Table 4.1-7, maximum daily operational emissions from full buildout of the Program would exceed the SCAQMD daily significance thresholds for VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$. In addition, the combined construction and operational emissions would exceed the SCAQMD's operational emissions threshold for all criteria pollutants except for SO_x, even when a net analysis to account for the emissions of existing land uses is included. Therefore, impacts regarding cumulatively considerable net increases of any criteria pollutant for which the Program region is non-attainment would be potentially significant.

By its nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development (such as the cumulative emissions from various sources of air pollutants and their precursors within the SCAB, including motor vehicles, off-road equipment, and commercial and industrial facilities), and the SCAQMD develop and implement plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for

criteria pollutants are used in the determination of whether a project's individual emissions would have a cumulative contribution on air quality. If a project's emissions would exceed the applied significance thresholds, it would have a cumulative contribution. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (SCAQMD 2003a).

As described in Threshold AQ-1, implementation of the Program's proposed land use changes would allow for more dense development in the Program Area than is currently allowed under existing conditions. In considering cumulative impacts from the development allowed for by the Program, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the SCAB is designated as nonattainment for the CAAQS and NAAQS. As discussed in Section 4.1.1, the SCAB has been designated as a national nonattainment area for O_3 and $PM_{2.5}$, and a California nonattainment area for O_3, PM_{10}, and $PM_{2.5}$. Due to the speculative nature of construction and since the size of development of each individual project is unknown, development of the Program may result in a cumulatively considerable increase in emissions of criteria air pollutants for which the SCAB is designated as nonattainment under the NAAQS or CAAQS.

Cumulative localized impacts would potentially occur if construction associated with the development future development facilitated by the Program were to occur concurrently with another construction project or with another off-site, unrelated project. In addition to the speculative nature of the Program implementation, construction schedules for potential future projects unrelated to the Program are currently unknown; therefore, potential construction impacts associated with two or more simultaneous projects would be considered speculative. Criteria air pollutant emissions associated with construction activity of future projects would be reduced through implementation of control measures required by the SCAQMD, as applicable. For example, cumulative PM_{10} and $PM_{2.5}$ emissions would be reduced because all future projects would be subject to SCAQMD Rule 403, which sets forth general and specific requirements to control fugitive dust at all construction sites in the SCAB. In addition, cumulative VOC emissions would be subject to SCAQMD Rule 1113, which regulate VOC limits in architectural coatings. Additional SCAQMD rules that future cumulative projects would be required to comply with are discussed in Section 4.1.2, Local.

Due to the nature of the Program, the accuracy of the reductions that would be realized from MM-AQ-2 is not able to be accurately quantifiable. Further, MM-AQ-2 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As such, even with implementation of existing regulations, applicable Program goals and policies, and MM-AQ-2, potential impacts related to operational emissions would be **significant and unavoidable**.

Health Effects

Currently, the SCAQMD, CARB, and EPA have not approved a quantitative method to reliably, meaningfully, and consistently translate the mass emission estimates for the criteria air pollutants resulting from the development of the Program to specific health effects. In addition, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days.

In connection with the judicial proceedings culminating in issuance of the Friant Ranch decision, the SCAQMD and the San Joaquin Valley Air Pollution Control District (SJVAPCD) filed amicus briefs attesting to the extreme difficulty of correlating an individual project's criteria air pollutant emissions to specific health impacts. Both SJVAPCD and SCAQMD have among the most sophisticated air quality modeling and health

impact evaluation capabilities of the air districts in California. The key, relevant points from the SCAQMD and SJVAPCD briefs are summarized herein for informational purposes.

In requiring a health impact type of analysis for criteria air pollutants, it is important to understand how O_3 and PM are formed, dispersed, and regulated. The formation of O_3 and PM in the atmosphere, as secondary pollutants,[7] involves complex chemical and physical interactions of multiple pollutants from natural and anthropogenic sources. The O_3 reaction is self-perpetuating (or catalytic) in the presence of sunlight because NO_2 is photochemically reformed from nitric oxide. In this way, O_3 is controlled by both NO_x and VOC emissions (NRC 2005). The complexity of these interacting cycles of pollutants means that incremental decreases in one emission may not result in proportional decreases in O_3 (NRC 2005). Although these reactions and interactions are well understood, variability in emission source operations and meteorology creates uncertainty in the modeled O_3 concentrations to which downwind populations may be exposed (NRC 2005). Once formed, O_3 can be transported long distances by wind, and due to atmospheric transport, contributions of precursors from the surrounding region can also be important (EPA 2008). Because of the complexity of O_3 formation, a specific tonnage amount of VOCs or NO_X emitted in a particular area does not equate to a particular concentration of O_3 in that area (SJVAPCD 2015). PM can be divided into two categories: directly emitted PM and secondary PM. Secondary PM, like O_3, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as SO_x and NO_x (SJVAPCD 2015). Because of the complexity of secondary PM formation, including the potential to be transported long distances by wind, the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area (SJVAPCD 2015). This is especially true for individual projects, where project-generated criteria air pollutant emissions are not derived from a single "point source," but from construction equipment and mobile sources (passenger cars and trucks) driving to, from, and around the project site.

Another important technical nuance is that health effects from air pollutants are related to the concentration of the air pollutant that an individual is exposed to, not necessarily the individual mass quantity of emissions associated with an individual project. For example, health effects from O_3 are correlated with increases in the ambient level of O_3 in the air a person breathes (SCAQMD 2015). However, it takes a large amount of additional precursor emissions to cause a modeled increase in ambient O_3 levels over an entire region (SCAQMD 2015). The lack of link between the tonnage of precursor pollutants and the concentration of O_3 and $PM_{2.5}$ formed is important because it is not necessarily the tonnage of precursor pollutants that causes human health effects; rather, it is the concentration of resulting O_3 that causes these effects (SJVAPCD 2015). Indeed, the ambient air quality standards, which are statutorily required to be set by EPA at levels that are requisite to protect the public health, are established as concentrations of O_3 and $PM_{2.5}$ based on duration of exposure and not as tonnages of their precursor pollutants (EPA 2023b). Because the ambient air quality standards are focused on achieving a particular concentration region-wide, the tools and plans for attaining the ambient air quality standards are regional in nature. For CEQA analyses, project-generated emissions are typically estimated in pounds per day or tons per year and compared to mass daily or annual emission thresholds. While CEQA thresholds are established at levels that the air basin can accommodate without affecting the attainment date for the ambient air quality standards, even if a project exceeds established CEQA significance thresholds, this does not mean that one can easily determine the concentration of O_3 or PM that will be created at or near the project site on a particular day or month of the year, or what specific health impacts will occur (SJVAPCD 2015).

[7] Air pollutants formed through chemical reactions in the atmosphere are referred to as secondary pollutants.

In regard to regional concentrations and air basin attainment, the SJVAPCD emphasized that attempting to identify a change in background pollutant concentrations that can be attributed to a single project, even one as large as the entire Friant Ranch Specific Plan, is a theoretical exercise. The SJVAPCD brief noted that it "would be extremely difficult to model the impact on NAAQS attainment that the emissions from the Friant Ranch project may have" (SJVAPCD 2015). The situation is further complicated by the fact that background concentrations of regional pollutants are not uniform either temporally or geographically throughout an air basin but are constantly fluctuating based upon meteorology and other environmental factors. SJVAPCD noted that the currently available modeling tools are equipped to model the impact of all emission sources in the San Joaquin Valley Air Basin on attainment (SJVAPCD 2015). The SJVAPCD brief then indicated that, "Running the photochemical grid model used for predicting O_3 attainment with the emissions solely from the Friant Ranch project (which equate to less than one-tenth of one percent of the total NO_x and VOC in the Valley) is not likely to yield valid information given the relative scale involved" (SJVAPCD 2015).

SCAQMD and SJVAPCD have indicated that it is not feasible to quantify project-level health impacts based on existing modeling (SCAQMD 2015; SJVAPCD 2015). Even if a metric could be calculated, it would not be reliable because the models are equipped to model the impact of all emission sources in an air basin on attainment and would likely not yield valid information or a measurable increase in O_3 concentrations sufficient to accurately quantify O_3-related health impacts for an individual project.

Nonetheless, following the Supreme Court's Friant Ranch decision, some EIRs estimated criteria air pollutant emissions that exceeded applicable air district thresholds and have included a quantitative analysis of potential project-generated health effects using a combination of a regional photochemical grid model[8] and the EPA Benefits Mapping and Analysis Program (BenMAP or BenMAP–Community Edition).[9] The publicly available health impact assessments (HIAs) typically present results in terms of an increase in health incidences and/or the increase in background health incidence for various health outcomes resulting from the project's estimated increase in concentrations of O_3 and $PM_{2.5}$.[10] The five publicly available HIAs reviewed herein have concluded that the evaluated project's health effects associated with the estimated project-generated increase in concentrations of O_3 and $PM_{2.5}$ represent a small increase in incidences and a very small percentage of the number of background incidences, indicating that these health impacts are negligible and potentially within the models' margin of error. It is also important to note that while the results of the five available HIAs conclude that the project emissions do not result in a

8 The first step in the publicly available HIAs includes running a regional photochemical grid model, such as the Community Multiscale Air Quality model or the Comprehensive Air Quality Model with extensions to estimate the increase in concentrations of O_3 and $PM_{2.5}$ as a result of project-generated emissions of criteria and precursor pollutants. Air districts, such as the SCAQMD, use photochemical air quality models for regional air quality planning. These photochemical models are large-scale air quality models that simulate the changes of pollutant concentrations in the atmosphere using a set of mathematical equations characterizing the chemical and physical processes in the atmosphere (EPA 2017).

9 After estimating the increase in concentrations of O_3 and $PM_{2.5}$, the second step in the five examples includes use of BenMAP or BenMAP-Community Edition to estimate the resulting associated health effects. BenMAP estimates the number of health incidences resulting from changes in air pollution concentrations (EPA 2023c). The health impact function in BenMAP-Community Edition incorporates four key sources of data: (i) modeled or monitored air quality changes, (ii) population, (iii) baseline incidence rates, and (iv) an effect estimate. All of the five example HIAs focused on O_3 and $PM_{2.5}$.

10 The following CEQA documents included a quantitative HIA to address Friant Ranch: (1) California State University Dominguez Hills 2018 Campus Master Plan EIR (CSU Dominguez Hills 2019), (2) March Joint Powers Association K4 Warehouse and Cactus Channel Improvements EIR (March JPA 2019), (3) Mineta San Jose Airport Amendment to the Airport Master Plan EIR (City of San Jose 2019), (4) City of Inglewood Basketball and Entertainment Center Program EIR (City of Inglewood 2019), and (5) San Diego State University Mission Valley Campus Master Plan EIR (SDSU 2019).

substantial increase in health incidences, the estimated emissions and assumed toxicity are also conservatively inputted into the HIA and thus, overestimate health incidences, particularly for $PM_{2.5}$.

As explained in the SJVAPCD brief and noted previously, running the photochemical grid model used for predicting O_3 attainment with the emissions solely from an individual project like the Friant Ranch project or the Program is not likely to yield valid information given the relative scale involved. The five examples reviewed support the SJVAPCD's brief contention that consistent, reliable, and meaningful results may not be provided by methods applied at this time. Accordingly, additional work in the industry and, more importantly, air district participation, is needed to develop a more meaningful analysis to correlate project-level mass criteria air pollutant emissions and health effects for decision makers and the public. Furthermore, at the time of writing, no HIA has concluded that health effects estimated using the photochemical grid model and BenMAP approach are substantial, provided that the estimated project-generated incidences represent a very small percentage of the number of background incidences, potentially within the models' margin of error.

As described in response to Threshold 4.1-1, development projects accommodated as a result of Program implementation would result in physical impacts to the environment. Thus, construction criteria air pollutant emissions from potential development projects allowed for by the Program could potentially exceed the SCAQMD mass daily thresholds for VOC and NO_x.

VOCs and NO_x are precursors to O_3, for which the Program area within the SCAB are designated as nonattainment with respect to the NAAQS and CAAQS. The health effects associated with O_3 are generally associated with reduced lung function. The contribution of reactive organic gases and NO_x to regional ambient O_3 concentrations is the result of complex photochemistry. The increases in O_3 concentrations in the SCAB due to O_3 precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O_3 concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O_3 CAAQS/NAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O_3 precursors is speculative due to the lack of quantitative methods to assess this impact. Nonetheless, because VOC and NO_x emissions associated with Program construction and operation would exceed the SCAQMD thresholds, it could contribute to regional O_3 concentrations and the associated health effects.

Health effects that result from NO_2 and NO_x include respiratory irritation. Although construction of future development allowed for under the Program may generate NO_x emissions that could exceed the SCAQMD mass daily thresholds, itis not anticipated to contribute to exceedances of the NAAQS and CAAQS for NO_2 because the SCAB are designated as in attainment of the NAAQS and CAAQS for NO_2 and the existing NO_2 concentrations in the area are well below the NAAQS and CAAQS standards. As noted above, the Program, would exceed the applicable SCAQMD NO_x thresholds during construction and operation of the Program. In addition, because there is the potential for nearby receptors to be affected by off-road construction equipment, the construction of individual parcels could result in potential health effects associated with NO_2 and NO_x during construction.

CO tends to be a localized impact associated with congested intersections. The associated potential for CO hotspots is discussed in response to Threshold 4.1-3, below, and is determined to be a less-than-significant impact. Furthermore, the existing CO concentrations in the area are well below the NAAQS and CAAQS standards. However, operation of the developments allowed for by the Program would generate CO

emissions that would exceed the SCAQMD CO thresholds during construction and operation. Therefore, CO emissions from implementation of the Program could potentially contribute to significant health effects associated with this pollutant.

Operation of total future buildout under the Program would exceed the SCAQMD threshold for PM_{10} and $PM_{2.5}$. While construction is temporary, construction of the development allowed for by the Program would also exceed the SCAQMD thresholds for PM_{10} and $PM_{2.5}$ and could contribute to exceedances of the NAAQS and CAAQS for particulate matter or could obstruct the SCAB from coming into attainment for these pollutants. Nonetheless, SCAQMD Rule 403, Fugitive Dust, would limit the amount of fugitive dust generated during development allowed for by the Program, and implementation of MM-AQ-1 would provide further fugitive dust control measures for applicable projects implemented within the Program area. Nevertheless, the Program has the potential to contribute a substantial amount of particulate matter during future construction of development projects, which could result in health effects associated with PM_{10} and/or $PM_{2.5}$.

In summary, because future projects would exceed the SCAQMD thresholds for VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$, the potential health effects associated with criteria air pollutants are considered significant. However, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days, and there are currently no modeling tools that could provide reliable and meaningful additional information regarding health effects from criteria air pollutants generated by individual projects within the SCAQMD jurisdiction. Furthermore, for purposes of this conservative CEQA analysis, it is assumed that the additional development would be developed by 2029; however, full buildout may not occur within this time period and the intensity and spatial development within this period is unknown. For these reasons, conducting a HIA may not yield accurate results and would likely overestimate health effects associated with the Program. In summary, even with implementation of existing regulations and MM-AQ-1, the Program has the potential to violate air quality standard or contribute substantially to an existing or projected air quality violation and the health effects associated with criteria air pollutants, and impacts would be **significant and unavoidable**.

AQ-3. Would the Program expose sensitive receptors to substantial pollutant concentrations?

For the reasons discussed below, the Program could expose sensitive receptors to substantial pollutant concentrations, and impacts would be significant and unavoidable.

Localized/Ambient Air Quality

Construction activities associated with future development allowed by the Program would result in temporary sources of construction equipment emissions and on-site fugitive dust. For project-specific development, the SCAQMD recommends an LST analysis to evaluate the potential of localized air quality impacts to sensitive receptors in the immediate vicinity of construction; however, the LSTs are applicable to projects at the project-specific level and are not applicable to regional projects such as the Program, because specific projects are speculative at this time. Specifically, SCAQMD guidance for LST application recommends application of the methodology for project sites that are 5 acres or smaller (SCAQMD 2008). Accordingly, construction LST guidance is not recommended or provided herein.

Health Effects of Carbon Monoxide

Mobile source impacts occur on two scales. Regionally, Program-related travel would add to regional trip generation and increase the VMT within the local airshed and the SCAB. Locally, traffic generated by the future residential development facilitated by the Program would be added to the local roadway system near those areas. If such traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and is operating on roadways already crowded with non-Program traffic, there is a potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. However, because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SCAB is steadily decreasing.

At the time that the SCAQMD Handbook (1993) was published, the SCAB was designated nonattainment under the CAAQS and NAAQS for CO. In 2007, the SCAQMD was designated in attainment for CO under both the CAAQS and NAAQS as a result of the steady decline in CO concentrations in the SCAB due to turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities. The SCAQMD conducted CO modeling for the 2003 AQMP[11] (SCAQMD 2003b) for the four worst-case intersections in the SCAB: (1) Wilshire Boulevard and Veteran Avenue, (2) Sunset Boulevard and Highland Avenue, (3) La Cienega Boulevard and Century Boulevard, and (4) Long Beach Boulevard and Imperial Highway. At the time the 2003 AQMP was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in the county, with an average daily traffic volume of about 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue. When added to the maximum 1-hour CO concentration from 2020 through 2022 within the county (see Table 4.1-2), which was 2.4 ppm in 2020 and 2022, the 1-hour CO would be 7.0 ppm, while the CAAQS is 20 ppm.

The 2003 AQMP also projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From years 2002 through 2005, the maximum 8-hour CO concentration was 3.8 ppm at the Sunset Boulevard and Highland Avenue intersection in 2002; the maximum 8-hour CO concentration was 3.4 ppm at the Wilshire Boulevard and Veteran Avenue in 2002. Adding the 3.8 ppm to the maximum 8-hour CO concentration from 2020 through 2022 within the county (see Table 4.1-2), which was 2.0 ppm in 2020, the 8-hour CO would be 5.8 ppm, while the CAAQS is 9.0 ppm.

Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least over 100,000 vehicles per day. While intersection volumes are not available for every intersection within the City area, as discussed in Section 4.11, Transportation, of this Draft EIR, implementation the Program would result in a regional decrease in vehicle trips and VMT. Accordingly, it is not anticipated that the Program would result in a new congested intersection or substantially exacerbate conditions at congested intersections, nor it is anticipated that the Program would increase volume at any given intersection to more than 100,000 vehicles per day. Therefore, a CO hotspot is not anticipated to occur based on potential future residential development facilitated by the Program. Impacts associated with CO hotspots would be **less than significant**.

[11] SCAQMD's CO hotspot modeling guidance has not changed since 2003.

Toxic Air Contaminants - Construction

The Program could result in TAC exposure to existing or future sensitive land uses during construction. Diesel equipment would be subject to the CARB airborne toxic control measures for in-use off-road diesel fleets, which would minimize DPM emissions, including an airborne toxic control measure to limit idling of diesel-fueled commercial vehicles, which requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485). However, the level of potential emissions in relation to the location of sensitive receptors cannot be estimated with a level of accuracy. As such, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions, primarily DPM, would be potentially significant. Even with implementation of MM-AQ-1, Construction Emissions, the Program impacts would remain significant and unavoidable because at this level of review, the exact location, orientation, number and timing of individual development projects and/or infrastructure improvements that could occur as a result of implementation of the Program are unknown. Further, MM-AQ-1 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As such, even with implementation of existing regulations, applicable Program goals and policies, and MM-AQ-1, potential impacts related to exposure to substantial pollutant concentrations during construction activities associated with future development projects would be **significant and unavoidable**.

Toxic Air Contaminants - Operation

The Program is a residential development. Operation of the Program would not result in any non-permitted direct emissions (e.g., those from a point source such as diesel generators)[12] or in a substantial increase in diesel vehicles (i.e., delivery trucks greater than 100 per day). Additionally, the 2019 Title 24 Standards, as carried forward in the 2022 Title 24 standards, require Minimum Efficiency Reporting Value (MERV) 13 air filters in new construction which help to capture outdoor air particles. MERV 13 filters have been demonstrated to remove approximately 90% of particulate matter from intake air (Singer et al. 2016) and, therefore, would result in a substantial reduction in health risk to on-site sensitive receptors. Thus, the Program would not result in a long-term (i.e., 9-year, 30-year, or 70-year) operational source of TAC emissions.

MM-AQ-2, Operational Emissions, includes requirements for new projects to reduce pollutant emissions during long-term operations, including compliance with SCAQMD rules as well as adherence to engine emission standards, electrical infrastructure and panels for trucks, and avoidance of queuing and traffic near sensitive receptors. However, MM-AQ-2 does not ensure that all impacts from future development projects would be mitigated to a level of less than significant. As such, even with implementation of existing regulations, applicable Program goals and policies, and MM-AQ-2, potential impacts related to exposure to substantial pollutant concentrations during long-term operations associated with future development projects would be **significant and unavoidable**.

4.1.6 Mitigation Measures

MM-AQ-1 Construction Emissions. If during subsequent project-level environmental review, construction-related criteria air pollutants are determined to have the potential to exceed SCAQMD's

[12] Stationary sources result in on-site emissions and could generate TAC emissions; however, during the SCAQMD permitting process, an HRA would be performed and control measures would be implemented if required to reduce potential impacts to sensitive receptors.

construction mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during construction activities. New projects are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), and Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). Additional measures for projects that exceed SCAQMD's construction mass daily thresholds may include, but are not limited to, the following:

- Off-Road construction equipment with engines that are 50 horsepower or greater shall be rated by the USEPA as having Tier 4 emission limits or better (whichever is the cleanest technology available at time of project development). If it can be demonstrated to the City that such equipment is not commercially available or feasible, alternate emissions control devices and/or techniques used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by the California Air Resources Board's regulations.
- Use electric or alternative-fueled (i.e., non-diesel) construction equipment, if available and feasible, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors.
- Maintain records of all trucks associated with project construction activities to document that each truck used meets the required emission standards. The Applicant shall provide records for inspection within five business days of request by CARB, SCAQMD, or the City.
- Provide electric vehicle (EV) charging stations or appropriately sized electrical infrastructure and electrical panels. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment.
- Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary.
- Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable.
- Ensure vehicle traffic inside the project site is as far away as feasible from sensitive receptors.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts.
- Configure construction parking to minimize traffic interference.
- Cover all trucks hauling dirt, sand, soil, or other loose materials.
- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Replace ground cover in disturbed areas as quickly as possible to minimize dust.
- Pave roads and road shoulders, where applicable.

- Sweep streets at the end of the day with SCAQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water).
- Utilize only super-compliant volatile organic compound (VOC) paints for architectural coatings (0 grams per liter to less than 10 grams per liter VOC) during construction activities. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the application of architectural coatings shall be prohibited during the peak smog season: July, August, and September

Prior to the issuance of a grading permit, the applicant shall provide the City with the construction contractor's inclusion of all required measures on applicable construction plans, including grading and/or building plans.

MM-AQ-2 Operational Emissions. If, during subsequent project-level environmental review, operation-related criteria air pollutants are determined to have the potential to exceed SCAQMD's operation mass daily thresholds, the City shall require applicants for new projects that exceed those thresholds to incorporate appropriate measures to reduce or minimize air pollutant emissions during operational activities. New projects facilitated by the Fullerton Housing Incentive Overlay Zone are required to comply with all applicable SCAQMD rules and regulations, including but not limited to Rule 445 (Wood Burning Devices), Rule 1401 (New Source of Toxic Air Contaminants), and Rule 1110.2 (Emissions from Gaseous- and Liquid-Fueled Engines)Additional measures for projects that exceed SCAQMD's operation mass daily thresholds may include, but are not limited to, the following:

- All the Program's buildings shall be powered fully by electricity, with no natural gas infrastructure or appliances, including no fireplaces. Prior to the issuance of building permits, the Program Applicant or its designee shall provide evidence to the City that the building design plans include no natural gas infrastructure.
- Install Energy Star rated heating, cooling, lighting, and appliances.
- Require the use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher.
- Install of water heaters with an energy factor of 0.92 or higher.
- Install solar water heaters or tank-less water heaters.
- Use passive solar cooling/heating.
- Designate 10% of parking spaces to be for electric and alternative fuel vehicles.
- Install Level 2 electric vehicle charging stations in 6% of all parking spaces.
- Super-Compliant volatile organic compound (VOC)-content architectural coatings (0 grams per liter to less than 10 grams per liter VOC) shall be used during operational application of paints and other architectural coatings to reduce ozone precursors for future development projects. If paints and coatings with VOC content of 0 grams/liter to less than 10 grams/liter cannot be utilized, the developer shall avoid application of architectural coatings during the peak smog season: July, August, and September.
- The City shall develop and implement a Low-VOC/Green Cleaning Product and Paint education program, including materials educating how to identify low-VOC cleaners and

products, that can be provided to applicants, developers, tenants, and residents of development projects associated with the Program.

- At the time of discretionary approval of new sources of TAC emissions in close proximity to existing sensitive land uses, the City shall require development projects to implement applicable best management practices, as necessary and feasible, that will reduce exposure to TACs. Specific reduction measures will be evaluated and determined depending on proposed land use TAC sources and feasibility.

Prior to the issuance of a Certificate of Occupancy, the applicant shall provide the City with appropriate documentation verifying compliance with the required measures.

MM-AQ-3 Revised Forecast. Prior to SCAG's next update to the Regional Housing Needs Assessment, the City shall prepare a revised population, employment and housing forecast for SCAG that reflects anticipated growth generated from the proposed Program. The updated forecast provided to SCAG shall be used to inform the SCAQMD's update to the Regional Air Quality Strategy and State Implementation Plan. The City shall prepare and submit a letter notifying the SCAQMD of this revised forecast for use in the future update to the RAQS and SIP as required.

4.1.7 Significance Conclusion

Threshold 4.1-1: Even with implementation of MM-AQ-1, MM-AQ-2, and MM-AQ-3, the Program could conflict with or obstruct implementation of the applicable air quality plan, and impacts would be **significant and unavoidable** and cumulatively considerable.

Threshold 4.1-2: Even with implementation of MM-AQ-1 and MM-AQ-2, the Program could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), and impacts would be **significant and unavoidable** and cumulatively considerable.

Threshold 4.1-3: Even with implementation of MM-AQ-1 and MM-AQ-2, the Program could expose sensitive receptors to substantial pollutant concentrations, and impacts would be **significant and unavoidable** and cumulatively considerable.

4.1.8 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself). The cumulative study area used to assess potential cumulative air quality impacts include the South Coast Air Basin and considers the future buildout of applicable local and regional plans.

Threshold 4.1-1: The cumulative impact of the population increases in South Coast Air Basin would further obstruct implementation of the AQMP, as implementation of the Program would further exceed the demographic growth forecasts in the Program area. Although implementation of MM-AQ-1, MM-AQ-2, and MM-AQ-3 would reduce emissions of future projects under the Fullerton Housing Incentive Overlay Zone, these mitigation measures would not reduce

impacts to less than significant. As discussed in response to Threshold 4.1-1, implementation of the Fullerton Housing Incentive Overlay Zone would result in a significant and unavoidable impact related to the conflict with the applicable AQMP. The impact of the Program, in addition to the additional regional growth, would constitute a significant cumulative impact related to AQMP implementation. Therefore, the Fullerton Housing Incentive Overlay Zone's incremental contribution to impacts related to conflict with the SCAQMD's AQMP would be cumulatively considerable.

Threshold 4.1-2: As discussed previously, air pollution by nature is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the SCAQMD develops and implement plans for future attainment of ambient air quality standards. The potential for the Program to result in a cumulatively considerable impact, specifically, a cumulatively considerable new increase of any criteria pollutant for which the project region is nonattainment under an applicable NAAQS and/or CAAQS, is addressed in response to Threshold 4.1-2. Therefore, the Fullerton Housing Incentive Overlay Zone's incremental contribution to impact related to increases of any criteria pollutant for which the project region is in nonattainment would be cumulatively considerable.

Threshold 4.1-3: As discussed in response to Threshold 4.1-3 regarding sensitive receptors, projects under the Fullerton Housing Incentive Overlay Zone would be required to evaluate existing TAC exposure and incorporate available reduction measures, if necessary. However, due to the uncertainty of future sensitive receptor locations and the effectiveness of MM-AQ-1 and 4.1-2, even with implementation of mitigation, existing regulations, and Program goals and policies, impacts would be significant and unavoidable. The impact of the Program in addition to growth associated with regional plans could further increase the exposure of air quality pollutants to sensitive receptors. Therefore, the Fullerton Housing Incentive Overlay Zone's incremental contribution to impacts related to exposure of sensitive receptors to substantial pollutant concentrations from TACs would be cumulatively considerable.

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4.2 Greenhouse Gas Emissions

This section of the Draft EIR analyzes the potential impacts from the implementation of the Fullerton Housing Incentive Overlay Zone (Program) on climate change and greenhouse gas (GHG) emissions issues. This section identifies associated regulatory requirements, evaluates potentially adverse impacts related to GHG emissions during construction and operation of the Program related to implementation of the Fullerton Housing Incentive Overlay Zone on a programmatic level. The analysis is based, in part, on review of South Coast Air Quality Management District (SCAQMD) guidance and information provided in the following technical analysis:

Appendix C Air Quality and Greenhouse Gas Emissions Modeling Data, Prepared By Dudek

Other sources consulted are listed in Section 4.2.8, References.

Comments received in response to the Notice of Preparation (NOP) are summarized in Table 2-1, Notice of Preparation and Comment Letters Summary, included in Chapter 2, Introduction, of this Draft EIR.

4.2.1 Existing Conditions

This section discusses the existing environmental setting relative to greenhouse gas emissions. As described in Chapter 3, Project Description, the proposed Program is evaluated at a programmatic level and the analysis is based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. As a result, this section generally describes the Program Area and, where applicable, the general areas that may, under the Program, support residential development/redevelopment, as those are the areas that may result in changes to the environment that were not already considered in previous environmental analysis or studies.

Climate Change Overview

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, lasting for an extended period (decades or longer). The Earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2017).

The greenhouse effect is the trapping and build-up of heat in the atmosphere (troposphere) near the Earth's surface. The greenhouse effect traps heat in the troposphere through a threefold process as follows: Short-wave radiation emitted by the Sun is absorbed by the Earth, the Earth emits a portion of this energy in the form of long-wave radiation, and GHGs in the upper atmosphere absorb this long-wave radiation and emit it into space and toward the Earth. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature and creates a pleasant, livable environment on the Earth. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth's surface temperature to rise.

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by

natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and are the most significant driver of observed climate change (IPCC 2014; EPA 2017). Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2014). The global atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2014). Continued emissions of GHGs will cause further warming and changes in all components of the climate system on a global level, which is discussed further in the subsequent section titled "Potential Effects of Climate Change."

Greenhouse Gases

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code Section 38505(g), for purposes of administering many of the State's primary GHG emissions reduction programs, GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3) (see also 14 CCR 15364.5).[1] Some GHGs, such as CO_2, CH_4, and N_2O, are emitted into the atmosphere through natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Manufactured GHGs have a much greater heat-absorption potential than CO_2 and include fluorinated gases, such as HFCs, PFCs, and SF_6, which are associated with certain industrial products and processes. The following paragraphs provide a summary of the most common GHGs and their sources.[2]

Carbon Dioxide. CO_2 is a naturally occurring gas and a by-product of human activities; it is the principal anthropogenic GHG that affects the Earth's radiative balance. Natural sources of CO_2 include respiration of bacteria, plants, animals, and fungi; evaporation from oceans; volcanic out-gassing; and decomposition of dead organic matter. Human activities that generate CO_2 are the combustion of fuels such as coal, oil, natural gas, and wood, and changes in land use.

Methane. CH_4 is produced through both natural and human activities. CH_4 is a flammable gas and is the main component of natural gas. Methane is produced through anaerobic (without oxygen) decomposition of waste in landfills, flooded rice fields, animal digestion, decomposition of animal wastes, production and distribution of natural gas and petroleum, coal production, and incomplete fossil fuel combustion.

Nitrous Oxide. N_2O is produced through natural and human activities, mainly through agricultural activities and natural biological processes, although fuel burning and other processes also create N_2O. Sources of N_2O include soil cultivation practices (microbial processes in soil and water), especially the use of commercial and organic fertilizers, manure management, industrial processes (such as in nitric acid production, nylon production, and fossil-fuel-fired power plants), vehicle emissions, and using N_2O as a propellant (such as in rockets, racecars, and aerosol sprays).

1 Climate-forcing substances include GHGs and other substances, such as black carbon and aerosols. This discussion focuses on the seven GHGs identified in California Health and Safety Code Section 38505.

2 The descriptions of GHGs are summarized from the IPCC Fourth Assessment Report (2007), CARB's "Glossary of Terms Used in GHG Inventories" (2018), and EPA's "Causes of Climate Change" (2017).

Global Warming Potential

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, or when a gas affects atmospheric processes that alter the radiative balance of the Earth (e.g., affect cloud formation or albedo) (EPA 2023a). The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas (IPCC 2014). The reference gas used is CO_2; therefore, GWP-weighted emissions are measured in metric tons of CO_2 equivalent (MT CO_2e).

The current version of California Emissions Estimator Model (CalEEMod) (Version 2022.1) assumes that the GWP for CH_4 is 25 (so emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2), and the GWP for N_2O is 298, based on the IPCC Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the Program.

Greenhouse Gas Inventories

Global Inventory

Anthropogenic GHG emissions worldwide in 2020 (the most recent year for which data is available) totaled approximately 49,800 MMT CO_2e, excluding land use change and forestry (PBL 2022). The five largest emitting countries and the European Union (EU-27), together account for about 60% of total global GHG emissions: China (27%), the United States (12%), the European Union (about 7%), India (7%), the Russian Federation (4.5%) and Japan (2.4%). These countries also have the highest CO2 emission levels (PBL 2022).

Per the EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2021, total United States GHG emissions were approximately 6,340.2 MMT CO2e in 2021 (EPA 2023b). Total U.S. emissions have decreased by 2.3 percent from 1990 to 2021, down from a high of 15.8 percent above 1990 levels in 2007. Emissions increased from 2020 to 2021 by 5.2 percent (314.3 MMT CO_2e). Net emissions (i.e., including sinks) were 5,586.0 MMT CO_2e in 2021. Overall, net emissions increased 6.4 percent from 2020 to 2021 and decreased 16.6 percent from 2005 levels Between 2020 and 2021, the increase in total GHG emissions was driven largely by an increase in CO_2 emissions from fossil fuel combustion due to economic activity rebounding after the height of the COVID-19 pandemic. The CO_2 emissions from fossil fuel combustion increased by 6.8 percent from 2020 to 2021, including a 11.4 percent increase in transportation sector emissions and a 7.0 percent increase in electric power sector emissions. The increase in electric power sector emissions was due in part to an increase in electricity demand of 2.4 percent since 2020. Overall, there has been a decrease in electric power sector emissions from 1990 through 2021, which reflects the combined impacts of long-term trends in many factors, including population, economic growth, energy markets, technological changes including energy efficiency, and the carbon intensity of energy fuel choices (EPA 2023b).

State Inventory

According to California's 2000–2021 GHG emissions inventory (2023 edition), California emitted 381.3 MMT CO2e in 2021, including emissions resulting from out-of-state electrical generation (CARB 2023). The sources of GHG emissions in California include transportation, industrial uses, electric power production from both in-state and out-

of-state sources, commercial and residential uses, agriculture, high-GWP substances, and recycling and waste. The California GHG emission source categories and their relative contributions in 2021 are presented in Table 4.2-1.

Table 4.2-1. Greenhouse Gas Emissions Sources in California

Source Category	Annual GHG Emissions (MMT CO_2e)	Percent of Total[a]
Transportation	145.66	38%
Industrial	73.97	19%
Electric power	62.53	16%
Commercial and Residential	38.89	10%
Agriculture	30.89	8%
High global-warming potential substances	21.35	6%
Recycling and waste	8.39	2%
Total	**369.2**	**100%**

Source: CARB 2023
Notes: GHG = greenhouse gas; MMT CO_2e = million metric tons of carbon dioxide equivalent.
Emissions reflect the 2021 California GHG inventory.
[a] Percentage of total has been rounded, and total may not sum due to rounding.

Local Inventory

The City of Fullerton prepared a community inventory of GHG emissions in 2009 as a part of their 2012 Climate Action Plan. GHG emissions were projected for the year 2020 based on future growth and development anticipated in The Fullerton Plan as well as future year consumption rates for energy, transportation, water transport, and waste. Table 4.2-2 summarizes the projected GHG inventory for the year 2020.

Table 4.2-2. SCAG GHG Emissions by Sector Projected for 2020

Source Category	Annual GHG Emissions (MT CO_2e)	Percent of Total
Residential	306,472	16.8
Commercial/Institutional	188,486	8.8
Industrial	123,347	6.8
Transportation	1,162,553	63.6
Waste	45,927	2.5
Total Emissions	**1,826,747**	**100**

Source: City of Fullerton 2012.
Notes: GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; GWP = global warming potential; N/A = not applicable.
Emissions reflect projected 2020 emissions.
Totals may not sum due to rounding.

Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. The 2014 *Intergovernmental Panel on Climate Change Synthesis Report* indicated that warming of the climate system is unequivocal, and since the 1950s, many

of the observed changes are unprecedented over decades to millennia. Signs that global climate change has occurred include warming of the atmosphere and ocean, diminished amounts of snow and ice, rising sea levels, and ocean acidification (IPCC 2014).

In California, climate change impacts have the potential to affect sea-level rise, agriculture, snowpack and water supply, forestry, wildfire risk, public health, frequency of severe weather events, and electricity demand and supply. The primary effect of global climate change has been a rise in average global tropospheric temperature. Reflecting the long-term warming trend since pre-industrial times, observed global mean surface temperature for the decade 2006–2015 was 0.87°C (likely between 0.75°C and 0.99°C) higher than the average over the 1850–1900 period (IPCC 2018). Scientific modeling predicts that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0°C (1.8 degrees Fahrenheit (°F)) of global warming above pre-industrial levels, with a likely range of 0.8°C to 1.2°C (1.4°F to 2.2°F) (IPCC 2018). Global warming is likely to reach 1.5°C (2.7°F) between 2030 and 2052 if it continues to increase at the current rate (IPCC 2018).

Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. A scientific consensus confirms that climate change is already affecting California. The Office of Environmental Health Hazard Assessment identified various indicators of climate change in California, which are scientifically-based measurements that track trends in various aspects of climate change. Many indicators reveal discernable evidence that climate change is occurring in California and is having significant, measurable impacts in the State. Changes in the State's climate have been observed including an increase in annual average air temperature with record warmth from 2012 to 2016, more frequent extreme heat events, more extreme drought, a decline in winter chill, an increase in cooling degree days and a decrease in heating degree days, and an increase in variability of Statewide precipitation (OEHHA 2018).

Warming temperatures and changing precipitation patterns have altered California's physical systems – the ocean, lakes, rivers and snowpack – upon which the State depends. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the State's annual water supply. Impacts of climate on physical systems have been observed such as high variability of snow-water content (i.e., amount of water stored in snowpack), decrease in snowmelt runoff, glacier change (loss in area), rise in sea levels, increase in average lake water temperature and coastal ocean temperature, and a decrease in dissolved oxygen in coastal waters (OEHHA 2018).

Impacts of climate change on biological systems, including humans, wildlife, and vegetation, have also been observed including climate change impacts on terrestrial, marine, and freshwater ecosystems. As with global observations, species responses include those consistent with warming: elevational or latitudinal shifts in range, changes in the timing of key plant and animal life cycle events, and changes in the abundance of species and in community composition. Humans are better able to adapt to a changing climate than plants and animals in natural ecosystems. Nevertheless, climate change poses a threat to public health as warming temperatures and changes in precipitation can affect vector-borne pathogen transmission and disease patterns in California as well as the variability of heat-related deaths and illnesses. In addition, since 1950, the area burned by wildfires each year has been increasing.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (2006, 2009, 2012, and 2018), which have addressed the following: acceleration of warming across the State, more intense and frequent heat waves, greater riverine flows, accelerating sea level rise, more intense and frequent

drought, more severe and frequent wildfires, more severe storms and extreme weather events, shrinking snowpack and less overall precipitation, and ocean acidification, hypoxia, and warming. To address local and regional governments need for information to support action in their communities, the Fourth Assessment (2018) includes reports for nine regions of the State, including the Los Angeles Region, where the Program is located. Key projected climate changes for the Los Angeles Region include the following (CNRA 2018):

- Continued future warming over the Los Angeles region. Across the region, average maximum temperatures are projected to increase around 4°F to 5°F by the mid-century, and 5°F to 8°F by the late-century.
- Extreme temperatures are also expected to increase. The hottest day of the year may be up to 10°F warmer for many locations across the Los Angeles region by the late-century under certain model scenarios. The number of extremely hot days is also expected to increase across the region.
- Despite small changes in average precipitation, dry and wet extremes are both expected to increase. By the late 21st century, the wettest day of the year is expected to increase across most of the Los Angeles region, with some locations experiencing 25% to 30% increases under certain model scenarios. Increased frequency and severity of atmospheric river events are also projected to occur for this region.
- Sea levels are projected to continue to rise in the future, but there is a large range based on emissions scenario and uncertainty in feedbacks in the climate system. Roughly 1 feet to 2 feet of sea level rise is projected by the mid-century, and the most extreme projections lead to 8 feet to 10 feet of sea level rise by the end of the century.
- Projections indicate that wildfire may increase over southern California, but there remains uncertainty in quantifying future changes of burned area over the Los Angeles region.

4.2.2 Relevant Plans, Policies, and Ordinances

Federal

Massachusetts v. U.S. Environmental Protection Agency

On April 2, 2007, in *Massachusetts v. U.S. Environmental Protection Agency*, the U.S. Supreme Court ruled that CO_2 was a pollutant and directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In making these decisions, the EPA administrator is required to follow the language of Section 202(a) of the Clean Air Act. On December 7, 2009, the administrator signed a final rule with two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act:

- The elevated concentrations of GHGs—CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations. This is referred to as the "endangerment finding."
- The combined emissions of GHGs—CO_2, CH_4, N_2O, and hydrofluorocarbons—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is referred to as the "cause or contribute finding."

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

Energy Independence and Security Act

On December 19, 2007, President George W. Bush signed the Energy Independence and Security Act of 2007. Among other key measures, the act would do the following to aid in the reduction of national GHG emissions:

1. Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel by 2022.
2. Set a target of 35 miles per gallon (mpg) for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
3. Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

EPA and National Highway Traffic Safety Administration Joint Final Rule for Vehicle Standards

In response to the *Massachusetts v. EPA* U.S., the Supreme Court ruling discussed above, the Bush Administration issued Executive Order (EO) 13432 in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the National Highway Traffic Safety Administration (NHTSA) issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011; and, in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016 (75 FR 25324–25728). Most recently, in March 2022, NHTSA established new fuel economy standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually for model years 2024 and 2025, and 10% annually for model year 2026.

The Inflation Reduction Act of 2022

The Inflation Reduction Act was signed into law by President Biden in August 2022. The bill includes specific investment in energy and climate reform and is projected to reduce GHG emissions within the United States by 40% as compared to 2005 levels by 2030. The bill allocates funds to boost renewable energy infrastructure (e.g., solar panels and wind turbines), includes tax credits for the purchase of electric vehicles, and includes measures that will make homes more energy efficient.

State

The Statewide GHG emissions regulatory framework is summarized as follows by category: State climate change targets, building energy, renewable energy and energy procurement, mobile sources, solid waste, water, and other State regulations and goals. The following text describes executive orders (EOs), assembly bills (ABs), senate bills (SBs), and other regulations and plans that would directly or indirectly reduce GHG emissions. The State's adoption and implementation of various legislation demonstrates California's leadership in addressing the critical challenge of addressing climate change. Of importance, the proposed Program and/or users of the proposed Program would be required to comply with the various regulatory measures that would reduce GHG emissions, which would reduce the proposed Program's contribution to cumulative GHG emissions and associated climate change impacts.

State Climate Change Targets

The State has taken a number of actions to address climate change. These include EOs, legislation, and CARB plans and requirements. These are summarized as follows.

EO S-3-05

EO S-3-05. (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the State agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80% below 1990 levels

EO S-3-05 also directed the California Environmental Protection Agency to report biannually on progress made toward meeting the GHG targets and the impacts to California due to global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry.

AB 32

In furtherance of the goals established in EO S-3-05, the Legislature enacted AB 32 (Núñez and Pavley). The bill is referred to as the California Global Warming Solutions Act of 2006 (California Health and Safety Code Sections 38500–38599). AB 32 provided initial direction on creating a comprehensive multiyear program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the State's long-range climate objectives.

EO B-30-15

EO B-30-15 (April 2015) identified an interim GHG-reduction target in support of targets previously identified under S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050, as set forth in S-3-05. To facilitate achieving this goal, EO B-30-15 called for CARB to update the Climate Change Scoping Plan (Scoping Plan) to express the 2030 target in terms of MMT CO_2e. The EO also called for state agencies to continue to develop and implement GHG emission-reduction programs in support of the reduction targets.

SB 32 and AB 197

SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that Statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly, to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the Legislature to the Board as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and TACs from reporting facilities; and requires CARB to identify specific information for GHG emissions-reduction measures when updating the Scoping Plan.

EO B-55-18

EO B-55-18 (September 2018) establishes a Statewide policy for California to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter. The goal is an addition to the existing Statewide targets of reducing the State's GHG emissions. CARB will work with relevant State agencies to ensure that future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.

AB 1279

The Legislature enacted AB 1279, the California Climate Crisis Act, in September 2022. The bill declares the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. Additionally, the bill requires that by 2045, statewide anthropogenic GHG emissions be reduced to at least 85% below 1990 levels.

Although AB 1279 establishes an overall policy to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, recognizing the need to implement CO_2 removal and carbon capture, utilization and storage technologies, the Legislature established a specific target of 85% below 1990 levels by 2045 for anthropogenic GHG emissions. Therefore, the net zero target does not directly apply to development projects, but the 2045 target of 85% below 1990 levels represents the reductions required to contribute to accomplishing the State's overall net zero policy.

CARB's Climate Change Scoping Plan

One specific requirement of AB 32 is for CARB to prepare a "scoping plan" for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561(a)), and to update the plan at least once every 5 years. In 2008, CARB approved the first scoping plan. The *Climate Change Scoping Plan: A Framework for Change* (*Scoping Plan*) included a mix of recommended strategies that combined direct regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs calculated to meet the 2020 Statewide GHG emission limit and initiate the transformations needed to achieve the State's long-range climate objectives (CARB 2008).

In 2014, CARB approved the first update to the Scoping Plan. The First Update to the Climate Change Scoping Plan: Building on the Framework (First Update) defined the state's GHG emission reduction priorities for the next 5 years and laid the groundwork to start the transition to the post-2020 goals set forth in EO S-3-05 and EO B-16-2012 (CARB 2014). The First Update concluded that California was on track to meet the 2020 target but recommended that a 2030 mid-term GHG reduction target be established to ensure a continuum of action to reduce emissions. The First Update recommended a mix of technologies in key economic sectors to reduce emissions through 2050 including energy demand reduction through efficiency and activity changes; large-scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and the rapid market penetration of efficient and clean energy technologies.

In December 2017, CARB released the 2017 Climate Change Scoping Plan Update (Second Update) for public review and comment (CARB 2017a). The Second Update builds on the successful framework established in the initial Scoping Plan and First Update, while identifying new technologically feasible and cost-effective strategies that will serve as the framework to achieve the 2030 GHG target and define the state's climate change priorities to 2030 and beyond. The strategies' known commitments include implementing renewable energy and energy efficiency (including the mandates of SB 350), increased stringency of the Low Carbon Fuel Standard, measures identified in the Mobile Source and Freight

Strategies, measures identified in the proposed Short-Lived Climate Pollutant (SLCP) Plan, and increased stringency of SB 375 targets. To fill the gap in additional reductions needed to achieve the 2030 target, the Second Update recommends continuing the Cap-and-Trade Program and a measure to reduce GHGs from refineries by 20%. The Second Update was approved by CARB's Governing Board on December 14, 2017.

CARB adopted the 2022 Scoping Plan Update in December 2022. The 2022 Scoping Plan outlines the state's plan to reach carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward achieving GHG reduction goals by 2030. Per the Legislative Analyst's Office, the 2022 Scoping Plan identifies a more aggressive 2030 GHG goal. As it relates to the 2030 goal, perhaps the most significant change in the 2022 plan (as compared to previous Scoping Plans) is that it identifies a new GHG target of 48% below the 1990 level, compared to the current statutory goal of 40% below. Current law requires the state to reduce GHG emissions by at least 40% below the 1990 level by 2030 but does not specify an alternative goal. According to CARB, a focus on the lower target is needed to put the state on a path to meeting the newly established 2045 goal, consistent with the overall path to 2045 carbon neutrality. The carbon neutrality goal requires CARB to expand proposed actions from only the reduction of anthropogenic sources of GHG emissions to also include those that capture and store carbon (e.g., through natural and working lands, or mechanical technologies). The carbon reduction programs build on and accelerate those currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen (CARB 2022a).

The 2022 Scoping Plan Update also emphasizes that there is no realistic path to carbon neutrality without carbon removal and sequestration, and to achieve the state's carbon neutrality goal, carbon reduction programs must be supplemented by strategies to remove and sequester carbon. Strategies for carbon removal and sequestration include carbon capture and storage from anthropogenic point sources, where CO_2 is captured as it leaves a facility's smokestack and is injected into geologic formations or used in industrial materials (e.g., concrete); and carbon dioxide removal from ambient air, through mechanical (e.g., direct air capture with sequestration) or nature-based (e.g., management of natural and working lands) applications.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the EOs; it also establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A project is considered to not conflict with the statutes and EOs if it would meet the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and would not impede attainment of those goals.

Senate Bill 605 and Senate Bill 1383

SB 605 (2014) requires CARB to complete a comprehensive strategy to reduce emissions of SLCPs in the state (California Health and Safety Code Section 39730) and SB 1383 (2016) requires CARB to approve and implement that strategy by January 1, 2018 (California Public Resources Code Sections 42652–43654). SB 1383 also establishes specific targets for the reduction of SLCPs (40% below 2013 levels by 2030 for CH_4 and HFCs, and 50% below 2013 levels by 2030 for anthropogenic black carbon) and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, CARB adopted its SLCP Reduction Strategy in March 2017 (CARB 2017b). The SLCP Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, methane, and fluorinated gases (CARB 2017b).

AB 1757

AB 1757 (September 2022) requires the California Natural Resources Agency (CNRA) to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions that reduce GHG emissions for future years 2030, 2038, and 2045. These targets are to be determined by no later than January 1, 2024, and are established to support the state's goals to achieve carbon neutrality and foster climate adaptation and resilience.

Building Energy

Title 24, Part 6

Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code, Section 25402(d)) and cost effectiveness (California Public Resources Code, Sections 25402(b)(2) and (b)(3)). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment.

The 2022 Title 24 standards improved upon the 2019 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. CEC adopted the 2022 Title 24 Energy Code in August 2021 and the California Building Standards Commission approved incorporating the updated code into the California Building Standards Code (CALGreen) in December 2021. The 2022 Energy Code went into effect on January 1, 2023. The 2022 Energy Code focuses on four key areas in newly constructed homes and businesses:

- Encouraging electric heat pump technology for space and water heating, which consumes less energy and produces fewer emissions than gas-powered units.
- Establishing electric-ready requirements for single-family homes to position owners to use cleaner electric heating, cooking, and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
- Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available on site and complement the state's progress toward a 100% clean electricity grid.
- Strengthening ventilation standards to improve indoor air quality.

Title 24, Part 11

In addition to the CEC's efforts, in 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (Part 11 of Title 24) is commonly referred to as CALGreen and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The 2022 CALGreen standards are the current applicable standards. For nonresidential projects, some of the key mandatory CALGreen 2022 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, EV charging stations for passenger vehicles, medium heavy duty and heavy duty trucks , shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR, Part 11).

Title 20

Title 20 of the California Code of Regulations requires manufacturers of appliances to meet State and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards. CEC certifies an appliance based on a manufacturer's demonstration that the appliance meets the standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwaters; clothes washers and dryers; cooking products; electric motors; low voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems.

Renewable Energy and Energy Procurement

SB 1078, EO-14-08, SBX1-2, SB 350, SB 100, SB 1020

SB 1078 (Sher) (September 2002) established the Renewable Portfolio Standard (RPS) program, which required an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. EO S-14-08 (November 2008) required that all retail suppliers of electricity in California serve 33% of their load with renewable energy by 2020. SB X1 2 expanded the RPS by establishing a renewable energy target of 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. SB 350 (October 2015) further expanded the RPS by establishing a goal of 50% of the total electricity sold to retail customers in California per year by December 31, 2030. SB 100 (2018) increased the standards set forth in SB 350 establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 states that it is the policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. SB 1020 (September 2022) revises the standards from SB 100, requiring the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045.

Mobile Sources

State Vehicle Standards (AB1493 and EO B-16-12)

AB 1493 (July 2002) was enacted in a response to the transportation sector accounting for more than half of California's CO_2 emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the State board to be vehicles that are primarily used for noncommercial personal transportation in the State. The bill required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004. EO B-16-12 (March 2012) required that State entities under the governor's direction and control support and facilitate the rapid commercialization of zero-emissions vehicles. It ordered CARB, CEC, California Public Utilities Commission, and other relevant agencies to work with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve benchmark goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 identified a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare. As explained under the "Federal Vehicle

Standards" description in Section 3.2.1, Federal Regulations, EPA and NHTSA approved the SAFE Vehicles Rule Part One and Two, which revoked California's authority to set its own GHG emissions standards and set ZEV mandates in California.

As also explained in Section 3.2.1, in March 2022, EPA reinstated California's authority under the Clean Air Act to implement its own GHG emission standards and ZEV sales mandate. EPA's action concludes its reconsideration of the 2019 SAFE-1 rule by finding that the actions taken under the previous administration as a part of SAFE-1 were decided in error and are now entirely rescinded.

Heavy Duty Diesel (Title 13, Division 3, Chapter 1, Section 2025)

CARB adopted the final Heavy Duty Truck and Bus Regulation, Title 13, Division 3, Chapter 1, Section 2025, on December 31, 2014, to reduce particulate matter and NO_x emissions from heavy-duty diesel vehicles. The rule requires particulate matter filters be applied to newer heavier trucks and buses by January 1, 2012, with older vehicles required to comply by January 1, 2015. The rule will require nearly all diesel trucks and buses to be compliant with the 2010 model year engine requirement by January 1, 2023. CARB also adopted an Airborne Toxic Control Measure to limit idling of diesel-fueled commercial vehicles on December 12, 2013. This rule requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485).

ES S-1-07

EO S-1-07 (January 2007, implementing regulation adopted in April 2009) sets a declining low carbon fuel standard (LCFS) for GHG emissions measured in CO_2e grams per unit of fuel energy sold in California. The initial target of the LCFS was to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020 (17 CCR 95480 et seq.). The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel—including extraction/feedstock production, processing, transportation, and final consumption—per unit of energy delivered. In September 2018, CARB approved amendments for the LCFS that require a 20% reduction in carbon intensity by year 2030.

SB 375

SB 375 (Steinberg) (September 2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 requires CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035 and to update those targets every 8 years. SB 375 requires the State's 18 regional metropolitan planning organizations (MPOs) to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan (RTP) that will achieve the GHG reduction targets set by CARB. If an MPO is unable to devise an SCS to achieve the GHG-reduction target, the MPO must prepare an alternative planning strategy demonstrating how the GHG-reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

An SCS does not: (1) regulate the use of land; (2) supersede the land use authority of cities and counties; or (3) require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it (California Government Code Section 65080[b][2][K]). Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

Advanced Clean Cars Program and Zero-Emissions Vehicle Program

The Advanced Clean Cars (ACC) I program (January 2012) is an emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle (LEV) regulation for criteria air pollutant and GHG emissions and a technology forcing regulation for zero-emission vehicles (ZEV) that contributes to both types of emission reductions. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars. To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75 percent less smog-forming pollution than the average new car sold in 2015. The ZEV program will act as the focused technology of the ACC I program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid EVs in the 2018 to 2025 model years.

The ACC II program, which was adopted in August 2022, established the next set of LEV and ZEV requirements for model years after 2025 to contribute to meeting federal ambient air quality ozone standards and California's carbon neutrality standards. The main objectives of ACC II are as follows:

- Maximize criteria air pollutant and GHG emission reductions through increased stringency and real-world reductions.
- Accelerate the transition to ZEVs through both increased stringency of requirements and associated actions to support wide-scale adoption and use.

The ACC II rulemaking package also considers technological feasibility, environmental impacts, equity, economic impacts, and consumer impacts.

EO-79-20

EO N-79-20 (September 2020) requires CARB to develop regulations as follows: (1) Passenger vehicle and truck regulations requiring increasing volumes of new ZEVs sold in the State towards the target of 100% of in-State sales by 2035; (2) medium- and heavy-duty vehicle regulations requiring increasing volumes of new zero-emission trucks and buses sold and operated in the State towards the target of 100% of the fleet transitioning to zero-emission vehicles by 2045 everywhere feasible and for all drayage trucks to be zero emission by 2035; and (3) strategies, in coordination with other State agencies, the EPA and local air districts, to achieve 100% zero-emission from off-road vehicles and equipment operations in the State by 2035. EO N-79-20 called for the development of a Zero-Emissions Vehicle Market Development Strategy, which was released February 2021, to be updated every 3 years, that ensures coordination and implementation of the EO and outlines actions to support new and used ZEV markets. In addition, the EO specifies identification of near-term actions, and investment strategies, to improve clean transportation, sustainable freight, and transit options; and calls for development of strategies, recommendations, and actions by July 15, 2021, to manage and expedite the responsible closure and remediation of former oil extraction sites as the State transitions to a carbon-neutral economy.

Advanced Clean Trucks (ACT) Regulation

The purpose of the ACT Regulation (March 2021) is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector and to reduce emissions NO_x, fine particulate matter, TACs, GHGs, and other criteria pollutants generated from on-road mobile sources (CARB 2021).

The regulation has two components, (1) a manufacturer sales requirement and (2) a reporting requirement:

- **Zero-emission truck sales:** Manufacturers who certify Class 2b–8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b–3 truck sales, 75% of Class 4–8 straight truck sales, and 40% of truck tractor sales.
- **Company and fleet reporting:** Large employers including retailers, manufacturers, brokers, and others will be required to report information about shipments and shuttle services. Fleet owners with 50 or more trucks will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Water

EO B-29-15

In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a Statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have become permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the State. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

EO N-10-21

In response to a state of emergency due to severe drought conditions, EO N-10-21 (July 2021) called on all Californians to voluntarily reduce their water use by 15% from their 2020 levels. Actions suggested in EO N-10-21 include reducing landscape irrigation, running dishwashers and washing machines only when full, finding and fixing leaks, installing water-efficient showerheads, taking shorter showers, using a shut-off nozzle on hoses, and taking cars to commercial car washes that use recycled water.

Solid Waste

AB 939, AB 341, AB 1826, and SB 1383

In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by the year 2000. AB 341 (Chapter 476, Statutes of 2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the State that not less than 75% of solid waste generated be source-reduced, recycled, or composted by the year 2020, and annually thereafter. AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. SB 1383 (Chapter 395, Statutes of 2016)

establishes targets to achieve a 50% reduction in the level of the Statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. CalRecycle was granted the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025 (CalRecycle 2019).

Other State Actions

SB 97

SB 97 (2007) directed the Governor's Office of Planning and Research and CNRA to develop guidelines under CEQA for the mitigation of GHG emissions. CNRA adopted the CEQA Guidelines amendments in December 2009, which became effective in March 2010.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines require a lead agency to consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the significant effects of GHG emissions, including reductions in emissions through the implementation of project features or off-site measures (14 CCR 15126.4[c]). The adopted amendments do not establish a GHG emission threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts. CNRA also acknowledged that a lead agency could consider compliance with regulations or requirements implementing AB 32 in determining the significance of a project's GHG emissions (CNRA 2009).

With respect to GHG emissions, CEQA Guidelines Section 15064.4(a), as subsequently amended in 2018, states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Guidelines now note that an agency "shall have discretion to determine, in the context of a particular project, whether to: (1) Quantify greenhouse gas emissions resulting from a project; and/or (2) Rely on a qualitative analysis or performance based standards" (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment: (1) the extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

Local

South Coast Air Quality Management District

The Program Area is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to estimate emissions and assess impacts, and mitigations for potentially significant impacts. Although air districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues (SCAQMD 2008). As discussed in

Section 4.2.2.2, Thresholds of Significance, below, the SCAQMD has recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects; however, these thresholds have not been adopted.

Southern California Association of Governments

As noted above, California's 18 MPOs have been tasked with creating SCSs in an effort to reduce the region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing, and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the State's 18 MPOs. For the Southern California Association of Governments (SCAG), the State's initial mandated reductions were set at 8% by 2020 and 13% by 2035. In March 2018, CARB updated the SB 375 targets for SCAG to require 8% reduction by 2020 and a 19% reduction by 2035 in per-capita passenger vehicle GHG emissions.

Pursuant to Government Code Section 65080(b)(2)(B), the SCS must "set forth forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets." To that end, SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which complies with CARB's updated emissions reduction targets and meets the requirements of SB 375 by achieving per-capita GHG emissions reductions relative to 2005 of 8% by 2020 and 19% by 2035 (SCAG 2020). In addition, the plan anticipates a 25.7% decrease in time spent in traffic delay per capita and a 5% decrease in daily miles driven per capita from 2016 to 2045. The 2020–2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals, and charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for southern Californians. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The following are the 2020-2045 RTP/SCS goals (SCAG 2020):

1. Encourage regional economic prosperity and global competitiveness;
2. Improve mobility, accessibility, reliability, and travel safety for people and goods;
3. Enhance the preservation, security, and resilience of the regional transportation system;
4. Increase person and goods movement and travel choices within the transportation system;
5. Reduce GHG emissions and improve air quality;
6. Support healthy and equitable communities;
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network;
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel;
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options;
10. Promote conservation of natural and agricultural lands and restoration of habitats.

On September 3, 2020, the Regional Council approved the 2020–2045 RTP/SCS in its entirety (SCAG 2020).

City of Fullerton Climate Action Plan

The City of Fullerton adopted a Climate Action Plan (CAP) as part of its general plan, entitled The Fullerton Plan, on May 1, 2012. The City's CAP does not include compliance with GHG reduction targets set by the state in the 2017 and 2022 CARB Scoping Plans and is no longer a "CEQA-qualified" document as defined by Sections 15183.5(b) and 15064.4 of the State CEQA Guidelines, as it establishes strategies around a goal to reduce community-wide GHG emissions to 15% below baseline levels by 2020. Therefore, it cannot be used to determine significance of project-related GHG emission impacts. Therefore, a consistency analysis will be provided with the CAP for informational purposes only.

4.2.3 Thresholds of Significance

CEQA Guidelines

The significance criteria used to evaluate the Program's GHG emissions impacts is based on the recommendations provided in Appendix G of the CEQA Guidelines. For the purposes of this GHG emissions analysis, the Program would have a significant environmental impact if it would (14 CCR 15000 et seq.):

1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. There are currently no established thresholds for assessing whether the GHG emissions of a project, such as the Program, would be considered a cumulatively considerable contribution to global climate change; however, all reasonable efforts should be made to minimize a project's contribution to global climate change. In addition, while GHG impacts are recognized exclusively as cumulative impacts (CAPCOA 2008), GHG emissions impacts must also be evaluated on a project-level under CEQA.

With respect to GHG emissions, the CEQA Guidelines Section 15064.4(a) states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions resulting from a project. The CEQA Guidelines note that an agency has the discretion to either quantify a project's GHG emissions or rely on a "qualitative analysis or performance-based standards" (14 CCR 15064.4[a]). A lead agency may use a "model or methodology" to estimate greenhouse gas emissions and has the discretion to select the model or methodology it considers "most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change" (14 CCR 15064.4[c]). The CEQA Guidelines provide that the lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment (14 CCR 15064.4[b]):

The extent a project may increase or reduce GHG emissions as compared to the existing environmental setting.

1. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
2. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

In addition, the CEQA Guidelines specify that "[w]hen adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence" (14 CCR 15064.7[c]).

The extent to which a project increases or decreases GHG emissions in the existing environmental setting should be estimated in accordance with Section 15064.4, Determining the Significance of Impacts from Greenhouse Gas Emissions, of the State CEQA Guidelines. The State CEQA Guidelines indicate that when calculating GHG emissions resulting from a project, lead agencies shall make a good-faith effort based on scientific and factual data (Section 15064.4 (a)), and lead agencies have discretion to select the model or methodology deemed most appropriate for enabling decision makers to intelligently assess the project's incremental contribution to climate change (Section 15064.4 (c)).

The State CEQA Guidelines do not indicate an amount of GHG emissions that constitutes a significant impact on the environment. Instead, they authorize the lead agency to consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence (State CEQA Guidelines Sections 15064.4(a) and 15064.7(c)).

Governor's Office of Planning and Research Guidance

The Governor's Office of Planning and Research technical advisory titled, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, states that "public agencies are encouraged but not required to adopt thresholds of significance for environmental impacts. Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact" (OPR 2018). Furthermore, the advisory document indicates that "in the absence of regulatory standards for GHG emissions or other scientific data to clearly define what constitutes a 'significant impact,' individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice" (OPR 2008).

SCAQMD Guidance

In October 2008, the SCAQMD proposed recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects as presented in its Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold (SCAQMD 2008). This guidance document, which builds on the previous guidance prepared by the California Air Pollution Control Officers Association, explored various approaches for establishing a significance threshold for GHG emissions. The draft interim CEQA thresholds guidance document was not adopted or approved by the Governing Board. However, in December 2008, the SCAQMD adopted an interim 10,000 MT CO_2e per-year screening level threshold for stationary source/industrial projects for which the SCAQMD is the lead agency (see SCAQMD Resolution No. 08-35, December 5, 2008).

The SCAQMD formed a GHG CEQA Significance Threshold Working Group to work with SCAQMD staff on developing GHG CEQA significance thresholds until statewide significance thresholds or guidelines are established. From December 2008 to September 2010, the SCAQMD hosted working group meetings and revised the draft threshold proposal several times, although it did not officially provide these proposals in a subsequent document. The

SCAQMD has continued to consider adoption of significance thresholds for residential and general land use development projects.

Approach to Determining Significance

As discussed previously, the City's CAP does not include compliance with GHG reduction targets set by the state in the 2017 and 2022 CARB Scoping Plans and is no longer a "CEQA-qualified" document as defined by Sections 15183.5(b) and 15064.4 of the State CEQA Guidelines and cannot be used to determine significance of project-related GHG emission impacts.

Given that neither the City, nor CARB, nor SCAQMD have adopted a numerical threshold of significance for GHG emissions within the City or region, the approach for evaluating the Program's impacts related to GHG emissions relies on compliance with applicable plans, policies, or regulations adopted for the purposed of reducing the emissions of GHGs. The compliance evaluation is the sole basis for determining the significance of the Program's GHG-related impacts on the environment.

Nevertheless, and in accordance with Section 15064.4 of the State CEQA Guidelines, GHG emissions resulting from construction and operation of the Program were quantitatively estimated. The potential impacts from Program-related GHG emissions were assessed based on the increase in GHG emissions from the Program without removing emissions from existing land uses. The GHG emissions associated with implementation of the Program were estimated using industry standard and accepted software tools, techniques, and emissions factors, as described below for construction and operation under Section 4.2.4. Estimation of emissions is for informational purposes only, for comparison with existing environmental conditions. The significance of the Program's GHG impacts is based on the Program's compliance with statewide GHG reduction regulations and requirements. At the state level, guidance on reduction strategies for GHG emissions has been provided through the CARB Scoping Plans and at the local level through the SCAG RTP/SCS[3].

The Scoping Plan (approved by CARB in 2008 and updated in 2014, 2017, and 2022) provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. The Scoping Plan is not directly applicable to specific projects, nor is it intended to be used for project-level evaluations.[4] Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (i.e., hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., Low Carbon Fuel Standard), among others.

CARB's 2017 Scoping Plan specifically emphasizes the importance of reducing VMT of on-road vehicles to lower mobile-source GHG emissions to achieve statewide reduction targets. The 2017 Scoping Plan recommends a 15% reduction in total light-duty VMT from the business-as-usual scenario in 2050 in alignment with the Mobile Source Strategy (CARB 2017a and CARB 2022a). CARB analysis on the relationship of VMT reductions to state climate goals found that certain land use development projects that have total VMT per capita of 14.3% lower than existing

[3] As discussed in Section 4.2.2, the City's CAP had a horizon year of 2020, and is no longer a qualified CAP that can be used in CEQA analyses per CEQA Guidelines Section 15183.5.

[4] The Final Statement of Reasons for the amendments to the State CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that "[t]he Scoping Plan may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan" (CNRA 2009).

conditions, and light-duty VMT per capita of 16.8% lower than existing conditions could be considered consistent with transportation assumptions assumed for the 2017 Scoping Plan and with the state's long-term (i.e., 2050) GHG reduction goals (CARB 2017a). Per Section 15064.3 of the revised (2024) State of California Environmental Quality Act (CEQA) Guidelines, VMT is the most appropriate measure of transportation impacts, and is defined as the amount and distance of automobile traffic attributable to a project (OPR 2024). This methodology is consistent with the guidance provided in OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA, which assists with making significance determinations for transportation impacts in accordance with SB 743. Per the CEQA Guidelines, VMT is the most appropriate metric to ensure that transportation impacts from project-level environmental review under CEQA align with the state's long-term GHG reduction goals (OPR 2018). CARB adopted the *2022 Scoping Plan Update* in December 2022 to discuss progress toward reaching the 2030 target and to address how the state will achieve carbon neutrality by 2045, as required by AB 1279. In the 2022 Plan, CARB builds on and accelerates programs already in place to reduce anthropogenic sources of GHG emissions and introduces new strategies to capture and store carbon. *Appendix D: Local Actions* of the Draft Plan outlines local actions that residential and mixed-use projects can implement to address their largest sources of emissions including transportation electrification, VMT reduction, and building decarbonization. CARB identifies these three sources as "Priority Areas" given that they represent those with the highest GHG reduction potential and GHG reduction opportunities for which local governments and agencies have the most authority (CARB 2022b).

Importantly, the 2022 Update emphasizes that there is no realistic path to reaching the 2045 goal of carbon neutrality without removing and sequestering carbon from the atmosphere. So, in addition to programs that aim to reduce GHG emissions, the Draft Plan proposes strategies to capture and store carbon, highlighting the importance of nature-based solutions through preservation and climate smart management of the state's natural and working lands (NWLs). Modeling conducted for the Draft Scoping Plan shows that California's NWLs are projected to be a net source of emissions (i.e., releasing more CO_2 emissions than they store) through 2045, which is historically due to human activities, such as land use change, and natural disturbances, such as wildfire. Therefore, the ability of the state's NWLs to act as a net sink (i.e., sequester and store more atmospheric CO_2 than they release) to help support the state's carbon neutrality goals is dependent on climate smart land management.

If the Program does not conflict with the regulations and actions outlined in the applicable state plans (i.e., 2022 Scoping Plan) and local plans (i.e., SCAG RTP/SCS and City's General Plan), the Program could appropriately rely on their use as showing compliance with performance-based standards adopted to fulfill the statewide goal for reducing GHG emissions. The Program's compliance with regulatory programs adopted by CARB, and other state and local agencies is therefore used to evaluate the significance of the project's GHG emissions.

4.2.4 Methodology

Approach

As described in Chapter 3, Project Description, the Fullerton Housing Incentive Overlay Zone is a policy document that does not include or propose any site-specific development that could directly result in construction or operational impacts to the environment. However, implementation of the Program would encourage development in a manner consistent with the Fullerton Housing Incentive Overlay Zone, which would facilitate additional future development. Therefore, this Draft EIR does not assess the site-specific construction and operation details of each future development within the Program Area. Rather, it assesses the impacts associated with proposed land use changes and programs, and the associated overall effects of buildout of the Program through 2029, where reasonably foreseeable physical changes to the environment could occur. Analysis at a parcel or site-specific level

was not conducted because, unless otherwise noted within this assessment, the actual locations of project development (and its chronologic sequence or concurrence) that may be implemented in the future are speculative.

The anticipated development for the Program is categorized by land use type and square footage. However, since specifics for construction and operation of future development under the proposed Program are not yet available, the California Emissions Estimator Model (CalEEMod) default values were assumed based on development land use type and size.

Construction Emissions

CalEEMod Version 2022.1 was used to estimate Program-generated GHG emissions during construction. Construction of the Program would result in GHG emissions primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. For purposes of estimating proposed Program emissions, construction is assumed to start in 2024 and have a duration of 5 years, reaching completion in December 2029. While construction specifics for buildout of the proposed Program are not currently available, the analysis contained herein is based on the first full year of construction (2024), which is the estimated worst-case construction year because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years. To estimate a single year of construction, the entire Program buildout land use quantities was scaled by 1 year of construction (i.e., 20 percent of total buildout) and then compressed to a 1-year period. CalEEMod default values for buildout of 20 percent of the Program was estimated to take approximately 16 years; therefore, corresponding construction equipment were multiplied by a factor of 16 to account for the compressed 1-year period (i.e., reducing schedule to one sixteenth and increasing intensity by multiplying the equipment by 16). Worker and vendor trips were similarly multiplied by 16. CalEEMod default trip length values were used for the distances for all construction-related trips. The resulting 1-year construction assumptions are provided for each year of construction (duration of phases is approximate):

- Demolition: 13 days
- Site Preparation: 8 days
- Grading: 19 days
- Building Construction: 194 days
- Paving: 14 days
- Application of Architectural Coatings: 14 days

While only one phase of each type of construction activity is included in the model run, it is anticipated that this model scenario would include construction activity at more than one site within the Program Area. Not all future development would require all of the construction phases assumed above; however, the following six default CalEEMod construction phases were included to present the potential range of emissions and capture a potential maximum daily and annual scenario: demolition, site preparation, grading, building construction, paving, and architectural coating. For example, due to the developed nature of most parcels in the Program Area, many future projects may only require a demolition phase (of existing buildings and asphalt pavement) and minor site preparation phase prior to building construction, while some future projects may require renovation, which would be less intensive (and therefore, less polluting) than a full reconstruction of a development site. In addition, some future projects may not require any demolition, but would require site preparation and/or grading to prepare the site for development. The total project demolition value of 6,938,186 square feet was used to calculate haul truck trips for the project demolition phases. Due to the speculative nature of the amount of asphalt paving associated

with potential future development, VOC off-gassing from asphalt pavement application is not included in the emissions estimates; however, paving phase emissions associated with paving equipment and vehicle trips are captured. Grading quantities are currently not identified; grading is anticipated to be minimal within the Program Area because the Program Area is generally built out, and therefore, it is likely that the majority of grading for the Program Area took place during initial building development. Additionally, nearly all the sites proposed to be rezoned to accommodate additional housing would have realistic dwelling unit capacities of less than 10 units and would therefore not be likely to require the construction of any subterranean parking facilities or other built-environment features requiring substantial grading activities. However, to capture potential haul truck trips during the grading phase, it was assumed that 10,000 cubic yards would be exported during the site preparation and grading phases for the 1-year construction scenario.

The construction equipment mix and vehicle trips used for estimating the Program-generated construction emissions are shown in Table 4.2-3, Construction Scenario Assumptions. For the analysis, it was assumed that heavy construction equipment would be operating at the site 5 days per week (22 days per month) during proposed Program construction.[5]

Table 4.2-3. Construction Scenario Assumptions

	One-Way Vehicle Trips			Equipment		
Construction Phase	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Demolition	256	32	1,228	Concrete/Industrial Saws	16	8
				Excavators	48	8
				Rubber Tired Dozers	32	8
Site Preparation	288	32	0	Rubber Tired Dozers	48	8
				Tractors/Loaders/ Backhoes	64	8
Grading	320	32	66	Excavators	32	8
				Graders	16	8
				Rubber Tired Dozers	16	8
				Scrapers	32	8
				Tractors/Loaders/ Backhoes	32	8
Building Construction	82,048	12,192	0	Cranes	16	7
				Forklifts	48	8
				Generator Sets	16	8
				Tractors/Loaders/ Backhoes	48	7
				Welders	16	8
Paving	256	96	0	Pavers	32	8
				Paving Equipment	32	8

[5] As shown in Table 4.2-3, most equipment was assumed to operate for up to 8 hours per day. In reality, it is anticipated that equipment would be used for less than 8 hours a day when considering mandated worker breaks and that equipment would only be operated when needed; in addition, it is anticipated that the construction areas are within infill areas, and that not every piece of equipment could be in operation at the same time. Therefore, the equipment usage hours are anticipated to be conservative.

Table 4.2-3. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
				Rollers	32	8
Architectural Coating	16,400	0	0	Air Compressors	16	6

Notes: See Appendix C, Air Quality and Greenhouse Gas Emissions Modeling, for details.

Operational Emissions

As stated in Section 4.1, Air Quality, an operational year of 2029 was assumed to provide an estimate of emissions of the anticipated buildout of development. In order to take credit for the emissions of the existing land uses, a net operational analysis was conducted. As stated in Section 3.2.2, the existing land uses are as follows: approximately 486 parcels contain existing commercial uses with an estimated 4,637,709 square feet of structures on site. Industrial uses within the Planning Area comprise 99 parcels with approximately 2,118,566 square feet of existing structures. Office uses consist of 2 parcels with a total of 5,471 square feet. Approximately 51 parcels, or 13 acres of land, are identified as vacant land or parking lots. The total number of existing residential units is unknown; however, it is estimated that approximately 176,441 square feet of building area is occupied by residential land uses.

Area Sources. Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Program. The emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.

Energy Sources. GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building; the building energy use emissions do not include street lighting.[6] GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions. GHG emissions associated with the natural gas and electricity usage associated with the Program were calculated by CalEEMod using default parameters. The CalEEMod default energy intensity factor (CO_2, CH_4, and N_2O mass emissions per kilowatt-hour) for Southern California Edison is based on the value for Southern California Edison's energy mix in 2018. As explained in Section 4.2.2, SB 100 and SB 1020 call for further development of renewable energy, with a target of 44% by December 31, 2024; 52% by December 31, 2027; 60% by December 31, 2030; 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045. As such, GHG emissions associated with Program electricity demand would continue to decrease over time.

Mobile Sources. All details for criteria air pollutants discussed in Section 4.1.2 are also applicable for the estimation of operational mobile source GHG emissions. Regulatory measures related to mobile sources include AB 1493 (Pavley) and related federal standards. AB 1493 required that CARB establish GHG emission standards for

[6] The CalEEMod emissions inventory model does not include indirect emission related to street lighting. Indirect emissions related to street lighting are expected to be negligible and cannot be accurately quantified at this time as there is insufficient information as to the number and type of street lighting that would occur.

automobiles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the State. In addition, the NHTSA and EPA have established corporate fuel economy standards and GHG emission standards, respectively, for automobiles and light-, medium-, and heavy-duty vehicles. Implementation of these standards and fleet turnover (replacement of older vehicles with newer ones) will gradually reduce emissions from the Program's motor vehicles. The effectiveness of fuel economy improvements was evaluated by using the CalEEMod emission factors for motor vehicles in 2029 for the Program to the extent it was captured in EMFAC 2021.

Solid Waste. Residential land uses will result in the generation and disposal of solid waste. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the Program were calculated by CalEEMod using default parameters.

Water and Wastewater Treatment. Supply, conveyance, treatment, and distribution of water for the Program land uses require the use of electricity, which would result in associated indirect GHG emissions. Similarly, wastewater generated by the Program land uses requires the use of electricity for conveyance and treatment, along with GHG emissions generated during wastewater treatment. The indoor and outdoor water use and electricity consumption from water use, and wastewater generation were estimated using CalEEMod default values for the Program.

Refrigerants. Refrigerants are substances used in equipment for air conditioning (A/C) and refrigeration. Most of the refrigerants used today are HFCs or blends thereof, which can have high GWP values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate.

4.2.5 Impacts Analysis

GHG-1. Would the Program generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

and

GHG-2. Would the Program generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions include the SCAG's 2020-2045 RTP/SCS and CARB's Scoping Plan. The proposed Program's potential to conflict with these plans, policies, and regulations is discussed below.

SCAG's 2020-2045 RTP/SCS

The SCAG 2020–2045 RTP/SCS is a regional growth management strategy that targets per-capita GHG reduction from passenger vehicles and light trucks in the southern California region pursuant to SB 375. In addition to demonstrating the region's ability to attain the GHG emission-reduction targets set forth by CARB, the 2020–2045 RTP/SCS outlines a series of actions and strategies for integrating the

transportation network with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. Thus, successful implementation of the 2020–2045 RTP/SCS would result in more complete communities with a variety of transportation and housing choices, while reducing automobile use.

The following strategies are intended to be supportive of implementing the 2020–2045 RTP/SCS and reducing GHGs: focus growth near destinations and mobility options; promote diverse housing choices; leverage technology innovations; support implementation of sustainability policies; and promote a green region. The strategies that pertain to SCAG's support of local jurisdiction sustainability efforts would not apply to the proposed Program because those are strategies that are taken by SCAG to work with local jurisdictions to implement SCAG's goals and policies. (SCAG 2020). Compliance with the remaining applicable strategies is presented below.

- **Focus Growth Near Destinations and Mobility Options.** The proposed Program would facilitate the potential development of up to 35,611 residential units. As stated in Section 3.0, Project Description, four criteria were considered when analyzing parcels for consideration in the HIOZ. One of the criteria was their location within opportunity areas; parcels were included if they are within high-quality transit areas, defined by SCAG as areas within one-half-mile of major transit stops and high-quality transit corridors. As such, the facilitation of the proposed Program would provide residences within proximity to transit services. The Program's site location would reduce VMT by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips.
- **Promote Diverse Housing Choices.** The proposed Program would comply with this strategy of the 2020–2045 RTP/SCS since it would result in the development of diverse housing types as well as new market-rate and affordable residential units to increase a mix of housing supply options. The proposed Program includes goals and policies that would provide a range of housing types in sufficient supply to meet the needs of current and future residents, provide a supply that ranges broadly in housing costs, and maintain a healthy and diverse housing supply. For example, the project will include a provision in the Municipal Code to facilitate a minimum requirement of 10% of the total number of residential units within a development project to include affordable housing for a minimum of 55 years.
- **Leverage Technology Innovations.** The proposed Program would comply with this strategy of the 2020-2045 RTP/SCS since it would be required to comply with the 2022 Title 24 Standards and 2022 CALGreen at a minimum, through energy-efficient design and support low emission technologies for transportation, such as alternative fuel vehicles to reduce per capita GHG emissions. As required by 2022 CALGreen, the proposed Program residential units would be required 10% of all parking spaces to be electric vehicle capable.
- **Promote a Green Region.** Another applicable strategy within the 2020–2045 RTP/SCS to the proposed Program involves promoting a green region through efforts such as supporting local policies for renewable energy production and promoting more resource efficient development (e.g., reducing energy consumption) to reduce GHG emissions. The development of multi-family residences allowed for by the proposed Program would be required to comply with 2022 Title 24 building code (at a minimum), which would require installation solar photovoltaic systems.

Because the proposed Program would comply with the applicable GHG reduction strategies outlined in the 2020-2045 RTP/SCS impacts related to consistency with an applicable GHG reduction plan would be less than significant.

CARB Scoping Plan, SB 32, and EO S-3-05

As discussed above, the California State Legislature passed AB 32 to provide initial direction to limit California's GHG emissions to 1990 levels by 2020 and initiate the state's long-range climate objectives. Since the passage of AB 32, the State has adopted GHG emissions reduction targets for future years beyond the initial 2020 horizon year. CARB is required to develop the Scoping Plan, which provides the framework for actions to achieve the State's GHG emission targets. While the Scoping Plan is not directly applicable to specific projects, nor is it intended to be used for project-level evaluations, it is the official framework for the measures and regulations that will be implemented to reduce California's GHG emissions in alignment with the adopted targets. Therefore, a project would be found to not conflict with the statutes if it would meet the Scoping Plan policies and would not impede attainment of the goals therein.

For the Program, the relevant GHG emissions reduction targets include those established by SB 32 and AB 1279, which require GHG emissions be reduced to 40% below 1990 levels by 2030, and 85% below 1990 levels by 2045, respectively. In addition, AB 1279 requires the state achieve net zero GHG emissions by no later than 2045 and achieve and maintain net negative GHG emissions thereafter. CARB's 2017 Scoping Plan update was the first to address the state's strategy for achieving the 2030 GHG reduction target set forth in SB 32 (CARB 2017a), and the most recent CARB 2022 Scoping Plan update outlines the state's plan to reduce emissions and achieve carbon neutrality by 2045 in alignment with AB 1279 and assesses progress is making toward the 2030 SB 32 target (CARB 2022a). As such, given that SB 32 and AB 1279 are the relevant GHG emission targets, the 2017 and 2022 Scoping Plan updates that outline the strategy to achieve those targets, are the most applicable to the Program.

The 2017 *Climate Change Scoping Plan Update* (Second Update) included measures to promote renewable energy and energy efficiency (including the mandates of SB 350), increase stringency of the Low Carbon Fuel Standard (LCFS), measures identified in the Mobile Source and Freight Strategies, measures identified in the proposed Short-Lived Climate Pollutant Plan, and increase stringency of SB 375 targets. The *2022 Scoping Plan for Achieving Carbon Neutrality* (Third Update) builds upon and accelerates programs currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; and displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines) (CARB 2022a).

Many of the measures and programs included in the Scoping Plan would result in the reduction of Program-related GHG emissions with no action required at the project-level, including GHG emission reductions through increased energy efficiency and renewable energy production (SB 350), reduction in carbon intensity of transportation fuels (LCFS), and the accelerated efficiency and electrification of the statewide vehicle fleet (Mobile Source Strategy). Given that the Program would be located in a High-Quality Transit Area and a SCAG recognized TPA, the Program would also not conflict with the Second Update's goal of reducing GHG emissions through reductions in VMT statewide.

The 2045 carbon neutrality goal required CARB to expand proposed actions in the Third Update to include those that capture and store carbon in addition to those that reduce only anthropogenic sources of GHG

emissions. The proposed project would support the state's carbon neutrality goals, as implementation includes addition of urban-tree and native plantings throughout the project site, which represent opportunities for potential carbon removal and sequestration over the project lifetime. However, the Third Update emphasizes that reliance on carbon sequestration in the state's natural and working lands will not be sufficient to address residual GHG emissions, and achieving carbon neutrality will require research, development, and deployment of additional methods to capture atmospheric GHG emissions (e.g., mechanical direct air capture). Given that the specific path to neutrality will require development of technologies and programs that are not currently known or available, the Program's role in supporting the statewide goal would be speculative and cannot be wholly identified at this time.

Table 4.2-4 evaluates the Program's potential to conflict with the 2022 Scoping Plan, specifically the project attributes to reduce operational GHG emissions identified in Appendix D, Local Actions (CARB 2022c). Per the Scoping Plan, empirical evidence shows that development projects that are consistent with these attributes to reduce GHG emissions will accommodate growth in a manner that aligns with the GHG and equity goals of SB 32. Additionally, consistency with the Plan project attributes will ensure that projects are: 1) addressing the largest sources of their operational emissions, 2) are in alignment with the priority areas defined for Local Climate Action and are in alignment with the state's climate goals.

Table 4.2-4. Program Potential to Conflict with 2022 Scoping Plan Climate Change Policies and Measures

Plan Program Attributes	Potential to Conflict
Transportation Electrification	
Provide EV charging infrastructure at least in accordance with CALGreen Tier 2 standards[i]	***No conflict.*** The Program would meet the EV charging infrastructure standards required by the most recent CALGreen standards.
VMT Reduction	
Is located on infill sites that are surrounded by existing urban uses and reuses or redevelop previously undeveloped or underutilized land presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer)[d]	***No conflict.*** The existing land uses in the Planning Area include a variety of commercial (i.e., retail stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office land uses as well as vacant land (e.g., parking lots)
Do not result in the loss or conversion of the State's natural and working lands	***No conflict.*** The Program would not convert natural and working lands. The Program would develop a mixed-use development on underutilized land.
Consists of transit-supportive densities (minimum of 20 residential dwelling units/acre[e]), *or* In in proximity to existing transit (within ½ mile),[f] *or* Satisfies more detailed and stringent criteria specified in the region's Sustainable Communities Strategy (SCS)	***No conflict.*** This attribute accounts for the VMT reduction achieved by a project that is designed with a higher density of dwelling units compared to the average residential density in the U.S. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing residential density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in GHG emissions of up to 30% from project VMT in the study area (CAPCOA 2022). Similarly, transit-oriented development [defined as being located within a 10-minute walk/0.5 mile of a high frequency transit stop

Table 4.2-4. Program Potential to Conflict with 2022 Scoping Plan Climate Change Policies and Measures

Plan Program Attributes	Potential to Conflict
	(such as the Metrolink Station)] reduces VMT and associated vehicle GHG emissions by up to 31% (CAPCOA 2022).[c] For the purposes of this Program EIR, a maximum density of 60 du/ac across the Planning Area is assessed to determine the maximum potential environmental effects of the proposed Program. Therefore, the Program would result in a maximum growth potential of 35,611 units. As stated in Section 3.0, Project Description, four criteria were considered when analyzing parcels for consideration in the HIOZ. One of the criteria was their location within opportunity areas; parcels were included if they are within high-quality transit areas, defined by SCAG as areas within one-half-mile of major transit stops and high-quality transit corridors. As such, the facilitation of the proposed Program would provide residences within proximity to transit services. The Program's site location would reduce VMT by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips.
Relax parking requirements[j] by: ▪ Eliminating parking requirements or including maximum allowable parking ratios. ▪ Providing residential parking supply at a ratio of <1 parking space per unit. ▪ Unbundling residential parking costs from costs to rent or lease.	*No conflict.* This attribute unbundles, or separates, a residential project's parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. The assumption of this attribute is that parking costs are passed through to the vehicle owners/drivers utilizing the parking spaces, thus, this measure results in decreased vehicle ownership and, therefore, a reduction in VMT and GHG emissions. The intent of this measure is incentive increased use of public transit and thus result in less emissions. This measure can achieve up to 15.7% reduction in emissions from project VMT in the study area (CAPCOA 2022). As discussed above, transit-oriented development [defined as being located within a 10-minute walk/0.5 mile of a high frequency transit stops (such as the Metrolink Station)] reduces VMT and associated vehicle GHG emissions by up to 31% (CAPCOA 2022).[c] The Program provides residential parking in accordance with City standards.
At least 20% of the units are affordable to lower-income residents [a,b]	***No conflict.*** Affordable housing provides greater opportunity for lower income families to live closer to job centers and achieve a jobs/housing match near transit. It is also an important strategy to address the limited availability of affordable housing that might force residents to live far away from jobs or school, requiring longer commutes. The affordable housing designation is intended to reduce VMT through living more compactly in location-efficient areas. Affordable housing achieves up to 28.6% reduction in GHG emissions from project/site multifamily residential (CAPCOA 2022).[c] As discussed above, Transit-oriented development achieves up to 31% reduction in GHG emissions from project VMT (CAPCOA 2022).[c] The project would include a provision in the Municipal Code to facilitate a minimum requirement of 10% of the total number of residential units within a development project to include affordable

Table 4.2-4. Program Potential to Conflict with 2022 Scoping Plan Climate Change Policies and Measures

Plan Program Attributes	Potential to Conflict
	housing for a minimum of 55 years. These units do not meet the 20% or greater recommendation. However, the development of residential uses on a commercial site helps to increase the supply of homes and promotes affordability. The development also helps the City balance its jobs to housing match near transit. The Program would provide access to transit and be in a location-efficient area. The Program would align with the goals of SB 743 to provide a mix of land uses in an urban environment and to reduce VMT by placing residential and employment uses near other urban uses and transit options.
Result in no net loss of existing affordable units	***No conflict.*** Implementation of the Program would create a net gain of affordable housing units.
Building Decarbonization	
Use all electric appliances, without any natural gas connections, and would not use propane or other fossil fuels for space heating, water heating, or indoor cooking [g,h]	***No conflict.*** The proposed Program has implemented SCAQMD Rule 445, which includes the prohibition of the use of wood burning devices and wood stoves. Furthermore, the proposed project has implemented MM-AQ-2, which encourages projects to adopt all-electric development.

Source: CARB 2022b.
Notes: MMT CO_2e = million metric tons of carbon dioxide equivalent.
[a] Newmark and Haas 2015.
[b] California Housing Partnership Corporation and TransForm 2014.
[c] These measures are not additive such that you could achieve a greater than 50% reduction by incorporating both characteristics in a project design.
[d] California Government Code Section 65041.1.
[e] Federal Transit Administration. 2014.
[f] Washington Department of Transportation. 2013.
[g] Energy and Environmental Economics. 2019.
[h] Energy and Environmental Economics. 2021.
[i] Cal. Code of Regs., tit. 24, Part 11.
[j] CAPCOA 2021.

As shown in Table 4.2-4, the Program would not conflict with the project attributes that reduce GHG emissions identified by the 2022 Scoping Plan for residential/mixed-use projects, other than the use of all-electric appliances. According to the Scoping Plan, these attributes are a guide to determine residential/mixed-use projects that are clearly consistent with the state's climate strategy for CEQA purposes and are not necessarily required. However, Lead Agencies may determine with adequate supporting evidence, that projects that incorporate some, but not all the key project attributes are consistent with the State's climate goals. The proposed Program incorporates many of the recommended attributes, but not to the level specified for affordable housing and all-electric development. However, the Program would provide residences within proximity to transit services. The Program's site location would reduce VMT by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips. As such, the City finds that the Program would not conflict with the State's climate goals and would result in a **less than significant impact** relative to GHG emissions and reduction plans. No mitigation is required.

City of Fullerton Climate Action Plan

The City's CAP does not include compliance with GHG reduction targets set by the state in the 2017 and 2022 CARB Scoping Plans and is no longer a "CEQA-qualified" document as defined by Sections 15183.5(b) and 15064.4 of the State CEQA Guidelines. Therefore, a consistency analysis is provided below for informational purposes only.

The City of Fullerton CAP provides a framework for reducing GHG emissions to 15 percent below baseline levels by 2020. The CAP includes the following four strategies:

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

The facilitation of the proposed Program would provide residences within proximity to transit services. The Program's site location would reduce VMT by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips. The project does not concern municipal operations, so any CAP measures pertaining to them would not be applicable. The Program would not impede the City from educating the public on water conservation and resource protection or from managing solid waste generation and diversion. Therefore, the Program would be consistent with, or otherwise would not conflict with, the CAP's strategies, goals, and measures to reduce GHG within the City of Fullerton.

Conclusion

As discussed above, the Program is well positioned to encourage transit use and reduce VMT. The Program would comply with California building code standards which require the incorporation of increasing building energy efficiency standards, renewable energy in the form of solar photovoltaics, and electric vehicle infrastructure. The 2022 Scoping Plan and the SCAG 2020-2045 RTP/SCS were determined to be the applicable GHG reduction plans to evaluate project consistency. As shown above, the proposed Program does not conflict with the 2022 Scoping Plan or the SCAG RTP/SCS. This is a **less than significant impact.** No mitigation is required.

Quantification of Emissions

In accordance with CEQA Guidelines Section 15064.4(c), the Program's construction and operational GHG emissions have been quantified for disclosure purposes only. The Program's significance has been evaluated based on its potential to conflict with applicable GHG reduction plans.

Construction Emissions

Construction of the Program would result in GHG emissions, which are primarily associated with the use of off-road construction equipment, haul trucks, on-road vendor trucks, and worker vehicles.

CalEEMod 2022.1.1.21 was used to calculate the annual GHG emissions based on the construction scenario described in Section 4.2.4. Construction of the Program is anticipated to commence in January 2024 and would last approximately 5 years, ending in December 2029. On-site sources of GHG emissions include off-road equipment and off-site sources including vendor trucks and worker vehicles. Table 4.2-5 presents construction emissions for the Program from on-site and off-site emission sources.

Table 4.2-5. Estimated Annual Construction Greenhouse Gas Emissions - Unmitigated

Year	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
2025	138,507.69	4.10	9.75	221.71	141,737.58
2026	138,507.69	4.10	9.75	221.71	141,737.58
2027	138,507.69	4.10	9.75	221.71	141,737.58
2028	138,507.69	4.10	9.75	221.71	141,737.58
2029	138,507.69	4.10	9.75	221.71	141,737.58
				Total	708,687.92
				Amortized 30-Year Construction Emissions	*23,622.93*

Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R = refrigerant; CO_2e = carbon dioxide equivalent; <0.01 = reported value less than 0.01. The values shown are the annual emissions reflect CalEEMod "mitigated" output.
Totals may not add due to rounding.
See Appendix C for complete results.

As shown in Table 4.2-5, the estimated total GHG emissions during construction of would be approximately 708,688 MT CO2e over the construction period. Estimated Program-generated construction emissions amortized over 30 years would be approximately 23,623 MT CO2e per year. As with Program-generated construction criteria air pollutant emissions, GHG emissions generated during construction of the Program would be short-term in nature, lasting only for the duration of the construction period, and would not represent a long-term source of GHG emissions.

Operational Emissions

Operation of the Program would generate GHG emissions through vehicle trips by residents and visitors to and from the Program Area; landscape maintenance equipment operation; energy use (generation of electricity consumed by the Program); solid waste disposal; and generation of electricity associated with water supply, treatment, and distribution and wastewater treatment. CalEEMod was used to calculate the annual GHG emissions based on the operational assumptions described in Section 4.2.4.

The estimated operational Program-generated GHG emissions from area sources, energy usage, motor vehicles, solid waste generation, refrigerant use, and water usage and wastewater generation are shown in Table 4.2-6.

Table 4.2-6. Estimated Annual Operational Greenhouse Gas Emissions

Emission Source	CO_2	CH_4	N_2O	R	CO_2e
	metric tons per year				
Program Emissions					
Mobile	38,325.40	1.72	1.55	42.88	38,874.09
Area	1,652.97	0.03	0.00	--	1,654.98
Energy	10,497.18	0.76	0.06	--	10,532.70
Water	523.80	8.72	0.21	--	804.37
Waste	469.93	46.97	--	--	1,644.11
Refrigerants	--	--	--	8.11	8.11
Total	51,469.27	58.20	1.82	50.99	53,518.36
				Amortized 30-Year Construction Emissions	*23,622.93*
				Program Operations + Amortized Construction Total	**77,141.29**
Existing Land Use Emissions					
Mobile	97,735.89	6.03	4.75	106.84	99,409.20
Area	191.85	0.06	0.00	--	193.83
Energy	24,724.19	1.65	0.16	--	24,813.41
Water	1,648.82	27.45	0.66	--	2,532.03
Waste	681.43	68.11		--	2,384.07
Refrigerants	--	--	--	95.20	95.20
Total	**124,982.18**	**103.30**	**5.57**	**202.04**	**129,427.75**
				Program Operations + Amortized Construction Net Total	**-52,286.46**

Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; R = refrigerant; CO_2e = carbon dioxide equivalent; <0.01 = reported value less than 0.01; – = no emission estimates reported.
See Appendix C for complete results.

As shown in Table 4.2-6, estimated annual Program-generated GHG emissions would be approximately 53,518 MT CO_2e per year because of Program operation; with amortized construction emissions of approximately 23,623 MT CO_2e per year, total Program emissions would be approximately 77,141 MT CO_2e per year. The existing land uses would emit approximately 129,428 MT CO_2e per year. As such, impacts would be **less than significant**, and no mitigation is required.

4.2.6 Mitigation Measures

No mitigation measures are required.

4.2.7 Significance Conclusion

Impacts would be less than significant. As such, no mitigation is required.

4.2.8 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must

determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself). The cumulative study area used to assess potential cumulative greenhouse gas emissions impacts includes the entire planet and is not limited to any particular region.

As previously discussed above and in Section 4.2.1, Existing Conditions, global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. Thus, GHG evaluations under CEQA are inherently a cumulative study (See *Center for Biological Diversity v. California Department of Fish and Wildlife* [2015] 62 Cal.4th 204). Therefore, the significance conclusions reached above in Section 4.2.5, Impact Analysis, with regard to potential Program-related GHG impacts also constitute this Draft EIR's significance conclusions with regard to cumulative GHG emissions impacts.

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4.3 Hazards and Hazardous Materials

This section describes the existing hazardous materials conditions of the Program Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Program. This evaluation considers comments received in response to the NOP, which was released September 8, 2023. The comments, as they relate to hazards and hazardous materials, are summarized as follows:

- Department of Toxic Substances Control (DTSC) noted the potential for one or more of the 759 parcels proposed as part of this PEIR to be located on a site having documented contamination, land use restrictions, or listed on a hazardous materials site compiled pursuant to Government Code Section 65962.5. It was recommended all of the proposed parcels be evaluated for these potential hazards and hazardous material impacts to avoid significant impacts under CEQA.

4.3.1 Existing Conditions

As discussed in the Project Description (Chapter 3), the Program Planning Area is comprised of 759 parcels, totaling 593 acres within the City of Fullerton, Orange County, California. The Program Planning Area encompasses multiple types of commercial and manufacturing zoning districts. Most of the parcels are currently developed in accordance with their existing zoning.

4.3.1.1 Topography and Groundwater

The Program Planning Area is located on the west side of Chino Hills, approximately 11 miles northeast of the Pacific Ocean at its nearest point. The southern portion of the Program Planning Area, south of E Malvern Avenue and W Chapman Avenue, is relatively flat at an elevation of approximately 100 to 200 feet above mean sea level (amsl), while the northern portion, north of E Malvern Avenue and W Chapman Avenue, is hilly with varying elevations up to approximately 400 feet amsl. Based on groundwater monitoring data in the area, shallow groundwater is expected to be present approximately 40 to 70 feet below ground surface, with some variations (SWRCB 2024).

4.3.1.2 Online Regulatory Databases

The State of California provides access to environmental documents through online regulatory databases. The following online regulatory databases were searched by Dudek in January 2024.

Cortese List Sites

Government Code Section 65962.5 requires the California Environmental Protection Agency to compile a list of hazardous waste and substances sites (Cortese List). While the Cortese List is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

1. List of hazardous waste and substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database (California Health and Safety Code Sections 25220, 25242, 25356, and 116395)
2. List of leaking underground storage tank (LUST) sites by county and fiscal year from the State Water Resources Control Board GeoTracker database (California Health and Safety Code Section 25295)

3. List of solid waste disposal sites identified by the State Water Resources Control Board with waste constituents above hazardous waste levels outside the waste management unit (California Water Code Section 13273[e] and 14 CCR 18051)
4. List of active Cease and Desist Orders and Cleanup and Abatement Orders from the State Water Resources Control Board (California Water Code Sections 13301 and 13304)
5. List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

Dudek conducted a search of the above-described databases that provide information on Cortese List sites. Because hazardous material releases can impact both the release site and nearby sites, the search included the Program Planning Area and sites within 500 feet of the Program Planning Area. Multiple LUST sites and state cleanup sites were identified, which are shown on Figure 4.3-1 and listed in Table 4.3-1.

Table 4.3-1. Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
A&M TEXACO SERVICE STATION	235 W. VALENCIA MESA DR.	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ALL-ROADS MOVING AND STORAGE	1400 E WALNUT AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ALLERGAN	1410 WALNUT	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
AMC MOTORS	555 EUCLID	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
AMERICAN ELECTRONICS, INC	1600 E VALENCIA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
AMERICAN SAVINGS BANK SER.CTR.	4150 PALM ST	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ANGELUS PACIFIC	700 WALNUT	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ARCO #0097	401 N PLACENTIA AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ARCO #0097	401 N PLACENTIA AVENUE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ARCO #1023	1000 W VALENCIA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ARCO #1579	1124 E CHAPMAN AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ARCO #1579	1124 E CHAPMAN AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
ARCO #3080	2840 E IMPERIAL HWY	Fullerton	Within 500 feet	GeoTracker - LUST	Open - Eligible for Closure
ARCO #6226	102 YORBA LINDA	Placentia	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ARCO PETROLEUM	0 IMPERIAL & ASSOCIATED	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
BASTANCHURY WATERS	601 VALENCIA	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
BEST GAS	1101 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
BRYANT, BILL	2031 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
C-THRU INDUSTRIES	130 GILBERT	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
CALIF STATE UNIVERSITY, FULLERTON	800 STATE COLLEGE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CASTER	1415 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
CHEVRON #9-5289	1000 W ORANGETHORPE AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
CHEVRON #9-5833	1151 HARBOR	La Habra	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CHEVRON #9-7056	2750 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CHEVRON #9-8976	2961 E YORBA LINDA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CLASSIC MARBLE	371 S RAYMOND AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
COMMONWEALTH CAR WASH	1001 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CONE CHEVROLET	600 COMMONWEALTH	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
CONTINENTAL BAKING CO	525 VALENCIA	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
COVINGTON DEVELOPMENT GROUP	2451 ORANGETHORPE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
D. W. KIMMEL CONSTRUCTION	2601 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
DAVE'S ARCO	1490 HARBOR	La Habra	Within 500 feet	GeoTracker - LUST	Open - Verification Monitoring
DE ANDA PROPERTY	300 W VALENCIA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Open - Site Assessment
DICKER WARMINGTON PROPERTIES	101 ORANGETHORPE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
DISCOUNT TIRE	301 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ECONO LUBE N' TUNE	901 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
EXXON SERVICE STATION #1488	1730 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
EXXON SERVICE STATION #3333	3000 E YORBA LINDA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
EXXON SERVICE STATION #3650	901 N PLACENTIA AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
F AND W POOL SUPPLY	1301 E WILSHIRE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FAST GAS #522	141 E IMPERIAL HWY	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
FAST GAS #929	519 S HARBOR BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed

Table 4.3-1. Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
FMC/EDINGTON FRUIT PACKING HO	332 E COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FORMER FMC LEASE SITE (BNSF)	320 E SANTA FE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FORMER GAS STATION	1800 W. COMMONWEALTH	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
FORMER MONTGOMERY WARD	1331 HARBOR BOULEVARD, SOUTH	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FORMER TEXACO/BURGER KING	2751 W ORANGETHORPE	Fullerton	On Site	GeoTracker - LUST	Open - Site Assessment
FULLERTON BASQUE YARD	116 S BASQUE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON CITY HALL	303 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON COMMUNITY HSP	100 VALLEY VIEW	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON FIRE STATION #1	312 E COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON GAS	251 ORANGETHORPE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON LINCOLN MERCURY	626 S EUCLID ST	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON MAINTENANCE YARD	116 S BASQUE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON MANUFACTURING	343 E SANTA FE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON MFG	311 HIGHLAND	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON POLICE DEPT	237 COMMONWEALTH	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON SCHOOL DISTRICT	1401 VALENCIA	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON TOWN CENTER	101 EAST ORANGETHORPE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
FULLERTON, CITY OF	614 S HARBOR BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
G & M OIL SS #10	944 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
GENERAL AVIATION COMPANY	3915 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
HANSEL OLDSMOBILE, INC.	1325 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
JERRY GOODWIN DODGE	1110 ORANGETHORPE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
KAHN, ROBERT I., DR.	820 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
LA MANCHA DEVELOPMENT	1800 W VALENCIA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
M & J EQUIPMENT	450 PLACENTIA	Placentia	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
M G DISPOSAL	201 BALCOM	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
MARINE PROPERTY	2045 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MCCOY MILLS FORD	700 COMMONWEALTH	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-793	2800 E IMPERIAL HWY	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-FHE	506 N STATE COLLEGE BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-J9X	8991 ORANGETHORPE	Buena Park	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-JP5	100 N RAYMOND AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-JPV	235 W VALENCIA MESA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL #18-KGW	3950 N HARBOR BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL OIL	100 RAYMOND	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MOBIL OIL	1301 HARBOR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
MS ALICE PITCHER	116 ELM	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
NUTRI FOODS	360 ACACIA	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ORANGEFAIR MALL	140 ORANGEFAIR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
PAYAN TRUCKING	2041 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
PENNZOIL/QUAKER STATE FACILITY	336 E SANTA FE AVENUE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
PEP BOYS	1530 HARBOR	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed

Table 4.3-1. Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
PEP BOYS #42	1530 S HARBOR BLVD	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
RENICK CADILLAC	633 WILLIAMSON	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
RODRIGUEZ SWEEPING SERVICE UST	800 E. WALNUT AVENUE	Fullerton	On Site	GeoTracker - LUST	Open - Site Assessment
SAM CAL CORP	515 E WALNUT AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
SCIENTIFIC SPRAY FINISHES	315 S RICHMAN AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
SERVICE ROOFING COMPANY	440 E WALNUT AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL #2340	2340 E CHAPMAN AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL #1625	1625 S HARBOR BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL #2960	2960 E YORBA LINDA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL #351	351 N PLACENTIA AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
SHELL OIL	1001 VALENCIA	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL OIL	1625 HARBOR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL OIL	242 COMMONWEALTH	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL OIL PRODUCTS US	1800 W. ORANGETHORPE AVE.	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL OIL STATION #242	242 E. COMMONWEALTH AVE.	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SHELL STATION	7011 ORANGETHORPE	Buena Park	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
SPARKLE CAR WASH	1306 S EUCLID ST	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
ST. JUDE MEDICAL CENTER	101 E VALENCIA MESA DR	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
TESORO /TARGET STORE T-293	2978 E YORBA LINDA BLVD	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
TEXACO SERVICE STATION	3370 E YORBA LINDA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
TOSCO/76 STATION #4851	1133 E COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
U-HAUL CORPORATION	1565 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
U-HAUL FACILITY # 715-84	920 W COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
UNOCAL #3530	4002 N HARBOR BLVD	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
UNOCAL #3670	741-761 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
UNOCAL #4308	1001 W ORANGETHORPE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
UNOCAL #4629	820 CHAPMAN	Placentia	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
UNOCAL #4851	1133 E COMMONWEALTH AVE	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
UNOCAL #5198	100 W BASTANCHURY RD	Fullerton	Within 500 feet	GeoTracker - LUST	Open - Remediation
UNOCAL #5548	2701 N BREA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
UNOCAL #5722	3001 E YORBA LINDA BLVD	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
UNOCAL/76 SERVICE NO. 4851	1133 E. COMMONWEALTH AVE.	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
VISTA PAINT CORP	1450 HARBOR	La Habra	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
WINGS EXPRESS	3815 W COMMONWEALTH AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
WORLD CITRUS WEST	130 W SANTA FE AVE	Fullerton	Within 500 feet	GeoTracker - LUST	Completed - Case Closed
YOSEMITE WATERS	601 W VALENCIA DR	Fullerton	On Site	GeoTracker - LUST	Completed - Case Closed
AUTONETICS/RAYTHEON	310 EAST WALNUT AVENUE	Fullerton	Within 500 feet	EnviroStor - Cortese	Active
CBS FENDER	500 SOUTH RAYMOND BLVD.	Fullerton	Within 500 feet	EnviroStor - Cortese	Active
Chicago Musical Instruments (Former)	350 South Raymond Avenue	Fullerton	On Site	EnviroStor - Cortese	Active
FULLERTON MANUFACTURING/RAYTHEON	311 SOUTH HIGHLAND AVENUE	Fullerton	On Site	EnviroStor - Cortese	Refer: RWQCB
Fullerton Union Pacific Park	Truslow & Harbor Boulevard	Fullerton	Within 500 feet	EnviroStor - Cortese	Certified
McColl Sludge Disposal Site (McColl Dump Site)	Rosecrans Avenue W	Fullerton	Greater than 500 feet	GeoTracker - Solid Waste Disposal Sites	Open - Assessment & Interim Remedial Action

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Non-Cortese List Hazardous Materials Sites

Dudek reviewed other online databases that provide environmental information on release and cleanup cases in the State of California. While these databases are not included in the Cortese List, they may provide additional information regarding potential environmental contamination on parcels within the Program Planning Area. These sites may include military cleanups and voluntary cleanups. Table 4.3-2 provides a summary of the databases searched.

Table 4.3-2. Non-Cortese Online Database Listings

Database	Details
Department of Toxic Substance Control (DTSC) EnviroStor https://www.envirostor.dtsc.ca.gov/	The DTSC's data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons for further investigation.
State Water Resources Control Board (SWRCB) GeoTracker http://geotracker.waterboards.ca.gov/	The SWRCB's data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater. GeoTracker contains records for sites that require cleanup, various unregulated projects, and permitted facilities. Sites include leaking underground storage tanks (LUSTs), Department of Defense, Cleanup Program, Irrigated Lands, Oil and Gas Production, Permitted underground storage tanks (USTs), and Land Disposal Sites.
California Environmental Protection Agency (CalEPA) https://siteportal.calepa.ca.gov/nsite/	The CalEPA Regulated Site Portal is a website that combines data about environmentally regulated sites and facilities in California into a single, searchable database and interactive map. Data sources include California Environmental Reporting System (CERS), EnviroStor, GeoTracker, California Integrated Water Quality System (CIWQS), and Toxics Release Inventory (TRI).
CalRecycle Solid Waste Information System (SWIS) https://www2.calrecycle.ca.gov/SolidWaste/Site/Search	The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. Solid waste activities found in this database include landfills, transfer stations, composting sites, in-vessel digestion sites, engineered municipal solid waste conversion facilities, transformation facilities, and closed disposal sites.

Multiple non-Cortese hazardous material release and handling sites were identified on parcels selected as part of the Program Planning Area. These sites are shown on Figure 4.3-2 through 4.3-3 and are detailed in Tables 4.3-3 through 4.3-4 and summarized below.

- Hazardous material handling or release sites documented on the Water Board and DTSC databases are shown on Figure 4.3-2 and listed in Table 4.3-2. These sites include hazardous material releases, such as voluntary cleanup sites, evaluations completed by DTSC, or hazardous material storage in registered underground storage tanks (USTs). Voluntary cleanups are sites that have completed or are undergoing hazardous material cleanup through a voluntary program with oversight from the environmental regulatory agency. Evaluations are sites with suspected, but unconfirmed, contamination that need or have undergone limited evaluation. UST sites are those with USTs registered with the local Water Board; these listings are not indicative of a release, but hazardous materials are stored at the site. Because releases can impact both the release site and nearby sites, Figure 4.3-2 and Table 4.3-3 include sites on and within 500 feet of the Program Planning Area.

- Hazardous material handling and permitted sites documented on the CalEPA Regulated Site Portal are shown on Figure 4.3-3 and listed in Table 4.3-4. These sites have permitted and documented handling, disposal, and/or emissions of hazardous materials/wastes, and those activities are regulated by state and/or local rules and regulations. These sites do not have documented or suspected unpermitted releases of hazardous materials to the environment, and as such only those located on parcels within the Program Planning Area are shown. Types of facilities include sites with chemical storage (greater than reportable quantities stored on site), hazardous waste generators, sites with aboveground petroleum storage, sites with USTs, industrial stormwater discharges, and air emissions, or a combination thereof.

Table 4.3-3. Non-Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
ALLERGAN	1410 E WALNUT AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
AMERICAN ELECTRONICS INC	1600 E VALENCIA DR	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
APEX MACHINE PRODUCTS	629 W VALENCIA DR	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
BRIGHT ARMOR PLATING SHOP	2466 E FENDER AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
C & H CLEANERS	2231 N HARBOR BLVD	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
CHICAGO MUSICAL INSTRUMENTS, FORMER	350 SOUTH RAYMOND	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Open - Remediation
CHINET CO. (FORMER KEYES FIBRE)	2300 RAYMER AVENUE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Open - Remediation
CITRUS PARK	626-700 S EUCLID ST	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
CONTINENTAL 1 HR CLEANERS	1428 S HARBOR BLVD	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
CROSSROADS CLEANERS	3314 E YORBA LINDA BLVD	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
CROWN CLEANERS	1956 NORTH PLACENTIA	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	OPEN - ASSESSMENT & INTERIM REMEDIAL ACTION
DRY CLEAN EXPRESS	322 N EUCLID ST	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
E D O CORP	300 S STATE COLLEGE BLVD	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
FORMER COX IRON WORKS SITE	241 W SANTA FE AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
FULLERTON CITY HALL	303 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
FULLERTON DODGE	1110 W ORANGETHORPE AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
FULLERTON UNIVERSITY SHOPPING CENTER	2940/2948 YORBA LINDA BLVD	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
FULLERTON UNIVERSITY SHOPPING CENTER	2940-2948 YORBA LINDA	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
GOODWIN HONDA	736 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
GRACE MINISTRIES INTERNATIONAL	1645 W VALENCIA DR	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
GULTON INDUSTRIES (PROUT PROPE	2414 E FENDER AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
GULTON INDUSTRIES FACILITY	2424 EAST FENDER AVENUE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
J & H DEBURRING INC	307 N EUCLID ST	ANAHEIM	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed

Table 4.3-3. Non-Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
J M PETERS CO FULLERTON SITE	0 NE ST COLLEGE / BASTANCHURY	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
KAYNAR MFG DIVISION	800 S STATE COLLEGE BLVD	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
MAGNOLIA SQUARE	8925 ORANGETHORPE AVE	BUENA PARK	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
MCCOLL DUMP SITE	N/A ROSECRANS AVENUE W	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Open - Assessment & Interim Remedial Action
MDC CENTER	601 S PLACENTIA AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
MDC CENTER PARCEL 2	675 S PLACENTIA AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
ONE DAY PAINT & BODY	205 N EUCLID ST	ANAHEIM	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
ORANGE COUNTY NORTH BASIN - AEROJET GENERAL (FORMER) GROUNDWATER	601 SOUTH PLACENTIA AVENUE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Open - Assessment & Interim Remedial Action
ORANGE COUNTY NORTH BASIN - AMERICAN ELECTRONICS	1600 EAST VALENCIA AVENUE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Open - Site Assessment
ORANGE COUNTY NORTH BASIN - FULLERTON CROSSINGS DEVELOPMENT	603-613 & 633-663 SOUTH PLACENTIA AVENUE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed - Land Use Restrictions
ORANGE COUNTY NORTH BASIN - FULLERTON MANUFACTURING COMPANY	311 SOUTH HIGHLAND AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Open - Site Assessment
ORANGE COUNTY NORTH BASIN - HOWMET GLOBAL FASTENING SYSTEMS INC. (FORMERLY ARCONIC, ALCOA, AND FAIRCHILD)	800 SOUTH STATE COLLEGE BOULEVARD	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Open - Remediation
PENNZOIL/QUAKER STATE FACILITY	336 E SANTA FE AVENUE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Open - Site Assessment
RODRIGUEZ SWEEPING SERVICE	800 E. WALNUT AVENUE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Open - Site Assessment
SUNKIST CLEANERS	1667 W ORANGETHORPE AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
SUNNY HILL DRY CLEANERS	1915 SUNNY CREST DRIVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
SUNNY HILLS DRAPERY CLEANERS	1915 SUNNY CREST DR	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
TEXACO HAULDE FEE	0 NW ST COLLEGE / BASTANCHURY	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
THRIFTY CLEAN	2230 W ORANGETHORPE AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
UNION OIL - STEARN REALTY LEASE	BASTANCURY AND BREA	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
UNIVERSITY HOUSE FULLERTON	555 N COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
UNKNOWN	360 S ACACIA AVE	FULLERTON	On	GeoTracker Voluntary Cleanup Program	Completed - Case Closed

Table 4.3-3. Non-Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
VALUE CLEANERS	127 E YORBA LINDA BLVD	PLACENTIA	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
WEBER AIRCRAFT FACILITY, FORMER	1300 EAST VALENCIA DRIVE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
WESTERN INDUSTRIAL INVESTORS	300 N GILBERT ST	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
WEYERHAESER COMPANY	1300 EAST VALENCIA AVENUE	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
WEYERHAUSER PROPERTY	1300 E VALENCIA DR	FULLERTON	Within 500 feet	GeoTracker Voluntary Cleanup Program	Completed - Case Closed
7-ELEVEN INC #33257	1000 W. ORANGETHORPE AVE	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
7-ELEVEN INC. #43159	1800 W ORANGETHORPE AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
ARCO #6226	102 E YORBA LINDA BLVD	PLACENTIA	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
AT&T CALIFORNIA - CB622	8925 ORANGETHORPE AVE	BUENA PARK	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
BEST 4 LESS- PLACENTIA 2	480 S PLACENTIA AVE	PLACENTIA	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
CHAPMAN AVE SHELL	1124 E CHAPMAN AVE	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
CHAPMAN AVE SHELL	1124 E CHAPMAN AVE STE A	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
CHAPMAN MARKET.	506 N STATE COLLEGE BLVD	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
CHEVRON STATION #98976/1474	2961 YORBA LINDA BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
CITY OF FULLERTON - CITY HALL	303 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
CITY OF FULLERTON MAINT SVC DEPT	1580 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
COMMONWEALTH FUEL, INC	2043 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
COSTCO WHOLESALE #418 (GAS STATION)	910 S HARBOR BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
FULLERTON 76	351 N PLACENTIA AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
FULLERTON GAS, LLC	3950 N HARBOR BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
FULLERTON MFG. CO., INC.	336 EAST SANTA FE AVE.	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Closed
FULLERTON POLICE STATION	237 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
FULLERTON SCHOOL DISTRICT	1401 W VALENCIA DR	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST

Table 4.3-3. Non-Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
FULLERTON SERVICE STATION	1000 N HARBOR BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
G&M OIL CO.#10	944 W ORANGETHORPE AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
GENERAL AVIATION COMPANY INC.	3915 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
H & M, INC.	519 S HARBOR BLVD	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
H&S ENERGY PRODUCTS, LLC #2026	2950 NUTWOOD AVE	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
H&S ENERGY PRODUCTS, LLC #2039	1730 W ORANGETHORPE AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
INDEPENDENT TRADING COMPANY	4150 N PALM ST	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
MBA7 LLC - ARCO FULLERTON	401 N PLACENTIA AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
MIKE'S ENTERPRISES INC.	8991 ORANGETHORPE AVE	BUENA PARK	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
NIMEH, INC.	2840 IMPERIAL HWY	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
PLACENTIA 120 LLC	120 S PLACENTIA AVE	PLACENTIA	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
PROPEL FUELS, INC. (208026)	1124 E CHAPMAN AVE STE B	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
SAM'S CLUB #6616 - CLUB ONLY	603 S PLACENTIA AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
SAM'S CLUB #6616 - FUELING STATION ONLY	637 S PLACENTIA AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
SHORE DZ INC-ARCO	1000 W VALENCIA DR	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
ST MICHAEL PETROLEUM INC.	1133 E COMMONWEALTH AVE	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
STRONGARM ENVIRONMENTAL	740 WILLIAMSON AVE FULLERTON CA	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
SUNNY HILLS CARWASH	100 W BASTANCHURY RD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
SUNNY SIDE CAR CARE CENTER	2701 N BREA BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
SUPER 8 GAS CORP	1101 W COMMONWEALTH AVE	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
TESORO (SHELL) 68812	1625 S HARBOR BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
UNION SERVICE CENTER	3001 YORBA LINDA BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
UNIVERSITY SHELL	2960 YORBA LINDA BLVD	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST

Table 4.3-3. Non-Cortese List Sites

Site Name	Address	City	On/Within 500 feet	Database List	Status
WALPORT ENTERPRISES, INC., DBA ED'S MOBIL	2800 IMPERIAL HWY	FULLERTON	Within 500 feet	GeoTracker - Permitted UST	Permitted UST
WORLD OIL MARKETING COMPANY #107	901 N PLACENTIA AVE	FULLERTON	On	GeoTracker - Permitted UST	Permitted UST
BRIGHT ARMOR PLATING SHOP (FORMER)	2466-B EAST FENDER AVENUE	FULLERTON	On	EnviroStor Non-Cortese	Refer: 1248 Local Agency
FORMER AMERICAN ELECTRONICS FACILITY (AKA GRAPHICS TECH)	1600 E. Valencia Dr.	FULLERTON	On	EnviroStor Non-Cortese	Active
Fullerton PAH Background Study	303 W. Commonwealth	FULLERTON	Within 500 feet	EnviroStor Non-Cortese	No Action Required
FULLERTON UNIVERSITY SHOPPING CENTER	2940/2948 YORBA LINDA BLVD.	FULLERTON	On	EnviroStor Non-Cortese	Refer: 1248 Local Agency
Inland Products, Inc.	1410 E. Walnut Avenue	FULLERTON	On	EnviroStor Non-Cortese	No Action Required
KAIRAK AKA DON GREEN'S SALES INC	500 S. STATE COLLEGE BLVD	FULLERTON	Within 500 feet	EnviroStor Non-Cortese	Refer: RWQCB
KRAFT FOODS	1500 E. WALNUT AVE	FULLERTON	On	EnviroStor Non-Cortese	No Further Action
KRYLER CORP	1217 E. ASH AVE	FULLERTON	Within 500 feet	EnviroStor Non-Cortese	Refer: Local Agency
MDC CENTER(FORMER)	601-629 S. PLACENTIA AVENUE	FULLERTON	On	EnviroStor Non-Cortese	Refer: 1248 Local Agency
Monogram Systems, Fullerton	1300 E. Valencia Drive	FULLERTON	Within 500 feet	EnviroStor Non-Cortese	Inactive - Needs Evaluation
OMNI OPTICAL	360 S. ACACIA AVE	FULLERTON	On	EnviroStor Non-Cortese	No Further Action
Plaza Cars	811 West Commonwealth Avenue	FULLERTON	On	EnviroStor Non-Cortese	Refer: EPA
SO CAL GAS/FULLERTON MGP	144 W. WALNUT AVENUE	FULLERTON	On	EnviroStor Non-Cortese	Certified
YRC ENTERPRISE SERVICES	300 S. STATE COLLEGE BLVD	FULLERTON	Within 500 feet	EnviroStor Non-Cortese	Refer: RWQCB

Table 4.3-4. Hazardous Material Handling Sites

Site Name	Address	City	On/Adjoining	Hazardous Type
7-Eleven 39462	1301 E CHAPMAN AVE	FULLERTON	On Site	Chemical Storage Facilities
7-Eleven Inc #33257	1000 W. ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
7-ELEVEN #13999	2850 BREA BLVD	FULLERTON	On Site	Chemical Storage Facilities
Chapman Ave Shell	1124 E CHAPMAN AVE	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
Chipotle Mexican Grill #684	501 N STATE COLLEGE BLVD STE A	FULLERTON	On Site	Chemical Storage Facilities
CVS Pharmacy #9598	455 N STATE COLLEGE BOULEY	FULLERTON	On Site	RCRA LQ HW Generator, Hazardous Waste Generator
Discount Tire Centers # 042	301 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Food 4 Less #508	914 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
CHAPMAN MARKET.	506 N STATE COLLEGE BLVD	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
HERB'S VOLVO & MERCEDES	810 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Pep Boys #0642	1530 S HARBOR BLVD	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Propel Fuels, Inc. (208026)	1124 E CHAPMAN AVE STE B	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
TACO BELL STORE 9489	3000 YORBA LINDA BLVD	FULLERTON	On Site	Chemical Storage Facilities
Valvoline Instant Oil Change GN0017	4002 N. HARBOR BLVD	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator, Aboveground Petroleum Storage
Verizon Wireless: Bastanchury	1000 EAST BASTANCHURY ROAD	FULLERTON	On Site	Chemical Storage Facilities
Verizon Wireless: Malvern	167 SOUTH BROOKHURST	FULLERTON	On Site	Chemical Storage Facilities
Verizon Wireless: Yorba Kramer	2920 YORBA LINDA BOULEVARD	FULLERTON	On Site	Chemical Storage Facilities
World Oil Marketing Company #107	901 N PLACENTIA AVE	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
7-ELEVEN #15194	3259 ASSOCIATED RD	FULLERTON	On Site	Chemical Storage Facilities

Table 4.3-4. Hazardous Material Handling Sites

Site Name	Address	City	On/Adjoining	Hazardous Type
7-ELEVEN #19988	1621 N PLACENTIA AVE	FULLERTON	On Site	Chemical Storage Facilities
99 Cents Only Stores #187	2450 E CHAPMAN AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
AT&T Mobility - EUCLID/CMNWEALTH (USID12141)	812 WILLIAMSON AVE UNIT A	FULLERTON	On Site	Chemical Storage Facilities
Bill's Body Works Inc.	320 S HIGHLAND AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Fisk Automotive	820 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
H&S Energy Products, LLC #2026	2950 NUTWOOD AVE	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
MARTEC MACHINING AND GRINDING INC.	2488 FENDER AVE STE E	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Stater Bros. Markets 129	1040 E BASTANCHURY RD	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
EXPRESS AUTO REPAIR MOTOR SPORT	537 W VALENCIA AVE STE B	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Fullerton Ford	820 WILLIAMSON AVE	FULLERTON	On Site	Chemical Storage Facilities
Kaizen Collision Center - Fullerton	700 WILLIAMSON AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
McDonald's of Imperial #35068	205 IMPERIAL HWY	FULLERTON	On Site	Chemical Storage Facilities
Carl's Jr. #344	222 N EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities
Affordable Overnight & Same Day	920 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
ROBS TRUCK & AUTO	900 E WALNUT AVE STE M	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
GARYS RADIATOR	225 W TRUSLOW AVE STE B	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
American Tire Depot #128	1123 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Mr BBQ	305 N STATE COLLEGE BLVD	FULLERTON	On Site	Chemical Storage Facilities
POLLYS PIES	136 N RAYMOND AVE	FULLERTON	On Site	Chemical Storage Facilities
ConcreteAccessories.com	130 N GILBERT ST	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
AMF CARTER LANES	1501 S LEMON AVE	FULLERTON	On Site	Chemical Storage Facilities
Firestone Complete Auto Care #650196	1933 NORTH PLACENTIA AVENUE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Panda Express #2678	501 N STATE COLLEGE BLVD, SUITE B	FULLERTON	On Site	Chemical Storage Facilities
Ronin BMW Mini	617 W VALENCIA DR	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
U-HAUL MOVING & STORAGE OF FULLERTON	920 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities
H & M, Inc.	519 S HARBOR BLVD	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
St Michael Petroleum Inc.	1133 E COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Underground Storage Tank, Hazardous Waste Generator
TARGET T0293	2920 YORBA LINDA BLVD	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Walgreens #1750	1250 E CHAPMAN AVE	FULLERTON	On Site	Hazardous Waste Generator
ADAMS RITE AEROSPACE	4141 N PALM ST	FULLERTON	On Site	US EPA Air Emission Inventory System (EIS), Chemical Storage Facilities, Hazardous Waste Generator
ASE AUTO REPAIR	2501 W ORANGETHORPE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
BONAS AUTO REPAIR	2507 W ORANGETHORPE AVE STE 109	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
CIRCLE K	911 N PLACENTIA AVE	FULLERTON	On Site	Chemical Storage Facilities
COMMUNITY AUTO REPAIR SERVICE	901 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
DEALERS TIRE & WHEEL	1001 S HARBOR	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
FOX SERVICE CENTER	1018 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
G & L MUSICAL INSTRUMENTS	2548 FENDER AVE STE C	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
AAMCO	133 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
GARLANDS PRECISION INC	144 W WALNUT UNIT C	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
GOLDENWEST TIRE CENTER	1400 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
HAWAIIAN AIR CORP	600 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
HK AUTO MASTER	623 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator

Table 4.3-4. Hazardous Material Handling Sites

Site Name	Address	City	On/Adjoining	Hazardous Type
J & J AUTO SERVICE	300 S MAGNOLIA AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
LEEPER MFG	2560 E FENDER AVE STE C	FULLERTON	On Site	Chemical Storage Facilities
LOS ANGELES HARLEY DAVIDSON OF ANAHEIM	2635 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
NICKS SUPER BURGERS	1117 E COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities
POPS & SONS AUTO LLC	629 W VALENCIA DR	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
PURE EFFECT INC	601 W VALENCIA DR	FULLERTON	On Site	Chemical Storage Facilities
RELIABLE SHEET METAL	524 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
RICHARDS AUTO REPAIR	2507 W ORANGETHORPE AVE STE 112	FULLERTON	On Site	Hazardous Waste Generator
SONIC DRIVE IN	441 N PLACENTIA AVE	FULLERTON	On Site	Chemical Storage Facilities
ALL AUTO REPAIR CORP	812 WILLIAMSON AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
XPRESS AUTO SERVICE	2507 W ORANGETHORPE AVE STE 105	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Wine Country Gift Baskets	4201 N. BONITA PLACE	FULLERTON	On Site	Chemical Storage Facilities
HOUDINI INC	4101 BONITA PL	FULLERTON	On Site	Chemical Storage Facilities
Jack in the Box 262	2315 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities
SCIENTIFIC SPRAY FINISHES INC	315 S RICHMAN AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
OILYS AUTOMOTIVE INC.	2507 W ORANGETHORPE AVE STE 101	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Robbins Brothers Fullerton	255 W ORANGETHORPE AVE	FULLERTON	On Site	Hazardous Waste Generator
ALEC LAP NHAN	144 W WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
Crash Champions - Fullerton West	555 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
AT&T Mobility - RAYMOND/CHAPMAN (USID11715)	104 1/2 N RAYMOND AVE	FULLERTON	On Site	Chemical Storage Facilities
United Duralume Products, Inc.	350 S RAYMOND AVE	FULLERTON	On Site	Chemical Storage Facilities
FZ Garage / Mobile Mechanic Workshop	321 S HIGHLAND AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
California Brothers Smog and Repair LLC	539 W VALENCIA DR UNIT B1	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
C&L Refrigeration	4111 N PALM ST	FULLERTON	On Site	Hazardous Waste Generator
Ensenada's Surf N Turf Grill	2931 NUTWOOD AVE	FULLERTON	On Site	Chemical Storage Facilities
Casa Fresh Mexican Grill	177 N RAYMOND AVE	FULLERTON	On Site	Chemical Storage Facilities
jimenez iron forge inc	2478 FENDER AVE STE D	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
IHOP #908	151 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities
CUSTOM RIDE AUTOMOTIVE REPAIR	537 W VALENCIA DR STE A	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
The Swig Bar	2466 FENDER AVE STE A	FULLERTON	On Site	Chemical Storage Facilities
ESOTERIC WOODCRAFT	2524 E FENDER AVE J	FULLERTON	On Site	US EPA Air Emission Inventory System (EIS)
El Pollo Loco #3453-Fullerton - Euclid	120 N EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities
AT&T Mobility - (USID119834)	801 E CHAPMAN AVE	FULLERTON	On Site	Chemical Storage Facilities
The Blue Door Bar	1310 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities
Bootlegger's Brewery Tasting Room	130 S HIGHLAND AVE	FULLERTON	On Site	Chemical Storage Facilities
Burgers #3, Inc. Dba Charlies Best	506 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities
Bigs Fullerton Inc	323 N STATE COLLEGE BLVD	FULLERTON	On Site	Chemical Storage Facilities
Sherwin-Williams #727637	1107 S HARBOR BLVD	FULLERTON	On Site	Hazardous Waste Generator
Wendy's 106	2810 IMPERIAL HWY	FULLERTON	On Site	Chemical Storage Facilities
Turn Marketing	2350 ARTESIA AVE STE A	FULLERTON	On Site	Chemical Storage Facilities
Miracle Center	1701 W VALENCIA DR	FULLERTON	On Site	Chemical Storage Facilities
Good Earth Recycling Center	2041 W COMMONWEALTH AVE	FULLERTON	On Site	Industrial Facility Storm Water

Table 4.3-4. Hazardous Material Handling Sites

Site Name	Address	City	On/Adjoining	Hazardous Type
SureBuilt Concrete Accessories	130 NORTH GILBERT STREET	FULLERTON	On Site	Industrial Facility Storm Water
GB OIL WHOLESALE CORP	515 W VALENCIA DR STE E	FULLERTON	On Site	Chemical Storage Facilities
American Tower - Site #301083 - Yorba Kramer	2920 YORBA LINDA BLVD.	FULLERTON	On Site	Chemical Storage Facilities
Chapman Coast Roof Co., Inc.	2030 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
SPD MANUFACTURING INC	1101 E TRUSLOW AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
4703 - Quick Quack Car Wash	520 S EUCLID ST	FULLERTON	On Site	Chemical Storage Facilities
Raising cane's Restaurant #690	201 W ORANGETHORPE AVE	FULLERTON	On Site	Chemical Storage Facilities
Advance Auto Parts #8596	1530 S HARBOR BLVD	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
J&J Cruz Auto Repair Inc.	2507 W ORANGETHORPE AVE STE 113	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Jmj marble and granite	800 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
C & H CLEANERS	2231 N HARBOR BLVD	FULLERTON	On Site	Chemical Storage Facilities, Cleanup Program Site, Hazardous Waste Generator
CR STEEL FABRICATORS & ERECTORS CO	1000 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities
Crossroads Dialysis	3214 YORBA LINDA BLVD	FULLERTON	On Site	Chemical Storage Facilities
Kohl's, Inc. - Store #1362	3204 YORBA LINDA BLVD	FULLERTON	On Site	Hazardous Waste Generator
Orange County Land Management Service	210 W WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator
Fullerton Auto Repair	1800 W COMMONWEALTH AVE	FULLERTON	On Site	Chemical Storage Facilities
RCS Acquisition, Inc.	800 E WALNUT AVE	FULLERTON	On Site	Chemical Storage Facilities, Hazardous Waste Generator

4.3.1.3 Oil, Gas, and Methane

Dudek conducted a search for oil, gas, and geothermal wells on the California Geologic Energy Management Division's (CalGEM's) Well Finder database (CalGEM 2024). As shown on Figure 4.3-4, four oil fields are located within the boundaries of the City of Fullerton, Coyote West, Coyote East, Buena Park East, and Richfield. These fields include hundreds of oil and gas wells. The majority of the wells are plugged, but there are active and idle wells located within the City of Fullerton, the majority of which are located in the northeastern portion of the City.

National Pipeline Mapping System

Dudek searched the National Pipeline Mapping System (NPMS), which is a web-based mapping application that provides information on gas and hazardous liquid transmission pipelines, liquefied natural gas plants, breakout tanks, and accidents and incidents as they're reported under US Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) jurisdiction (USDOT 2024). Two pipelines were identified within the City of Fullerton, as shown on Figure 4.3-4. Both of these pipelines adjoin parcels selected as part of the Program Planning Area. No accidents or incidents were identified on or adjoining any Program Planning Area parcels.

Methane Areas

As further discussed in Section 4.3.2, the Orange County Fire Authority (OCFA) Combustible Soil Gas Hazard Mitigation Guideline C-03 (OCFA 2017) applies for construction on any property:

- within 100 feet of the administrative boundary of an oil/gas field,
- within 100 feet of an active or abandoned oil/gas well not located within an administrative boundary,
- within 300 feet of any gas seepage zone,
- within 1,000 feet of the refuse footprint of any landfill, or
- as determined by OCFA to be subject to gas migration from a potential source of combustible gas.

Based on these criteria, methane mitigation zones are shown on Figure 4.3-5. Multiple parcels within the Program Planning Area overlap these methane mitigation zones.

4.3.1.4 Schools

Dudek consulted the California School Campus Database (GreenInfo Network 2021) to determine if there are any schools within 0.25 miles of the project site. Schools identified within 0.25 miles of the Program Planning Area parcels are shown on Figure 4.3-6.

4.3.1.5 Airports

The Fullerton Municipal Airport (airport), 4011 W Commonwealth Ave, is located within the southwestern corner of the City of Fullerton incorporation boundary. As further discussed in Section 4.3.2, the Orange County Airport Land Use Commission (ALUC) has developed the Airport Environs Land Use Plan (AELUP) for the airport (OC ALUC 2019), the purpose of which is to provide safety measures for current and future land uses around the airport. The land use plan designates safety zones, noise zones, and notification zones for construction around the airport. As shown

on Figure 4.3-7, portions of the Program Planning Area overlap the 60 CNEL[1] noise contour. Table 1 of the AELUP illustrates all land use categories (residential, community facilities, commercial, and industrial) may be constructed within the 60 CNEL with no special noise reduction requirements.

The Federal Aviation Administration has filing requirements for proposed structures that vary based on factors such as height, location, and proximity to an airport, as defined by Title 14 of the Code of Federal Regulations, Part 77.9. As shown on Figure 4.3-7, portions of the Program Planning Area are within the Part 77 notification zone, indicating projects in this area may be required to file a notice of construction under 14 CFR Part 77.9.

4.3.1.6 Fire Hazards and Emergency Response

The Program Planning Area is located within an area mapped as Local Responsibility Area (LRA) by CAL FIRE (CAL FIRE 2007). The LRA designation means that fire response services for the Program Planning Area are within the responsibility of a local, rather than state, agency. In this case the Fullerton Fire Department. CAL FIRE has determined fire hazard severity zones for the entire state of California, which are designated (moderate, high, very high) based on factors that influence fire likelihood and fire behavior. For the purposes of this EIR, fire hazard severity zones published in the 2020 City of Fullerton Local Hazard Mitigation Plan (LHMP) were used (City of Fullerton 2020). These fire hazard severity zones match those published by CAL FIRE in 2007 (CAL FIRE 2007).

Portions of the Proposed Planning Area adjoin a Very High Fire Hazard Severity Zone (VHFHSZ), specifically at the southeast corner of Rosecrans Avenue and N Gilbert Street. Fire severity zones are shown on Exhibit 5.9-1 of the 2012 General Plan EIR (City of Fullerton 2012).

4.3.1.7 Highway Hazards

As discussed in the 2012 General Plan EIR (City of Fullerton 2012), highways transecting the City of Fullerton present the potential exposure to hazardous materials and petroleum products. Not only do trucks transport hazardous materials along highway routes, but aerially deposited lead (ADL) could be present along highway rights-of-way. The historical use of leaded gasoline has caused ADL to be distributed along older roadways, resulting in elevated lead concentrations in soils (Caltrans 2024). Some of these lead concentrations have been found to exceed hazardous waste levels, especially on roads that have had high vehicle emissions from large traffic volumes or congestion, generally prior to 1986 when leaded gasolines were used (DTSC 2016). Caltrans and DTSC have an agreement in place to manage ADLs within the public rights-of-way (DTSC 2016).

As to transportation of hazardous materials, transportation-related incidents could result in the release of hazardous materials due to releases either from the vehicle itself (fuel tanks and automotive fluids) or from hazardous cargo. Main routes of transportation in the City are highways 39, 57, 90, and 91. Some parcels included in the Project Planning Area adjoin these roadways.

[1] CNEL (Community Noise Equivalent Level) is the average noise level measured for a 24-hour period with different weighting factors for the hourly noise levels occurring in daytime, evening, and nighttime periods (OC ALUC 2019).

4.3.2 Relevant Plans, Policies, and Ordinances

Federal

U.S. Environmental Protection Agency

Title 40 U.S. Code of Federal Regulations, Chapter 1, Subchapter I, Parts 260–265 – Solid Waste Disposal Act/Federal Resource Conservation and Recovery Act of 1976

The Solid Waste Disposal Act, as amended and revised by the Resource Conservation and Recovery Act, establishes requirements for the management of solid wastes (including hazardous wastes), landfills, USTs, and certain medical wastes. The statute also addresses program administration; implementation and delegation to the states; enforcement provisions and responsibilities; and research, training, and grant funding. Provisions are established for the generation, storage, treatment, and disposal of hazardous waste, including requirements addressing generator record keeping, labeling, shipping paper management, placarding, emergency response information, training, and security plans.

Title 40 U.S. Code of Federal Regulations, Chapter 1, Subchapter I, Part 273 – Universal Waste

This regulation governs the collection and management of widely generated waste, including batteries, pesticides, mercury-containing equipment, and bulbs. This regulation streamlines the hazardous waste management standards and ensures that such waste is diverted to the appropriate treatment or recycling facility.

Title 40 U.S. Code of Federal Regulations, Chapter 1, Subchapter D, Part 112 – Oil Pollution Prevention

Oil Pollution Prevention regulations require the preparation of a spill prevention, control, and countermeasure plan if oil is stored in excess of 1,320 gallons in aboveground storage (or if there is a buried capacity of 42,000 gallons). Spill prevention, control, and countermeasure regulations place restrictions on the management of petroleum materials and, therefore, have some bearing on hazardous materials management.

Title 40 U.S. Code of Federal Regulations, Chapter 1, Subchapter C, Part 61 – National Emission Standards for Hazardous Air Pollutants, Subpart M – National Emission Standard for Asbestos

This regulation established National Emission Standards for Hazardous Air Pollutants (NESHAP) and names asbestos-containing material (ACM) as one of these materials. ACM use, removal, and disposal are regulated by United State Environmental Protection Act (EPA) under this law. In addition, notification of friable ACM removal prior to a proposed demolition project is required by this law.

Title 42 U.S. Code of Federal Regulations, Chapter 116 – Emergency Planning and Community Right-to-Know Act

The Emergency Planning and Community Right-to-Know Act (EPCRA) provides for public access to information about chemical hazards. The EPCRA and its regulations included in Title 40 U.S.C. Parts 350-372 establish four types of reporting obligations for facilities storing or managing specified chemicals: emergency planning, emergency release notification, hazardous chemical storage reporting requirements, and toxic chemical release inventory. EPA

maintains a database, termed the Toxic Release Inventory, which includes information on reportable releases to the environment.

Title 15 U.S. Code of Federal Regulations, Chapter 53, Subchapter I, Section 2601 et seq. – Toxic Substances Control Act of 1976

The Toxic Substances Control Act (TSCA) of 1976 empowers EPA to require reporting, record-keeping, and testing, as well as to place restrictions on the use and handling of chemical substances and mixtures. This regulation phased out the use of asbestos and ACM in new building materials and also sets requirements for the use, handling, and disposal of ACM as well as for lead-based paint (LBP) waste. As discussed above, EPA has also established National Emission Standards for Hazardous Air Pollutants (NESHAP), which govern the use, removal, and disposal of ACM as a hazardous air pollutant and mandate the removal of friable ACM before a building is demolished and require notification before demolition. In addition to asbestos, ACM, and LBP requirements, this regulation also banned the manufacturing of PCBs and sets standards for the use and disposal of existing PCB-containing equipment or materials.

Title 42 U.S. Code of Federal Regulations, Section 9601 – Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 101 – Definitions

CERCLA provides for the cleanup of uncontrolled or abandoned hazardous wastes sites as well as accidents, spills, and other emergency releases of hazardous substances. CERCLA section 101 [42 U.S.C. section 9601] provides definitions for terms used throughout CERCLA., including *hazardous substance*, *toxic pollutants, hazardous air pollutants, hazardous waste,* and *release.*

Hazardous Substance: CERCLA section 101(14) defines "hazardous substance" by reference to lists of substances designated under specific authorities. The CERCLA list of hazardous substances (40 Code of Federal Regulations (CFR) part 302.4) is currently comprised of the following lists:

- Clean Water Act (CWA) Hazardous Substances per CWA section 311(b)(2) [40 CFR 116.4; 33 U.S.C. 1321(b)(2)]
- CWA Toxic Pollutants per CWA section 307(a) [40 CFR 401.15, 40 CFR part 423 Appendix A, and 40 CFR 131.36; 33 U.S.C. 1317(a)]
- CAA Hazardous Air Pollutants per CAA section 112(b) [33 U.S.C. 7412(b); P.L. 102-187 December 4, 1991; 70 FR 75047, December 19, 2005; 69 FR 69320, November 29, 2004; 61 FR 30816, June 18, 1996; 65 FR 47342, August 2, 2000, and 87 FR 393, January 5, 2022]
- RCRA Hazardous Wastes per RCRA section 3001 [40 CFR part 261 Subpart D – Lists of Hazardous Wastes; 42 U.S.C. 6921]

Release: CERCLA section 101(22) defines "release" as any "…spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant)."

Regional Screening Levels

The federal EPA provides regional screening levels for chemical contaminants to provide comparison values for residential and commercial/industrial exposures to soil, air, and tap water (drinking water). RSLs are available on

the EPA's website and provide a screening level calculation tool to assist risk assessors, remediation project managers, and others involved with risk assessment and decision-making. RSLs are also used when a site is initially investigated to determine if potentially significant levels of contamination are present to warrant further investigation. In California, the DTSC Human and Ecological Risk Office (HERO) incorporated the EPA RSLs into the HERO human health risk assessment. HERO created Human Health Risk Assessment (HHRA) Note 3, which incorporates HERO recommendations and DTSC-modified screening levels (DTSC-SLs) based on review of the EPA RSLs. The DTSC-SL should be used in conjunction with the EPA RSLs to evaluate chemical concentrations in environmental media at California sites and facilities.

U.S. Department of Labor, Occupational Safety and Health Administration

Title 29 U.S. Code of Federal Regulations, Part 1926 et seq. – Safety and Health Regulations for Construction

These standards require employee training; personal protective equipment; safety equipment; and written procedures, programs, and plans for ensuring worker safety when working with hazardous materials or in hazardous work environments during construction activities, including renovations and demolition projects and the handling, storage, and use of explosives. These standards also provide rules for the removal and disposal of asbestos, lead, LBP, and other lead materials. Although intended primarily to protect worker health and safety, these requirements also guide general facility safety. This regulation also requires that an engineering survey is prepared prior to demolition.

Title 29 U.S. Code of Federal Regulations, Part 1910 et seq. – Occupational Safety and Health Standards

Under this regulation, facilities that use, store, manufacture, handle, process, or move hazardous materials are required to conduct employee safety training, inventory safety equipment relevant to potential hazards, have knowledge on safety equipment use, prepare an illness prevention program, provide hazardous substance exposure warnings, prepare an emergency response plan, and prepare a fire prevention plan.

U.S. Department of Transportation

Title 49 U.S. Code of Federal Regulations, Part 172, Subchapter C – Shipping Papers

The U.S. Department of Transportation established standards for the transport of hazardous materials and hazardous wastes. The standards include requirements for labeling, packaging, and shipping hazardous materials and hazardous wastes, as well as training requirements for personnel completing shipping papers and manifests.

Federal Response Plan

The Federal Response Plan of 1999, as amended in 2003 (FEMA 2003) is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency, (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act and individual agency statutory authorities, and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a presidential declaration of a major disaster or emergency.

Federal Aviation Administration

Title 14 USC, Chapter 1, Subchapter E, Part 77 – Aeronautics and Space – Safe, Efficient Use, and Preservation of the Navigable Airspace

This regulation establishes requirements for notifying the Federal Aviation Administration (FAA) of certain construction activities and alterations to existing structures, in order to ensure there are no obstructions to navigable airspace. For example, projects that include construction or alteration exceeding 200 feet in height above ground level are required to notify the FAA.

International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what measures are required to protect against structural fires. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

State

California Unified Program for Management of Hazardous Waste and Materials

California Health and Safety Code (HSC), Division 20, Chapter 6.11, Sections 25404- 25404.9 Sections– Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

Under the California Environmental Protection Agency (CalEPA), the Department of Toxic Substances Control (DTSC) and Enforcement and Emergency Response Program (EERP) administer the technical implementation of California's Unified Program, which consolidates the administration, permit, inspection, and enforcement activities of several environmental and emergency management programs at the local level. Certified Unified Program Agencies (CUPAs) implement the hazardous waste and materials standards. This program was established under the amendments to the California HSC made by SB 1082 in 1994. The programs that make up the Unified Program are:

- Aboveground Petroleum Storage Act (APSA) Program
- Area Plans for Hazardous Materials Emergencies
- California Accidental Release Prevention (CalARP) Program
- Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plans, or HMBPs)
- Hazardous Material Management Plan (HMMP) and Hazardous Material Inventory Statements (HMIS)
- Hazardous Waste Generator and On-site Hazardous Waste Treatment (Tiered Permitting) Program
- Underground Storage Tank Program

The CUPA for the Project site is the Orange County Environmental Health.

Title 19 CCR, Chapter 2, Subchapter 3, Sections 2729-2734/California HSC Division 20, Chapter 6.95, Sections 25500–25520

This regulation requires the preparation of an HMBP by facility operators. The HMBP identifies the hazards, storage locations, and storage quantities for each hazardous chemical stored on-site. The HMBP is submitted to the CUPA for emergency planning purposes. The project site is currently subject to these requirements and there is an HMBP in place.

California Government Code Section 51014.6

Section 51014.6 of the California Government Code states the following:

> (a) Effective January 1, 1987, no person, other than the pipeline operator, shall do any of the following with respect to any pipeline easement: (1) Build, erect, or create a structure or improvement within the pipeline easement or permit the building, erection, or creation thereof. (2) Build, erect, or create a structure, fence, wall, or obstruction adjacent to any pipeline easement which would prevent complete and unimpaired surface access to the easement, or permit the building, erection, or creation thereof. (b) No shrubbery or shielding shall be installed on the pipeline easement which would impair aerial observation of the pipeline easement. This subdivision does not prevent the revegetation of any landscape disturbed within a pipeline easement as a result of constructing the pipeline and does not prevent the holder of the underlying fee interest or the holder's tenant from planting and harvesting seasonal agricultural crops on a pipeline easement. (c) This section does not prohibit a pipeline operator from performing any necessary activities within a pipeline easement, including, but not limited to, the construction, replacement, relocation, repair, or operation of the pipeline.

As stated in the Office of the State Fire Marshal, Pipeline Safety Division Information Sheet (CAL FIRE 2015), it is the position of the State Fire Marshal that nothing may encroach into or upon the pipeline easement that would impede the pipeline operator from complete and unobstructed surface access along the pipeline right-of-way, nor may there be any obstructions that would shield the pipeline right-of-way from observation. In the interest of public safety and the protection of the environment, it is imperative that the pipeline operator visually assesses the conditions along the easement to ensure the integrity of the pipeline.

It is the responsibility of the pipeline operator to ensure that they have unimpeded surface access and to be able to physically observe all portions of their pipeline rights-of-way. In cases where this is not possible, the pipeline operator must inform the State Fire Marshal. The State Fire Marshal will, in collaboration with the pipeline operator, resolve the issue.

California Dig Law

Title 1, Division 5, Chapter 3.1, Article 2, Section 4216 requires, prior to any excavation[2], the excavator to delineate the area to be excavated, so that subsurface utilities can be identified and marked. The excavator will contact the regional notification center at least 2 days but not more than 14 days prior to excavation. The regional notification

[2] According to Title 1, Division 5, Chapter 3.1, Article 2, Section 4216(g), excavation is defined as "any operation in which earth, rock, or other material in the ground is moved, removed, or otherwise displaced by means of tools, equipment, or explosives in any of the following ways: grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, cable or pipe plowing and driving, or any other way."

center will in turn identify and notify all appropriate owners and agencies with subsurface utilities in the area. Excavation will not begin until subsurface utilities are marked.

Hazardous Waste Management

Title 22 CCR, Division 4.5 – Environmental Health Standards for the Management of Hazardous Waste

In the State of California, the Department of Toxic Substances Control (DTSC) regulates hazardous wastes. These regulations establish requirements for the management and disposal of hazardous waste in accordance with the provisions of the California Hazardous Waste Control Act and federal RCRA. As with federal requirements, waste generators must determine if their wastes are hazardous according to specified characteristics or lists of wastes. Hazardous waste generators must obtain identification numbers; prepare manifests before transporting waste off-site; and use only permitted treatment, storage, and disposal facilities. Standards also include requirements for record keeping, reporting, packaging, and labeling. Additionally, while not a federal requirement, California requires that hazardous waste be transported by registered hazardous waste transporters.

In addition, Chapter 31 – Waste Minimization, Article 1 – Pollution Prevention and the Hazardous Waste Source Reduction and Management Review of these regulations require that generators of 12,000 kilograms/year of typical, operational hazardous waste evaluate their waste streams every four years and, as applicable, select and implement viable source reduction alternatives. This Act does not apply to non-typical hazardous waste, including ACM and PCBs, among others.

Title 22 California HSC, Division 20, Chapter 6.5 – California Hazardous Waste Control Act of 1972

This legislation created the framework under which hazardous wastes must be managed in California. It provides for the development of a state hazardous waste program (regulated by DTSC) that administers and implements the provisions of the federal RCRA program. It also provides for the designation of California-only hazardous wastes and development of standards that are equal to or, in some cases, more stringent than, federal requirements. The CUPA is responsible for implementing some elements of the law at the local level.

Human Health Risk Assessment Note 3 –DTSC-Modified Screening Levels (DTSC-SLs)

HHRA Note Number 3 presents recommended screening levels (derived from the EPA RSLs using DTSC-modified exposure and toxicity factors) for constituents in soil, tap water, and ambient air. The DTSC-SL should be used in conjunction with the EPA RSLs to evaluate chemical concentrations in environmental media at California sites and facilities.

Aboveground and Underground Petroleum Storage Tanks

Title 22 California HSC, Division 20, Chapter 6.67, Sections 25270 to 25270.13 – Aboveground Petroleum Storage Act

This law applies if a facility is subject to SPCC regulations under Title 40 U.S.C. Part 112, or if the facility has 10,000 gallons or more of petroleum in any or combination of ASTs and connecting pipes. If a facility exceeds these criteria, it must prepare a SPCC plan.

Low-Threat Underground Storage Tank (UST) Case Closure Policy

This policy applies to petroleum UST sites subject to Chapter 6.7 of the Health and Safety Code. This policy establishes both general and media-specific criteria. If both the general and applicable media-specific criteria are satisfied, then the leaking UST case is generally considered to present a low threat to human health, safety and the environment. This policy recognizes, however, that even if all of the specified criteria in the policy are met, there may be unique attributes of the case or site-specific conditions that increase the risk associated with the residual petroleum constituents. In these cases, the regulatory agency overseeing corrective action at the site must identify the conditions that make case closure under the policy inappropriate.

Regional Water Boards and local agencies have been directed to review all cases in the petroleum UST Cleanup Program using the framework provided in this policy. These case reviews shall, at a minimum, include the following for each UST case:

1. Determination of whether or not each UST case meets the criteria in this policy or is otherwise appropriate for closure based on a site-specific analysis.
2. If the case does not satisfy the criteria in this policy or does not present a low-risk based upon a site-specific analysis, impediments to closure shall be identified.
3. Each case review shall be made publicly available on the State Water Board's GeoTracker web site in a format acceptable to the Executive Director.

Environmental Cleanup Levels

Environmental Screening Levels

Environmental Screening Levels (ESLs) provide conservative screening levels for over 100 chemicals found at sites with contaminated soil and groundwater. They are intended to help expedite the identification and evaluation of potential environmental concerns at contaminated sites. The ESLs were developed by San Francisco Bay Regional Water Quality Control Board; however, they are used throughout the state. While ESLs are not intended to establish policy or regulation, they can be used as a conservative screening level for sites with contamination. Other agencies in California currently use the ESLs (as opposed to RSLs). In general, the ESLs could be used at any site in the State of California, provided all stakeholders agree (SFBRWQCB 2019). In recent experience, regulatory agencies in various regions use ESLs as regulatory cleanup levels. The ESLs are not generally used at sites where the contamination is solely related to a leaking underground storage tank (LUST); those sites are instead subject to the Low-Threat Underground Storage Tank Closure Policy.

California Integrated Waste Management Board

Title 14 CCR, Division 7, Chapter 8.2 – Electronic Waste Recovery and Recycling Act of 2003

This regulation sets requirements regarding the use and disposal of hazardous substances in electronics. When discarded, the DTSC considers the following materials manufactured before 2006 to be hazardous waste: cathode ray tube devices, liquid crystal display (LCD) desktop monitors, laptop computers with LCD displays, LCD televisions, plasma televisions, and portable DVD Players with LCD screens.

California Department of Transportation/California Highway Patrol

Title 13 CCR, Division 2, Chapter 6

California regulates the transportation of hazardous waste originating or passing through the state. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) have primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. CHP enforces materials and hazardous waste labeling and packing regulations that prevent leakage and spills of material in transit and provides detailed information to cleanup crews in the event of an incident. Vehicle and equipment inspection, shipment preparation, container identification, and shipping documentation are all part of the responsibility of CHP. CHP conducts regular inspections of licensed transporters to ensure regulatory compliance. Caltrans has emergency chemical spill identification teams at locations throughout the state. Hazardous waste must be regularly removed from generating sites by licensed hazardous waste transporters. Transported materials must be accompanied by hazardous waste manifests.

Occupational Safety and Health

Title 8 CCR – Safety Orders

Under the California Occupational Safety and Health Act of 1973, the California Occupational Safety and Health Administration (CalOSHA) is responsible for ensuring safe and healthful working conditions for California workers. CalOSHA assumes primary responsibility for developing and enforcing workplace safety regulations in Title 8 of the CCR. CalOSHA hazardous substances regulations include requirements for safety training, availability of safety equipment, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. CalOSHA also enforces hazard communication program regulations, which contain training and information requirements, including procedures for identifying and labeling hazardous substances. The hazard communication program also requires that Material Safety Data Sheets be available to employees and that employee information and training programs be documented.

In Division 1, Chapter 4, Subchapter 4 – Construction Safety Orders of Title 8, construction safety orders are listed and include rules for demolition, excavation, explosives work, working around fumes and vapors, pile driving, vehicle and traffic control, crane operation, scaffolding, fall protection, and fire protection and prevention, among others.

Cal/OSHA Asbestos and Carcinogen Unit enforces asbestos standards in construction, shipyards, and general industry. This includes identification and removal requirements of asbestos in buildings, as well as health and safety requirements of employees performing work under the Asbestos-In-Construction regulations 8 CCR 1529. Only a Cal/OSHA-Certified Asbestos Consultant (CAC) can provide asbestos consulting (as defined by the Business and Professions Code, 7180–7189.7, and triggered by the same size and concentration triggers as for registered contractors). These services include building inspection, abatement project design, contract administration, supervision of site surveillance technicians, sample collection, preparation of asbestos management plans, and clearance air monitoring.

Asbestos and Air Quality

Enforcement of the NESHAP Regulation, HSC Section 39658(b)(1)

The California Air Resources Board (CARB) is responsible for overseeing compliance with the federal Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAPs) in Los Angeles County. The Asbestos NESHAP Program enforces compliance with the federal National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulation for asbestos and investigates all related complaints, as specified by HSC Section 39658(b)(1). Of the 35 air districts in California, 16 of these districts do not have an asbestos program in place. In these "non-delegated" districts, a demolition/renovation notification is required for compliance with the Asbestos NESHAP. (This notification is not equivalent to a permit.) CARB reviews and investigates the notifications. The program also administers two annual statewide asbestos NESHAP task force meetings for air districts and US EPA to facilitate communication and enforcement continuity, and assists US EPA in training district staff to enforce the asbestos NESHAP.

Contractors State License Board

The California Department of Consumer Affairs Contractors State License Board manages the licensing of asbestos abatement contractors.

Lead-Based Paint

The California Department of Public Health enforces lead laws and regulations related to the prevention of lead poisoning in children, prevention of lead poisoning in occupational workers, accreditation and training for construction-related activities, lead exposure screening and reporting, disclosures, and limitations on the amount of lead found in products. Accredited lead specialists are required to find and abate lead hazards in a construction project and to perform lead-related construction work in an effective and safe manner. The specific regulations are as follows:

California Health & Safety Code Sections 124125 to 124165

Declared childhood lead exposure as the most significant childhood environmental health problem in the state. Established the Childhood Lead Poisoning Prevention Program and instructed it to continue to take steps necessary to reduce the incidence of childhood lead exposure in California.

California Health & Safety Code Sections 105275 to 105310

Reaffirmed California's commitment to lead poisoning prevention activities; provided CDPH with broad mandates on blood lead screening protocols, laboratory quality assurance, identification and management of lead exposed children, and reducing lead exposures.

California Health & Safety Code Section 105250

Establishes a program to accredit lead-related construction training providers and certify individuals to conduct lead-related construction activities.

California Civil Code Section 1941.1; California Health & Safety Code Sections 17961, 17980, 124130, 17920.10, 105251 to 105257

Deems a building to be in violation of the State Housing Law if it contains lead hazards, and requires local enforcement agencies to enforce provisions related to lead hazards. Makes it a crime for a person to engage in specified acts related to lead hazard evaluation, abatement, and lead-related constructions courses, unless certified or accredited by the Department. Permits local enforcement agencies to order the abatement of lead hazards or issue a cease and desist order in response to lead hazards.

California Civil Code Sections 1102 to 1102.16

Requires the disclosure of known lead-based paint hazards upon sale of a property.

California Education Code Sections 32240 to 32245

Implemented a lead poisoning prevention and protection program for California schools for a survey to ascertain risk factors that predicted lead contamination in public schools. The survey was completed in 1998. Findings of the survey are under Materials and Products.

California Labor Code Sections 6716 to 6717

Provides for the establishment of standards that protect the health and safety of employees who engage in lead-related construction work, including construction, demolition, renovation, and repair.

California Health & Safety Code Sections 116875 to 116880

Requires the use of lead-free pipes and fixtures in any installation or repair of a public water system or in a facility where water is provided for human consumption.

California Health & Safety Code Sections 105185 to 105197

Establishes an occupational lead poisoning prevention program to register and monitor laboratory reports of adult lead toxicity cases, monitor reported cases of occupational lead poisoning to ascertain lead poisoning sources, conduct investigations of take-home exposure cases, train employees and health professionals regarding occupational lead poisoning prevention, and recommended means for lead poisoning prevention.

California Building Standards Commission

Title 24 of the CCR – California Building Standards Code

The California Building Standards Code is a compilation of three types of building standards from three different sources:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and

- Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Among other rules, the Code contains requirements regarding the storage and handling of hazardous materials. The Chief Building Official at the local government level (i.e., City of Fullerton) must inspect and verify compliance with these requirements prior to issuance of an occupancy permit.

California Building Code – Chapter 7A

This chapter of the California Building Code establishes minimum standards for buildings located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area to resist the intrusion of flames or burning embers projected by a vegetation fire.

California Forestry and Fire Protection

2010 Strategic Fire Plan for California

Public Resources Code Sections 4114 and 4130 authorize the State Board of Forestry to establish a fire plan that establishes the levels of statewide fire protection services for State Responsibility Area (SRA) lands. These levels of service recognize other fire protection resources at the federal and local level that collectively provide a regional and statewide emergency response capability. In addition, California's integrated mutual aid fire protection system provides fire protection services through automatic and mutual aid agreements for fire incidents across all ownerships. The California Fire Plan is the state's road map for reducing the risk of wildfire through planning and prevention to reduce firefighting costs and property losses, increase firefighter safety, and to contribute to ecosystem health.

California Code of Regulations Title 24 Part 9 - 2019 California Fire Code

The California Fire Code contains regulations consistent with nationally recognized and accepted practices to safeguard life and property from hazards due to fire explosion, dangerous conditions from handling hazardous materials and devices, and hazardous conditions during occupancy of buildings. The fire code also includes protection and assistance of emergency response personnel, safety-related building codes, and other standards (ICC 2024).

California Emergency Services Act

Under the Emergency Services Act (California Government Code, Section 8550 et seq.), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an integral part of the plan, which is administered by the Governor's Office of Emergency Services. The Office of Emergency Services coordinates the responses of other agencies, including the EPA, California Highway Patrol, Regional Water Quality Control Boards, air quality management districts, and county disaster response offices.

California Accidental Release Prevention Program

Similar to the EPA Risk Management Program, the California Accidental Release Prevention (CalARP) Program (19 CCR 2735.1 et seq.) regulates facilities that use or store regulated substances, such as toxic or flammable chemicals, in quantities that exceed established thresholds. Under the regulations, industrial facilities that handle

hazardous materials above threshold quantities are required to prepare and submit a hazardous materials business plan (HMBP) to the local CUPA via the California Environmental Reporting System. As part of the HMBP, a facility is further required to specify applicability of other state regulatory programs. The overall purpose of CalARP is to prevent accidental releases of regulated substances and reduce the severity of releases that may occur. The CalARP Program meets the requirements of the EPA Risk Management Program, which was established pursuant to the Clean Air Act Amendments.

California Dig Alert

CA Government Code 4216

In accordance with CA Government Code 4216.2, an excavator planning to conduct an excavation shall notify the appropriate regional notification center of the intent to excavate between 2 and 14 calendar days prior to excavation activities. When the excavation is proposed within 10 feet of a "high priority subsurface installation", which includes high pressure natural gas and petroleum pipelines, the operator of the high priority subsurface installation shall notify the excavator of the existing of the installation and set up an onsite meeting to determine actions required to verify location and prevent damage to the installation. The excavator shall not begin excavating until the onsite meeting is complete.

Local

South Coast Air Quality Management District (SCAQMD)

Rule 403 – Fugitive Dust

The purpose of this rule is to reduce the amount of particulate matter in ambient air as a result of manmade fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions. Fugitive dust control measures are required during active operations, including earthmoving activities, open storage, and other dust creating activities, and require best available control practices to reduce particulates to a specified level.

Rule 1403 – Asbestos-Containing Materials

The SCAQMD requires compliance with Rule 1403 for protection from ACM. These compulsory steps include surveys, notification, and proper abatement of ACM prior to renovation or any demolition.

Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil

This rule sets requirements to control emissions of VOCs during excavation, grading, handling, and treating of VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition. Compulsory steps include preparation of a mitigation plan that's approved by SCAQMD prior to work beginning, monitoring, segregation of contaminated soils, dust control, and notifications to SCAQMD.

Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants

This rule sets requirements to minimize the amount of offsite fugitive dust emissions containing toxic air contaminants by reducing the particulate emissions as a result of earth moving activities. Requirements include monitoring, minimizing ambient dust, and notifications to SCAQMD.

Hazardous Materials

Orange County Health Care Agency – Environmental Health

The OCHCA is the CUPA designated for the County of Orange by the Secretary for Environmental Protection. The CUPA is the local administrator for hazardous materials, business emergency plans, hazardous waste, USTs, aboveground petroleum storage tanks, and the CalARP Program. Additional information on the CUPA is discussed in this section under the subheading California Unified Program for Management of Hazardous Waste and Materials. OCHCA's specific responsibilities include the hazardous waste inspection program, UST program, aboveground petroleum storage tank program, hazardous materials disclosure and business emergency planning, and CalARP. In the City, these responsibilities are delegated to the City of Fullerton Fire Department.

Orange County Codified Ordinance, Section 7-9-146.4 – Waste Management and Hazardous Materials

The County of Orange has specific requirements, in addition to the requirements of each district, for procedures and principles applicable to the use, storage, management, and disposal of hazardous materials. These procedures include disclosure prior to issuance of certificate of occupancy for commercial uses, waste management, and underground storage tanks.

City of Fullerton Municipal Code Chapters 5.25 through 5.35 – Hazardous Materials Cleanup, Underground Storage of Hazardous Materials, and Hazardous Materials Management

Fullerton Municipal Code (FMC) Chapter 5.25 summarizes the rules and requirements for cleanup of hazardous material, with specific consideration for cost recovery to the fire department. The Fire Chief is authorized to cleanup or abate effects of unlawful releases of hazardous materials or wastes, and as such may seek cost recovery for said cleanup.

FMC Chapter 5.30 outlines the City's authority to enforce CCR Title 23, Division 3, Chapter 16, Article 11 and HSC Division 20 Chapters 6.7 and 6.75 relating to underground storage of hazardous substances and required corrective actions.

FMC Chapter 5.35 outlines the City's authority to enforce HSC Chapter 6.95 relating to hazardous materials management.

City of Fullerton Fire Department Operations/Training Division

As authorized by FMC Chapter 5.25, the Fire Chief is responsible for cleanup or abatement effects of unlawful hazardous material releases. The Operations/Training Division provides emergency response for control and abatement of hazardous materials. Additionally, the fire department is delegated the CUPA responsibilities for the City.

City of Fullerton Local Hazard Mitigation Plan, Chapter 3 – Hazards Assessment

Hazardous Materials

Chapter 3 of the Local Hazard Mitigation Plan (LHMP) includes an evaluation of various hazards to the City, including the potential for hazardous material releases, and the City's location on top of "a large groundwater aquifer that has experienced contamination from volatile organic compounds, historically used by manufacturing industries in

the 1950s, 60s, and 70s" (City of Fullerton 2020). The LHMP evaluated releases due to oil and gas operations and other hazardous materials (manufacturing, distributing, and other industrial activities involving the use of hazardous chemicals). Proposed mitigation actions 8.1 and 8.2 were included in the LHMP to reduce potential hazards associated with hazardous material releases. These actions include promoting proper disposal of hazardous materials at regional collection centers and developing a tracking system for hazardous material use and storage, prioritized by potential threat to surrounding areas.

Airports

Under the LHMP, City of Fullerton evaluated the potential for aircraft incidents due to the presence of the Fullerton Municipal Airport. The airport is subject to the Airport Environs Land Use Plan (AELUP), which has placed restrictions on new uses and safety zones around the airport. The AELUP is discussed later in this section. Mitigative actions proposed as part of the LHMP do not directly affect airports, as airport safety procedures are discussed in the AELUP.

Wildfires

Wildfire risks within the City were evaluated based on past fires and the CAL FIRE fire hazard severity zones (see Section 4.3.1.6, Fire Hazards and Emergency Response). Mitigation actions 5.1 through 5.11 were proposed as part of the LHMP to reduce potential hazards associated with wildfires. These includes actions such as weed abatement, improved fire response equipment, preparation of a community wildfire preparedness plan, creation of a rapid response team, and continued community awareness programs.

Emergency Response

The LHMP outlines the City's capabilities for emergency response and goals toward improving emergency response throughout the City. City's capabilities are outlined in building codes, capital improvement plans, community development plans, community emergency response teams, and personnel throughout the City (fire department, human resources, landscape maintenance, and parks and recreation).

Methane

Orange County Fire Authority, Community Risk Reduction Guideline C-03: Combustible Soil Gas Hazard Mitigation

OCFA has provided guidance for investigation, remediation, and/or mitigation of potentially hazardous concentrations of combustible soil gases associated with construction and occupancy of a structure located within a specified methane risk area.

Airports

Airport Environs Land Use Plan (AELUP)

The purpose of the AELUP for Fullerton Municipal Airport is to provide safety measures for current and future land uses around the airport. The land use plan designates safety zones, noise zones, and notification zones for construction around the airport. The AELUP is written and enforced by the Airport Land Use Commission, who are authorized under Public Utilities Code Section 21674 to assist in local planning to ensure compatible uses near the

airport, coordinate with state and local planning to protect public health and safety while allowing orderly development of the airport, and adopt rules and regulations consistent with the State Aeronautics Act (OC ALUC 2019).

City of Fullerton Municipal Code Chapter 18.03, Use and Operation of the Airport

Fullerton Municipal Code (FMC) Chapter 18.03 outlines use and operation of the Fullerton Municipal Airport. Provisions include aircraft operations, accident and incident procedures, rules of conduct, tenant obligations, commercial operations, and enforcement capabilities of the City.

Wildfire and Emergency Response

Orange County Codified Ordinance, Title 3, Division 1 – Emergency Services

An emergency management council and emergency management manager are responsible for ensuring development of the Orange County Emergency Plan, which provides effective mobilization of resources in the county, both public and private, to meet conditions constituting a local or state emergency.

City of Fullerton Municipal Code Chapters 13.18 through 13.20 – Fire Prevention

FMC Chapter 13.18 outlines rules and requirements for weed and rubbish abatement in order to reduce wildfire potential and general nuisance. 13.18 requires removal of determined nuisance weeds and rubbish upon notice from the City.

FMC Chapter 13.19 establishes fire prevention standards for the City. The chapter outlines fire severity zones, compliance requirements, protection areas, and defines nuisances.

FMC Chapter 13.20 outlines the City's adoption of the 2019 California Fire Code with local amendments for the City.

City of Fullerton Emergency Operations Plan

As noted in the General Plan EIR (Fullerton Plan) (City of Fullerton 2012), the City adopted an Emergency Operations Plan (EOP) in March 2004. As described in the 2012 EIR, the EOP concentrations on the management of large-scale disasters, as well as response procedures. Additionally, City of Fullerton adopted the Standardized Emergency Management System (SEMS) concept under SB 1841 in November 1995.

4.3.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts related to hazards and hazardous materials are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous material would occur if the project would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as result, would it create a significant hazard to the public or the environment.
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area.
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to the routine transport, use, or disposal of hazardous materials; interfering with an adopted emergency response or evacuation plan; and exposing people and structures to significant loss, injury or death involving wildfires. As such, the following thresholds are evaluated within this section for the Program:

HAZ-1. Would the Program create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

HAZ-2. Would the Program emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

HAZ-3. Would the Program be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as result, would it create a significant hazard to the public or the environment?

HAZ-4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Program result in a safety hazard or excessive noise for people residing or working in the Program area?

4.3.4 Impacts Analysis

HAZ-1. Would the Program create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Findings of 2012 EIR

As discussed in the City's General Plan EIR (City of Fullerton 2012), short-term construction-related activities associated with future development could create a significant hazard to the public or environment through accident conditions involving the release of hazardous materials. This hazard was based on the following potential impacts:

- Demolition of existing structures could release hazardous building materials, such as asbestos and lead-based paints.

- Contaminated soils and groundwater could be disturbed during construction, exposing workers and employees to hazardous materials.
- Aerially deposited lead (ADL) may be encountered within the rights-of-way of State Route 91 and State Route 57.

Long-term operation activities associated with future development could create a significant hazard to the public or environment through accident conditions involving the release of hazardous materials. This hazard was based on the following potential impacts:

- The potential for leaking USTs at businesses that store hazardous materials or wastes in USTs.
- Offsite transport of hazardous materials.
- Storage and handling of hazardous materials and wastes at industrial facilities.

The 2012 EIR resolved these impacts through mitigation, which are included in this PEIR as conditions of approval (COA) COA-HAZ-1 through COA-HAZ-4 (see Section 4.3.5, Conditions of Approval and Mitigation Measures). Additionally, proposed policy P23.2 was prepared for inclusion in the General Plan: Support projects, programs, policies and regulations to promote safe handling and disposal by households, businesses, and City operations of solid waste which has specific disposal requirements.

HIOZ Analysis

Hazardous Building Materials

Future development within the Program Planning Area would likely result in demolition of existing structures. Typically, structures that were constructed prior to 1980 are likely to contain hazardous building materials, such as lead-based paints (LBP), asbestos-containing materials (ACM), and polychlorinated biphenyls (PCBs). COA-HAZ-3 requires a survey for ACM and LBP by a "Certified Environmental Professional" prior to demolition or renovation activities, and, if ACM or LBP are found, these materials shall be removed and disposed of at an appropriate permitted facility. In addition to ACM and LBP, other hazardous materials may be present in buildings proposed for demolition. For example, commercial and industrial sites within the Program Planning Area that currently handle reportable quantities of hazardous materials or wastes are shown on Figure 4.3-3. These sites do not necessarily have documented releases, but redevelopment could encounter hazardous materials or wastes. As such, the preliminary survey proposed in COA-HAZ-3 should include all potential hazardous materials, including hazardous building materials (PCBs, mercury), universal wastes, and other "leftover" materials from former industrial activities (drums, tanks, product pipelines, etc.). MM-HAZ-1 adds to the requirements of COA-HAZ-3 to include other hazardous materials in addition to ACM and LBP and clarifies the requirements for professional certifications.

In addition to compliance with COA-HAZ-3 and MM-HAZ-1, assessment of asbestos and lead-based paint and abatement, if necessary, is required under local regulations, specifically federal OSHA, Cal/OSHA, California Department of Public Health, and SCAQMD Rule 1403. Certain universal wastes (batteries, lamps and light ballasts, and mercury-containing equipment) are required to be managed and disposed of under California Code of Regulations Title 22, Section 66273.33 and Title 40 CFR. Hazardous wastes in major appliances, including PCBs, refrigerants, oils, and circuit boards, must be removed before major appliances are recycled or disposed of in accordance with California Health and Safety Code Section 25212. Lastly, PCBs in building materials are regulated under the Toxic Substances Control Act. Adherence to these rules

prior to and during demolition of existing buildings and structures would ensure proper handling and disposal of hazardous building materials and appliances.

Adherence to applicable laws, rules, and regulations, as well as COA-HAZ-3 and MM-HAZ-1, would limit reasonably foreseeable accident or incident conditions related to hazardous building materials, resulting in a less than significant impact.

Oil Wells and Pipelines

As discussed in Section 4.3.1.3 and shown on Figure 4.3-4, there are multiple oil and gas features within the City of Fullerton which are on or near the Program Planning Area. As shown on Figure 4.3-5, there are also parcels within the Program Planning Area that overlap methane mitigation zones designated under OCFA Combustible Soil Gas Hazard Mitigation Guideline C-03. Construction of a property on an oil/gas well or on a hazardous material pipeline could result in damage to the well or pipeline, or could require removal of components of the well, resulting in potential accidental releases of hazardous materials. Construction and occupancy within methane zones could result in release of combustible soil gases, also creating an accidental release of hazardous materials.

OCFA's combustible soil gas mitigation guidelines (OCFA 2017) establishes building restriction zones to limit construction within methane zones. If building is to occur within restricted areas, the guidelines require protective measures to be implemented, including preparation of a methane workplan, methane investigations on the property, and review by both OCFA and a Registered Professional Engineer. Future development within the Program Planning Area would undergo permitting by ministerial action, including permits for demolition and construction. Building plans submitted during the permitting process must be reviewed and approved by OCFA, and approvals would include methane controls in accordance with the soil gas mitigation guidelines.

CalGEM has the authority under California Public Resources Code (PRC) Section 3208.1 to require re-abandonment of a well where there is reason to question the integrity of the previous abandonment. As such, CalGEM advises against building over, or in any way impeding access to oil, gas, or geothermal wells. CalGEM also advises all wells identified within a parcel to be tested for liquid or gas leakage prior to or during development. Surveys of the well would be submitted to CalGEM for review, and any identified leaks should be reported to CalGEM.

With regard to hazardous material pipelines, under California Government Code Section 51014.6 (see Section 4.3.2), buildings and associated structures (fences, walls, other obstructions) cannot be constructed on pipeline easements. The State Fire Marshal also has authority to limit construction that encroaches on pipeline easements. Any future project that requires excavation or earthmoving activities is required to do so in compliance with California Government Code 4216. Under this regulation, a contractor must contact DigAlert (also known as Underground Service Alert [USA] or 811) at least two days prior to initiating any excavations. The DigAlert notification would prompt all underground utility operators (i.e., gas, electric, water, telecommunication) to physically mark the location of their utilities to avoid disrupting and/or damaging the utilities during construction. As part of this process, hazardous material pipelines would be identified on the ground surface with markers such as flags, paint, and stakes. Additionally, if the

excavation is proposed within 10 feet of a high priority utility[3], California Government Code Section 4216.2(c) requires the owner/operator of a high priority utility to notify the excavator of the existence of the high priority line and set up an onsite meeting to determine actions or activities required. If the utility owner does not contact the excavator, the excavator will reach out to contact the utility owner.

While permitting and regulatory requirements require protections from potential hazards associated with construction on or near oil and gas wells or fields, survey for and identification of these features would be required under MM-HAZ-2. Once identified, the appropriate protective measures would be implemented in accordance with state and local laws and regulations. Adherence to applicable laws, rules, and regulations, as well as MM-HAZ-2, would limit reasonably foreseeable accident or incident conditions related to oil and gas features, resulting in a less than significant impact.

Soil, Groundwater, and Soil Vapor Contamination

Sites with known hazardous material releases, as reported to state or local environmental regulatory agencies, are discussed in Section 4.3.1.2 and shown on Figures 4.3-1 and 4.3-2.

The sites shown on Figures 4.3-1 and 4.3-2 and summarized in respective Tables 4.3-1 and 4.3-2 have documented releases of hazardous materials or petroleum products. While some of these sites have received regulatory closure, there are different cleanup standards and screening levels for commercial, industrial, and residential development. Depending on the date of closure there is also a possibility that cleanup requirements have changed since closure, and the site no longer meets requirements for redevelopment. As such, cleanup requirements met during remediation of these sites may not be adequate for future residential development. Construction and development may result in accidental release of hazardous materials; construction workers and the general public could be exposed to hazardous materials during construction, while future occupants could be exposed to hazardous materials during future occupancy (such as soil vapor intrusion into buildings).

In addition to known release sites, sites within the Program Planning Area that currently handle hazardous materials and wastes are shown on Figure 4.3-3 and are summarized in Table 4.3-3. While these sites do not have documented releases of hazardous materials, redevelopment could encounter hazardous materials left over from operations, or the sites may have undocumented or unknown releases.

COA-HAZ-1 requires a Phase I Environmental Site Assessment (ESA) to be prepared prior to issuance of a grading permit for "properties considered by the City to involve the potential for site contamination." When prepared in accordance with ASTM E1527-21 (or the standard applicable at the time of the assessment), the Phase I ESA would likely identify documented contamination, or would identify the potential for contamination based on commercial or industrial impacts. COA-HAZ-2 requires removal of all materials from a proposed project site prior to grading and excavation activities and a visual inspection of the ground surface for evidence of stained soils. COA-HAZ-2 requires sampling of visually impacted soils, and remediation or removal of soils found to contain contamination above applicable regulatory screening levels. COA-HAZ-2 also allows "other measures as deemed appropriate by the City of Fullerton or Fullerton Fire Department." In addition to COA-HAZ-1 and COA-HAZ-2, MM-HAZ-3 requires investigatory actions, such

[3] "high priority subsurface installation" is defined in Section 4216(j) as high-pressure natural gas pipelines with normal operating pressures greater than 415kPA gauge (60psig), petroleum pipelines, pressurized sewage pipelines, high-voltage electric supply lines, conductors, or cables that have a potential to ground of greater than or equal to 60kv, or hazardous materials pipelines that are potentially hazardous to workers or the public if damaged.

as a Phase II ESA, to be taken in the event the Phase I ESA (required by COA-HAZ-1) identifies a Recognized Environmental Condition (REC), Controlled REC (CREC), or Vapor Encroachment Condition (VEC). MM-HAZ-4 provides details for required response procedures if contamination is found above regulatory screening levels, or if the proposed development site is found to be on or impacted by a nearby listed contaminated site. If soil, groundwater, or soil vapor impacts are found above applicable regulatory screening levels, or if the site is under regulatory oversight for investigation and/or cleanup, they would be held to the requirements listed in COA-HAZ-2 and MM-HAZ-4.

Sites under regulatory cleanup (either closed or open) would be held to regulatory standards and requirements issued by the overseeing agency. In addition, MM-HAZ-4 and MM-HAZ-5 require review of and compliance with regulatory documents related to the closure or ongoing remediation of a listed site. This is further discussed under Threshold HAZ-3.

With the investigation and remediation procedures outlined in COA-HAZ-1, COA-HAZ-2, MM-HAZ-3, and MM-HAZ-4, soil, soil vapor, and/or groundwater contamination would be identified prior to future development of a site within the Program Planning Area and remediated or mitigated to the satisfaction of the City of Fullerton, the overseeing environmental regulatory agency (if any), and would meet applicable laws and regulations. Listed sites under the oversight of a regulatory agency (both open and closed) would be reviewed and protective requirements met under MM-HAZ-4 and MM-HAZ-5. With these mitigation measures, impacts to construction workers and future occupants would be less than significant.

Highway Hazards

As discussed in the General Plan and in Section 4.3.1.8, ADL may be encountered in soils within the state rights-of-way along highway routes. In some instances, ADL has also been identified directly adjoining state rights-of-way where properties are either directly adjoining or beneath a highway or overpass. COA-HAZ-4 requires soils within state rights-of-way to be evaluated for lead in soils. Additionally, as there are parcels within the Project Planning Area that adjoin major highways (57, 90, and 91), these sites would require additional evaluation for potential leads in soils. The Phase I ESA required under COA-HAZ-1 and Phase II ESA required under MM-HAZ-3 would include, under special considerations, a requirement to evaluate for ADL if the proposed development site adjoins a highway or is beneath or adjoining an overpass. This consideration for ADL has been included in MM-HAZ-3.

As discussed in the General Plan EIR, accidental releases of petroleum products and hazardous materials may occur in or near commercial/industrial areas along transport routes. The proposed Program would ultimately result in an increase of residential development within these commercial areas, including those near transportation routes. While an increase in residential development in these areas could result in an increased risk due to hazardous material releases from highways, as discussed in the General Plan EIR, the City has implemented street setbacks to minimize direct damage which could occur from transportation-related spills, and strict regulations are in place by US DOT and Caltrans for safe transportation of hazardous materials (City of Fullerton 2012).

Future development and ongoing transportation would be subject to compliance with federal, state, and local rules and regulations regarding the transportation of hazardous materials, and impacts to potentially lead-contaminated soils would be identified, investigated, and protective measures would be implemented under COA-HAZ-4 and MM-HAZ-3. With these protective measures in place and adherence to rules and regulations, impacts would be less than significant.

Summary

As such, the Program does have the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, protective measures would be required such that impacts would be **less than significant with mitigation**.

HAZ-2. Would the Program emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Findings of 2012 EIR

As discussed in the City's General Plan EIR (City of Fullerton 2012), future development within the City would not emit or handle hazardous emissions within one-quarter mile of an existing school. No mitigation was required.

HIOZ Analysis

Figure 4.3-6 shows schools located within 0.25 miles of the Project Planning Area. Future development projects that would be implemented in accordance with the HIOZ are anticipated to result in the redevelopment of existing land uses, including industrial land uses. Implementation of the proposed Program may temporarily increase the regional transport, use, storage, and disposal of hazardous materials and petroleum products associated with any demolition and construction activities. This transport, use, and storage could occur within 0.25 mile of an existing school as shown on Figure 4.3-6. As discussed in Threshold HAZ-1 above, construction activities are subject to legal regulations that address the potential for impacts from the routine transport, use, storage, and disposal of potentially hazardous materials. As outlined in COA-HAZ-1, COA-HAZ-2, and MM-HAZ-3 through MM-HAZ-5, contaminated sites would be identified and hazardous material impacts removed or protections would be placed before construction and occupancy, further removing potential impacts due to hazardous materials near schools.

The proposed Program would implement a land use change to replace existing industrial and commercial activities with residential housing. Parcel applicability within the proposed Program, as outlined in Section 3.5.1, Methodology, encouraged residential development within 0.25 miles of schools, colleges, and universities. As a result, exposure to hazardous emissions, hazardous materials, substances, or waste from industrial activities would likely decrease, including industrial activities located within 0.25 mile of schools. New construction would be residential, and hazardous material usage following construction would be minimal. Thus, the proposed Project would not result in land uses that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of existing or proposed schools, and impacts would be **less than significant with mitigation**.

HAZ-3. Would the Program be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Findings of 2012 EIR

As discussed in the City's General Plan EIR (City of Fullerton 2012), future development within the City could be located on a hazardous materials site creating a significant hazard to the public or the environment. The 2012 EIR resolved these impacts through mitigation, which are included in this PEIR as conditions of approval (COA) COA-HAZ-1 through COA-HAZ-4 (see Section 4.3.5, Mitigation Measures).

HIOZ Analysis

As discussed in Section 4.3.1.2, Figure 4.3-1 and Table 4.3-1 list currently listed (as of January 2024) Cortese List sites on or within 500 feet of a Proposed Planning Area. This list includes active and completed cleanups, all of which are under oversight by an environmental regulatory agency. While some cleanups have been completed, as discussed under Threshold HAZ-1 above, there are different cleanup standards and screening levels for commercial, industrial, and residential development, and cleanup requirements may have changed since closure. As such, cleanup requirements met during remediation of these sites may not be adequate for future residential development. Potential future development of these sites and the closed sites with residual contamination could cause an upset or accident condition where hazardous materials are released to the environment. The contamination at these sites could also significantly affect future site occupants via vapor intrusion or other mechanisms in the absence of remediation or protection measures.

With regard to sites that have received regulatory closure, investigation and remediation requirements outlined in COA-HAZ-1, COA-HAZ-2, MM-HAZ-3, and MM-HAZ-4 would identify potential contamination, investigate and evaluate the type and level of contamination, and determine if levels of contamination would result in exposure to construction workers or future occupants above applicable human health screening levels. COA-HAZ-2 and MM-HAZ-4 require actions be taken to remediate or mitigate any identified hazards prior to issuance of demolition and construction permits. In addition, regulatory closures of contaminated sites often include environmental or land use restrictions. For example, if a leaking underground storage tank site received low-risk closure, the closure letter may require additional regulatory review before the land use is changed from commercial to a more restrictive land use (such as residential). Other land use restrictions may not allow residential development. These land use restrictions, as imposed in the regulatory closure letters, would be further protective of future construction workers and occupants, as they may restrict future development. Prior to future development within the Program Planning Area, MM-HAZ-5 requires review of and adherence to requirements and recommendations set forth in closure documents associated with past cleanups on the applicable parcel(s).

With regard to open Cortese List sites, as discussed in Threshold HAZ-1 above, open investigations and cleanups, including sites listed on the Cortese List databases, would be identified during the Phase I ESA required by COA-HAZ-1. MM-HAZ-4 requires the site to meet applicable standards for residential development and be reviewed and approved by the overseeing regulatory agency prior to approval for development by the City. The overseeing regulatory agency may require additional remediation or protective measures or may not allow residential development due to risk to construction workers or future occupants.

With strict adherence to federal, state, and local regulations, restrictions placed by environmental regulatory agencies, and mitigation as outlined in COA-HAZ-1, COA-HAZ-2, MM-HAZ-3, and MM-HAZ-4, impacts related to implementation of the proposed Program on Cortese List sites would be reduced to a **less than significant level with mitigation**.

HAZ-4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Program result in a safety hazard or excessive noise for people residing or working in the project area?

Findings of 2012 EIR

As discussed in the City's General Plan EIR (City of Fullerton 2012), future development in the City could result in airport-related safety hazards for people residing or working in the project area. Additional policies were proposed for inclusion into the General Plan, including P12.8, P12.11, P13.3, P13.4, and P13.5

- P12.8: Support policies, projects, programs, and regulations that provide for safe and efficient airport operations through compliance with the Fullerton Municipal Airport (FMA) Master Plan and the Airport Land Use Commission for Orange County's Airport Environs Land Use Plan for FMA and the Airport Environs Land Use Plan for Heliports
- P12.11: Support projects, programs, policies and regulations to proactively address public safety concerns as part of community-based planning of Focus Areas.
- P13.3: Support policies, projects, programs and regulations that reduce structural and nonstructural hazards to life safety, minimize property damage and resulting social, cultural and economic dislocations resulting from future disasters.
- P13.4: Support programs that promote greater public awareness of disaster risks, personal and business risk reduction, and personal and neighborhood emergency response.
- P13.5: Support policies, programs and regulations that ensure the City, its residents, businesses, and services are prepared for effective response and recovery in the event of emergencies or disasters, including the provision of information about the current nature and extent of local safety hazards and emergency plans, including evacuation plans and procedures to accommodate special needs populations (information should be provided in multiple languages to maximize understanding by community members).

With inclusion of these new policies and compliance with the AELUP, it was determined no mitigation was available, resulting in a significant and unavoidable impact (City of Fullerton 2012).

HIOZ Analysis

Portions of the Program Planning Area are located within both the 60 CNEL and FAR Part 77 Notification Zone (see Figure 4.3-7 and Section 4.3.1.5). The AELUP does not require special noise or safety protections for land uses within the 60 CNEL, and as such no additional measures would be required for redevelopment within this zone. Parcels within the Program Planning Area do not fall within elevated safety zones or high noise zones. FAR Part 77 requires notification for construction within the FAR Part 77 Notification Zone (see Section 4.3.2). During the notification process, the FAA and local airport commission would review proposed construction and verify it does not impede with airport safety or communications. As such, with adherence to federal regulations and established land use plans, the proposed Program would have a **less than significant impact** related to safety and noise for people residing and working in the Program Planning Area.

4.3.5 Conditions of Approval and Mitigation Measures

Standard Conditions of Approval

The following mitigation measures are from the City's General Plan Program EIR and will be implemented as COAs for the proposed Program.

COA-HAZ-1 Prior to issuance of a Grading Permit for properties considered by the City to involve the potential for site contamination, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. Any site specific uses shall be analyzed according to the Phase I Environmental Site Assessment (i.e., auto service stations, agricultural lands, etc.). The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs) (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc.), which may require remedial activities prior to construction.

COA-HAZ-2 Prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, waste-oil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once removed, a visual inspection of the areas beneath the removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project Applicant shall comply with the following measures in accordance with Federal, State, and local requirements:

- Excavation and disposal at a permitted, off-site facility;
- On-site remediation, if necessary; or
- Other measures as deemed appropriate by the City of Fullerton Fire Department.

COA-HAZ-3 Prior to structural demolition/renovation activities, should these activities occur, a Certified Environmental Professional shall confirm the presence or absence of ACM's and LBPs. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriate permitted facility.

COA-HAZ-4 Areas of exposed soils within Caltrans right-of-way that would be disturbed during excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is present).

The following mitigation measures are proposed to be implemented as part of the proposed Program.

MM-HAZ-1 Hazardous Materials Survey. Demolition plans and contract specifications submitted to the City for approval shall incorporate survey and abatement procedures for the identification and removal of

materials containing asbestos, lead, polychlorinated biphenyls, hazardous material, hazardous wastes, and universal waste items, including decommissioning and removal of aboveground and underground storage tanks and drums. All survey and abatement work shall be done in accordance with federal, state, and local regulations, including those of the U.S. Environmental Protection Agency (which regulates disposal), Occupational Safety and Health Administration, U.S. Department of Housing and Urban Development, California Occupational Safety and Health Administration (which regulates employee exposure), and the South Coast Air Quality Management District. Surveys will be conducted by an environmental professional certified by California Department of Public Health [lead-based paint] and/or Contractors State License Board [asbestos], and abatement shall be completed by a California-Certified or Licensed Contractor prior to demolition or renovation activities. Transportation of hazardous wastes must also be completed by a licensed transportation company in accordance with federal, state, and local regulations, and disposal will be completed at a permitted facility.

MM-HAZ-2 Survey for Oil and Gas Features. Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), a survey will be completed to confirm the presence or absence of oil and gas wells, pipelines, or oil/gas field administrative boundaries on the proposed development site. The survey will also evaluate the proposed development site's proximity to methane zones as outlined in the OCFA Combustible Soil Gas Hazard Mitigation Guideline C-03. The survey will include review of publicly available documents and databases, aboveground visual inspections, and subsurface surveys (such as ground-penetrating radar or other means of subsurface locates). The survey(s) will be completed by a professional company with experience in these types of surveys. Proof of survey completion will be submitted to City of Fullerton as part of the application package.

MM-HAZ-3 Investigation of RECs, CRECs, and VECs. Following completion of a Phase I ESA and prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), any RECs, CRECs, or VECs identified in the Phase I ESA will be investigated by completion of a Phase II ESA under the requirements of ASTM E1903-19 (or the current applicable standard). The Phase II ESA will evaluate the presence of contaminants of concern related to RECs, CRECs, and/or VECs found in the Phase I ESA and will include a screening level risk evaluation to determine human health risks are present (i.e. if concentrations exceed current regulatory screening levels applicable at the time of the project (DTSC Screening Levels or RWQCB ESLs)). The investigation shall include consideration of aerially deposited lead (ADL) adjoining state highways and overpasses. The findings of the Phase II ESA and recommendations will be provided to the City for review prior to approval of residential development.

MM-HAZ-4 Actions for Contaminated Sites. If human health risks are identified (e.g. concentrations of contaminants of concern are above applicable regulatory screening levels) during a Phase I ESA or Phase II ESA that would indicate a risk to residential occupancy or would expose construction workers to contaminants of concern above appliable screening levels, the impacts must be remediated or protections must be in place such that future risk to construction workers, adjacent sensitive receptors, future occupants, or future land uses on site are below current risk-based criteria (e.g. applicable regulatory screening levels). Written proof of remediation and/or protective measures would be submitted to the City prior to approval for residential redevelopment (e.g. issuance of permits).

If the subject site is determined to be located on or impacted by an open cleanup site that is undergoing active remediation and environmental monitoring, the City shall require written confirmation from the overseeing environmental agency to ensure the existing environmental contamination will not significantly impact the health and safety of construction workers, adjacent sensitive receptors, future occupants, or future land uses on the site, and that protections or remediation completed are adequate to ensure future activities and land uses will not be subject to a health risk at the site.

MM-HAZ-5 Conditions of Closure. Prior to approval of residential redevelopment for a site within the Program Planning Area (e.g. issuance of permits), if the proposed development site is located on a site that has received regulatory environmental cleanup, review, or assessment and has received regulatory closure by the overseeing environmental agency (federal, state, or local), the closure documents shall be reviewed and conditions or limitations, if any, shall be met. If conditions indicate a risk or limitations to future residential development, requirements from the regulatory agency will be implemented and proof of implementation will be provided to the City prior to approval for redevelopment (e.g. issuance of permits).

4.3.6 Significance Conclusion

Threshold HAZ-1. Construction activities related to redevelopment of a parcel within the Program Planning Area could result in accidental releases of hazardous materials, creating a significant hazard to the public and/or the environment. Releases may be due to contaminated soil, groundwater, and/or soil vapor; the presence of oil and gas features; historical commercial or industrial uses of the proposed parcel; the presence of hazardous building materials in existing structures; and/or ADL from nearby highways. Future residential use could also expose future occupants to hazardous materials. COA-HAZ-1 through COA-HAZ-4 require completion of a Phase I ESA for all properties proposed for redevelopment; evaluation for physical impacts to the proposed site; and evaluation for ACM and LBP. In addition, MM-HAZ-1 through MM-HAZ-5 require additional protective measures, including further evaluation for all hazardous building materials (in addition to ACM and LBP); Phase II investigatory actions based on the findings of the Phase I ESA (including consideration of ADL); and remedial and/or protective actions based on levels of contamination, hazardous material-related contamination identified on the proposed property, and regulatory requirements on cleanup sites with regulatory oversight. With the protections proposed under the conditions of approval and mitigation measures, as well as adherence to federal, state, and local rules and regulations, impacts would be **less than significant with mitigation incorporated**.

Threshold HAZ-2. Similar to the discussion above, construction an occupation of parcels within the Program Planning Area could result in release of hazardous materials within one-quarter mile of an existing or proposed school (fugitive dusts during construction; transport of hazardous materials during construction). Protections in place to mitigate the risk of accidental release of hazardous materials would also reduce the potential for emissions during construction. COA-HAZ-1, COA-HAZ-2, MM-HAZ-3, MM-HAZ-4, and MM-HAZ-5 would result in identification of contaminated sites and removal of or protections against hazardous material impacts before construction and occupancy, further removing potential impacts due to hazardous materials near schools. With the protections proposed under the conditions of approval and mitigation measures, as well as adherence to federal, state, and local rules and regulations, impacts would be **less than significant with mitigation incorporated**.

Threshold HAZ-3. Multiple Cortese List sites are located on or within proximity of proposed parcels within the Program Planning Area. Construction and occupation of these parcels could result in a significant hazard to the public or environment due to release of contaminated media (soil, soil vapor, groundwater) and exposure of future occupants to contamination. COA-HAZ-1, MM-HAZ-3, and MM-HAZ-4 discussed above would require investigation and evaluation of potential hazardous materials and petroleum products under Phase I ESA and Phase II ESA procedures and requires the City to get input from the overseeing environmental regulatory agency regarding remediation and/or protective measures required to allow residential development and occupancy. MM-HAZ-5 requires conditions of closure of previously regulated contaminated sites (i.e. those that have received regulatory closure) to be met. These conditions of approval and mitigation measures, along with adherence to federal, state, and local regulations, would reduce impacts to a **less than significant level with mitigation incorporated**.

Threshold HAZ-4. Implementation of the proposed Program would have **a less-than-significant impact** related to a airport safety hazard or excessive noise for people residing or working in the Planning Area. During the notification process, the FAA and local airport commission would review proposed construction and verify it does not impede with airport safety or communications. As such, future development projects would adhere to federal regulations and established land use plans.

4.3.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself). The cumulative study area used to assess potential cumulative impacts related to hazards and hazardous materials includes the Program Planning Area and surrounding City of Fullerton.

Impacts related to upset and accident conditions, as well as being located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5, are generally site-specific. While several sites within the Program Planning Area may have subsurface hazardous materials conditions, implementation of conditions of approval COA-HAZ-1 through COA-HAZ-4 and mitigation measures MM-HAZ-1 through MM-HAZ-5 would reduce these hazardous materials impacts to a level that is less than significant. Therefore, the program's impact would be less than cumulatively considerable.

Hazardous emissions sites within the Program Planning Area and at other projects outside of the Program Planning Area would each be required to comply with existing regulations. As the same governing body oversees all emissions sites both within and outside of the Program Planning Area, cumulative impacts are considered in the rule-making by the agencies. Compliance with existing regulations reduces impacts to a level that is less than significant, resulting in impacts that are less than cumulatively considerable.

Impacts related to airports are less than significant and are therefore not cumulatively considerable.

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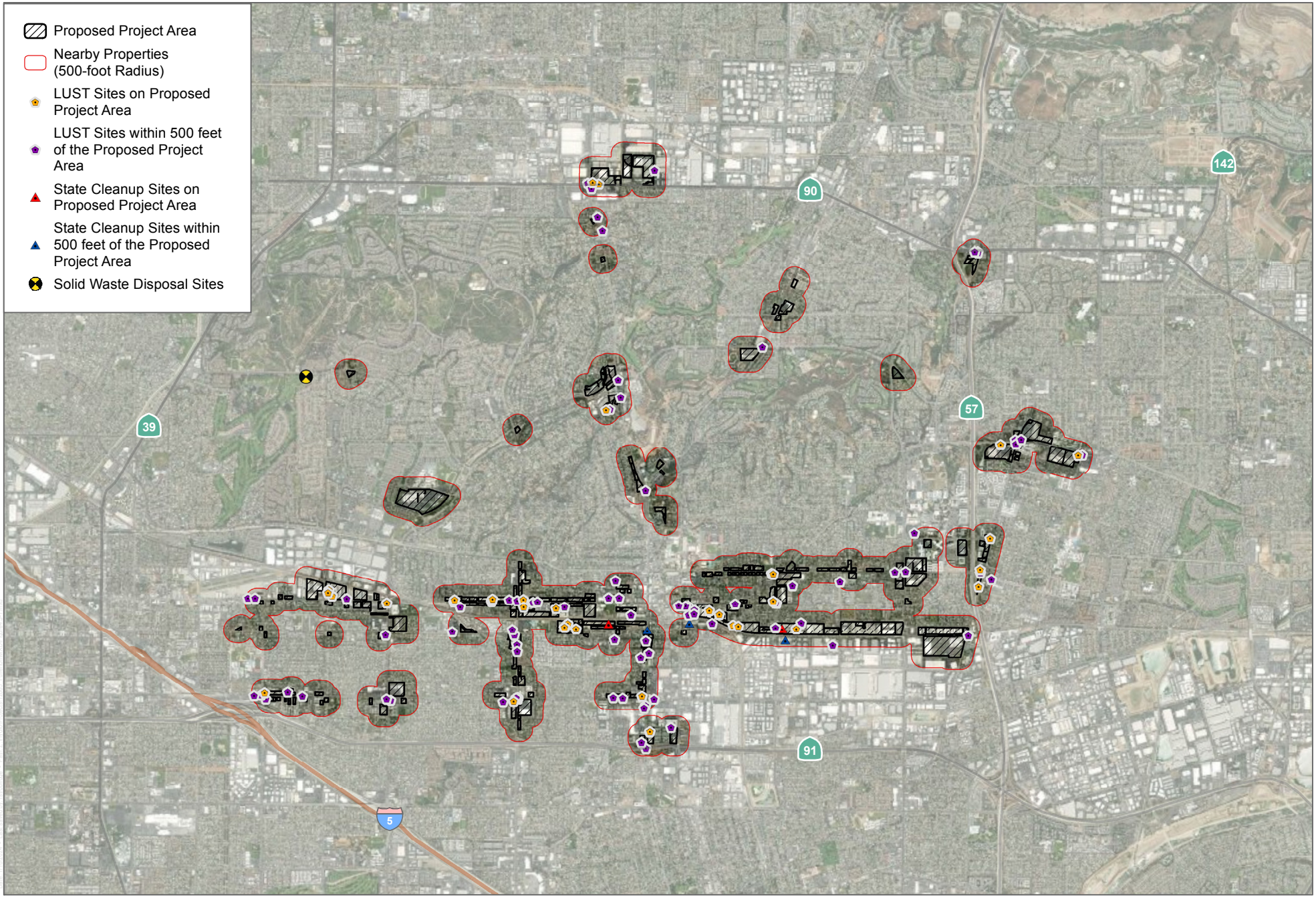

SOURCE: GeoTracker, EnviroStor, Bing Maps

DUDEK

0 0.5 1 Miles

Figure 4.3-1

Cortese List Sites

Fullerton Housing Incentive Overlay Zone PEIR

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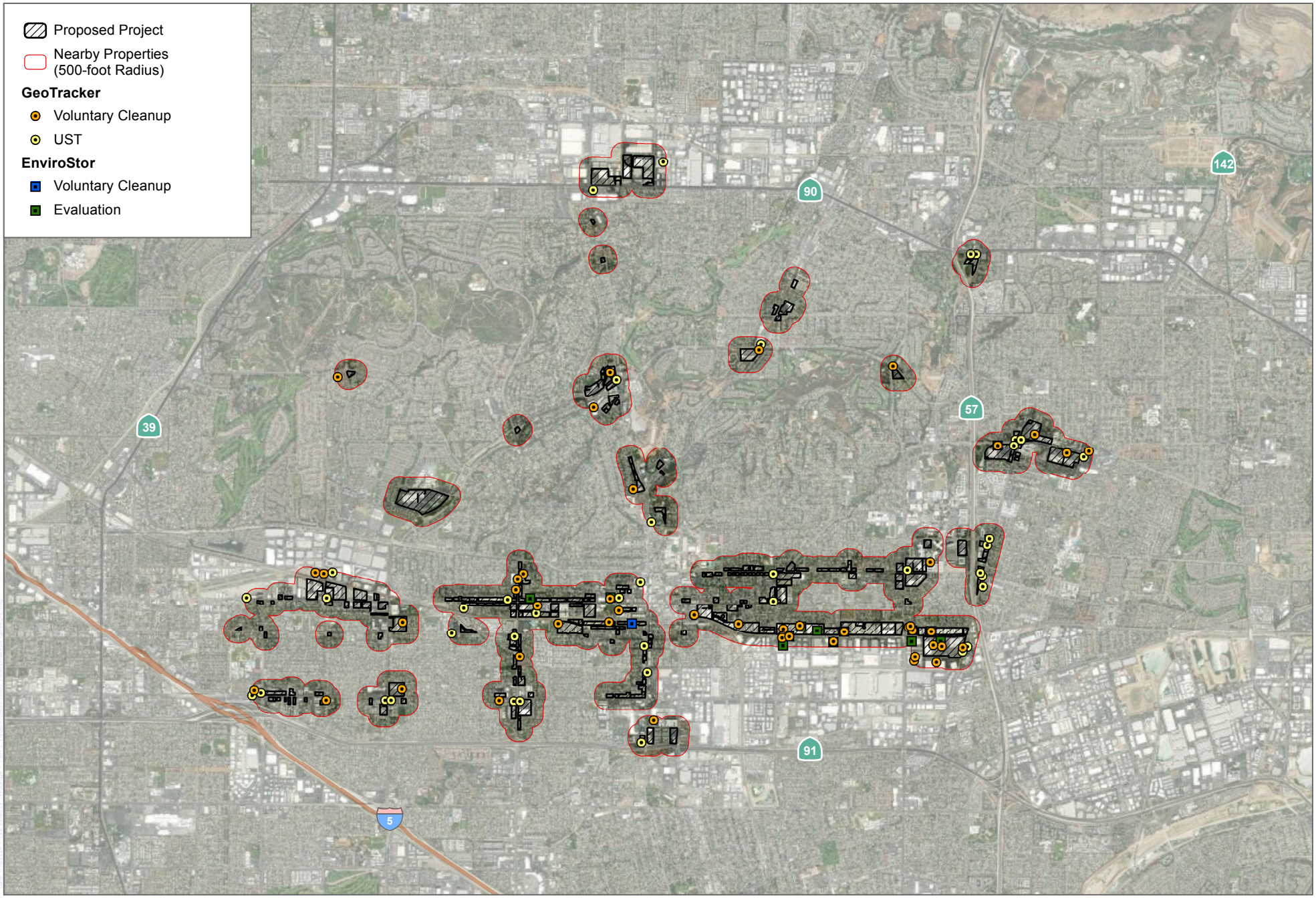

SOURCE: GeoTracker, EnviroStor, Bing Maps

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Figure 4.3-2

Non-Cortese List Sites

Fullerton Housing Incentive Overlay Zone PEIR

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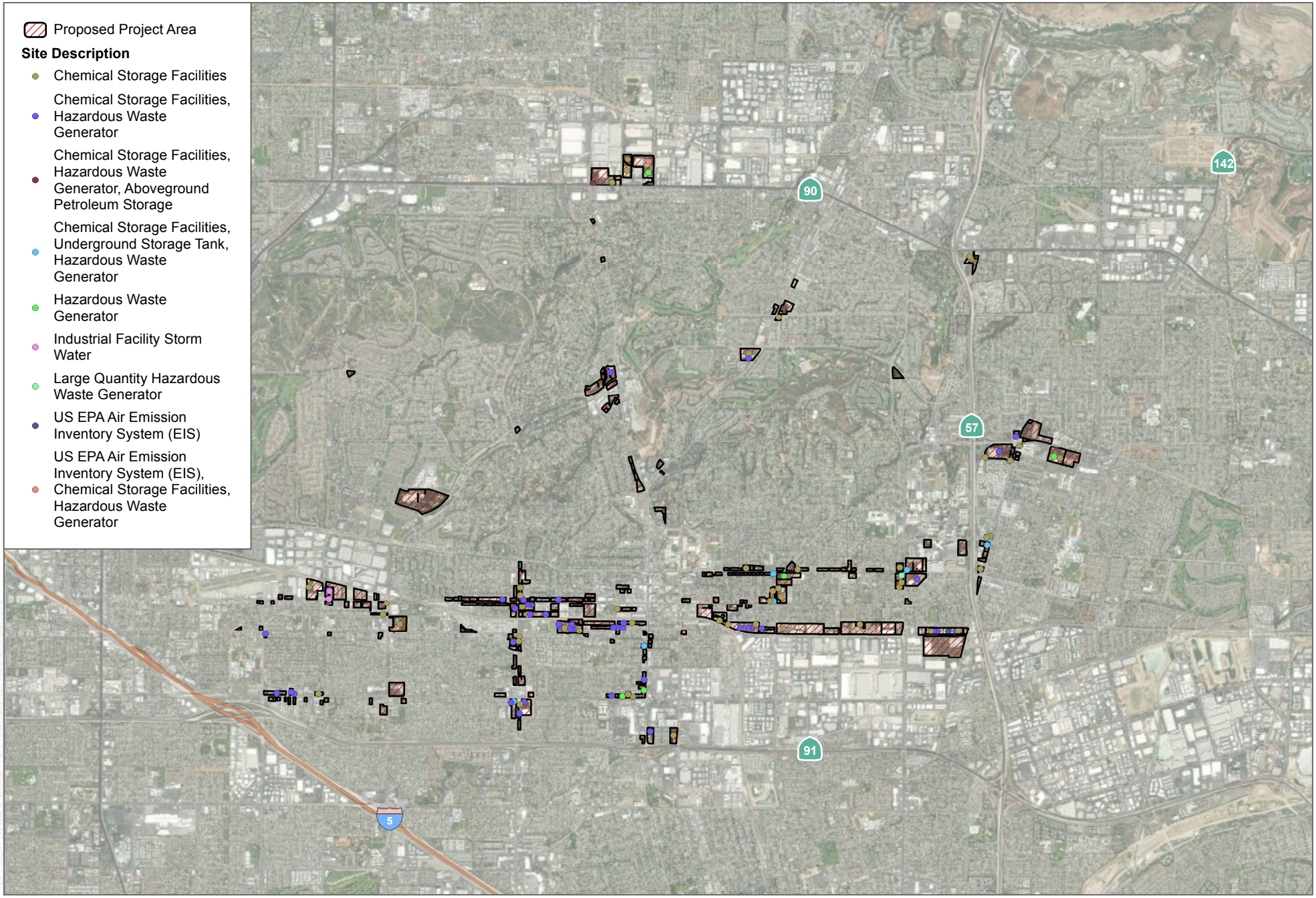

SOURCE: CalEPA, Bing Maps

DUDEK

0 0.5 1 Miles

Figure 4.3-3

Hazardous Material Handling Sites

Fullerton Housing Incentive Overlay Zone PEIR

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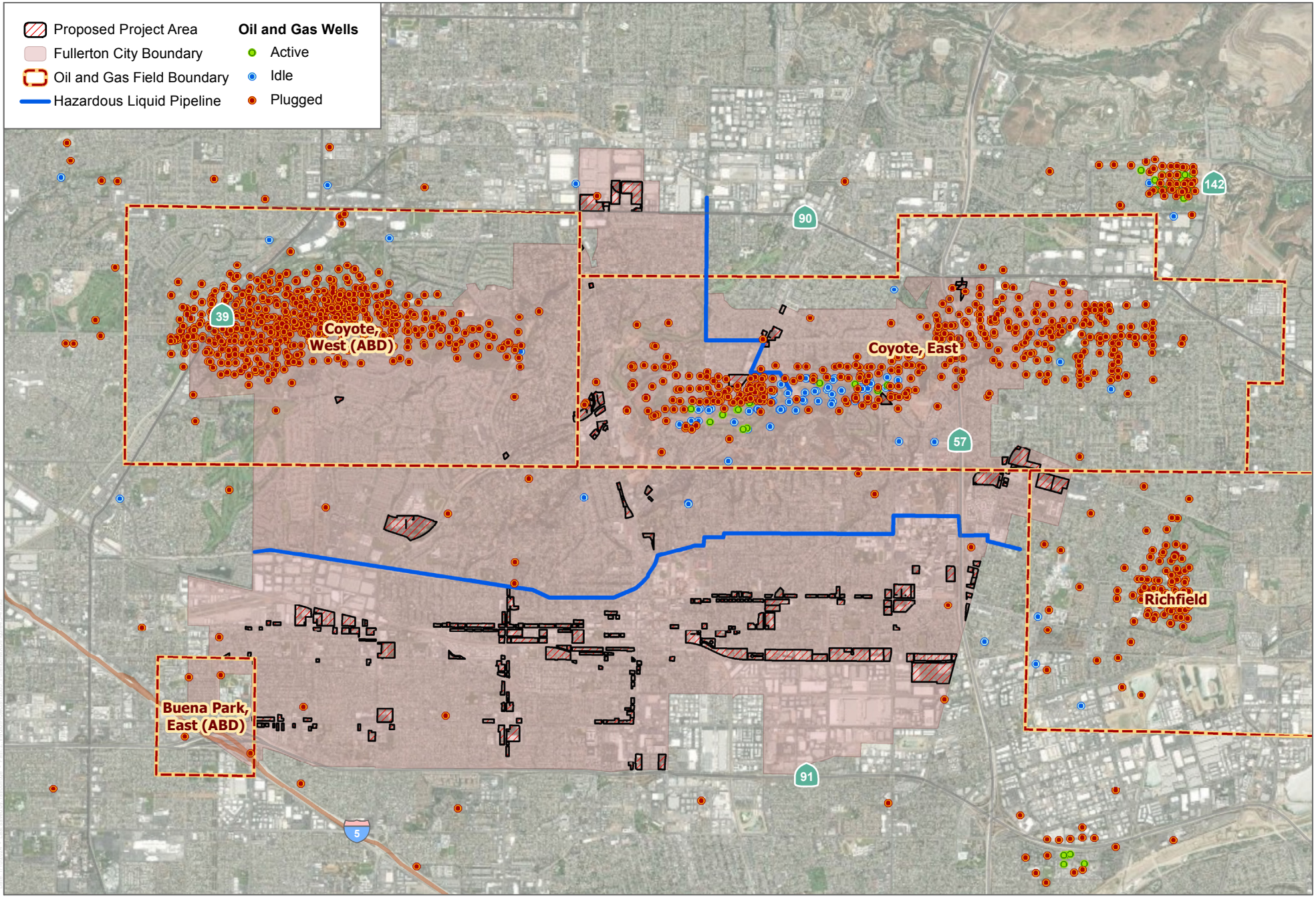

SOURCE: NPMS, Bing Maps

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Figure 4.3-4

Oil and Gas Features

Fullerton Housing Incentive Overlay Zone PEIR

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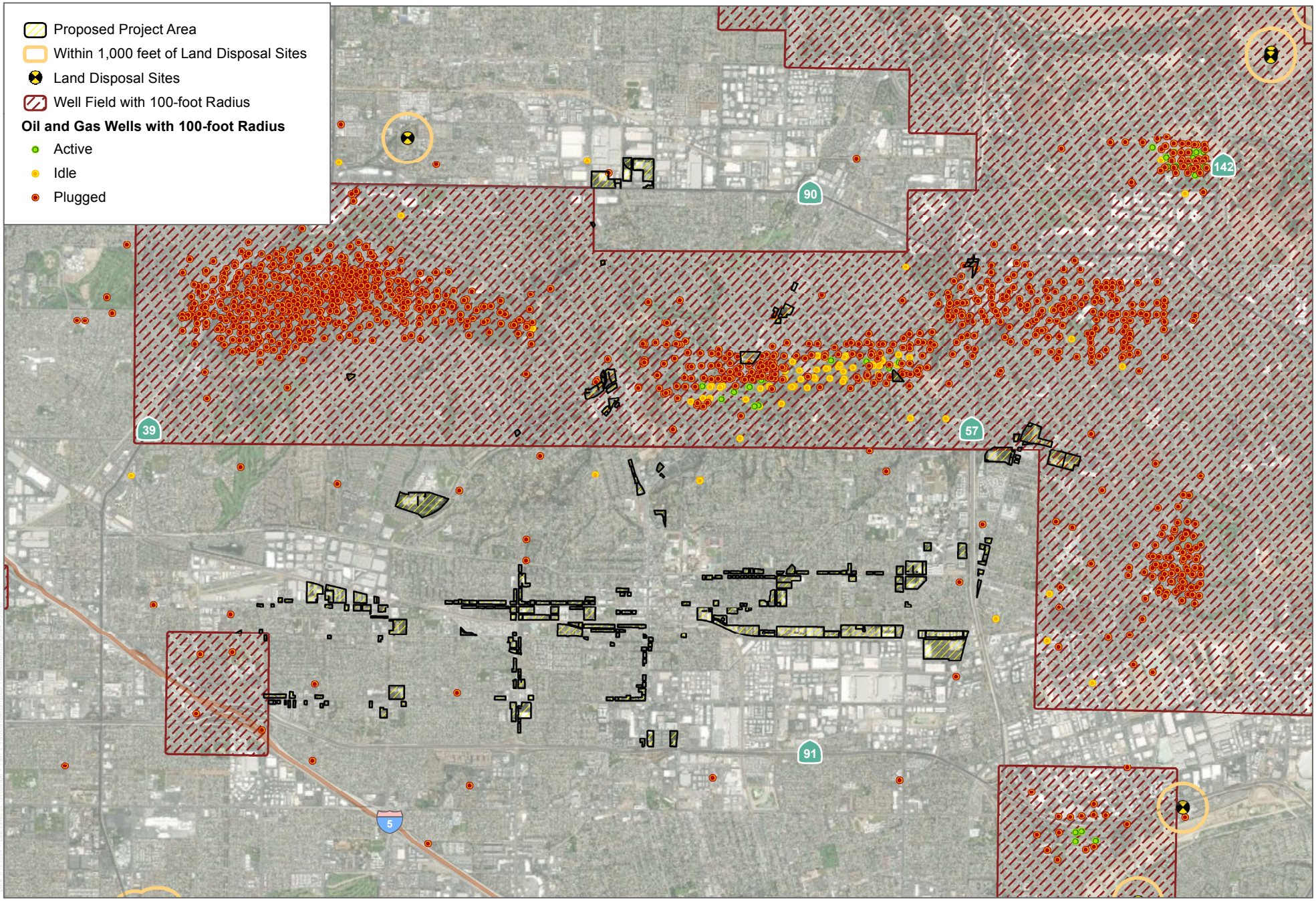

SOURCE: CalGEM, Well Finder, NPMS, GeoTracker, Bing Maps

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0 0.5 1 Miles

Figure 4.3-5

Methane Mitigation Zones

Fullerton Housing Incentive Overlay Zone PEIR

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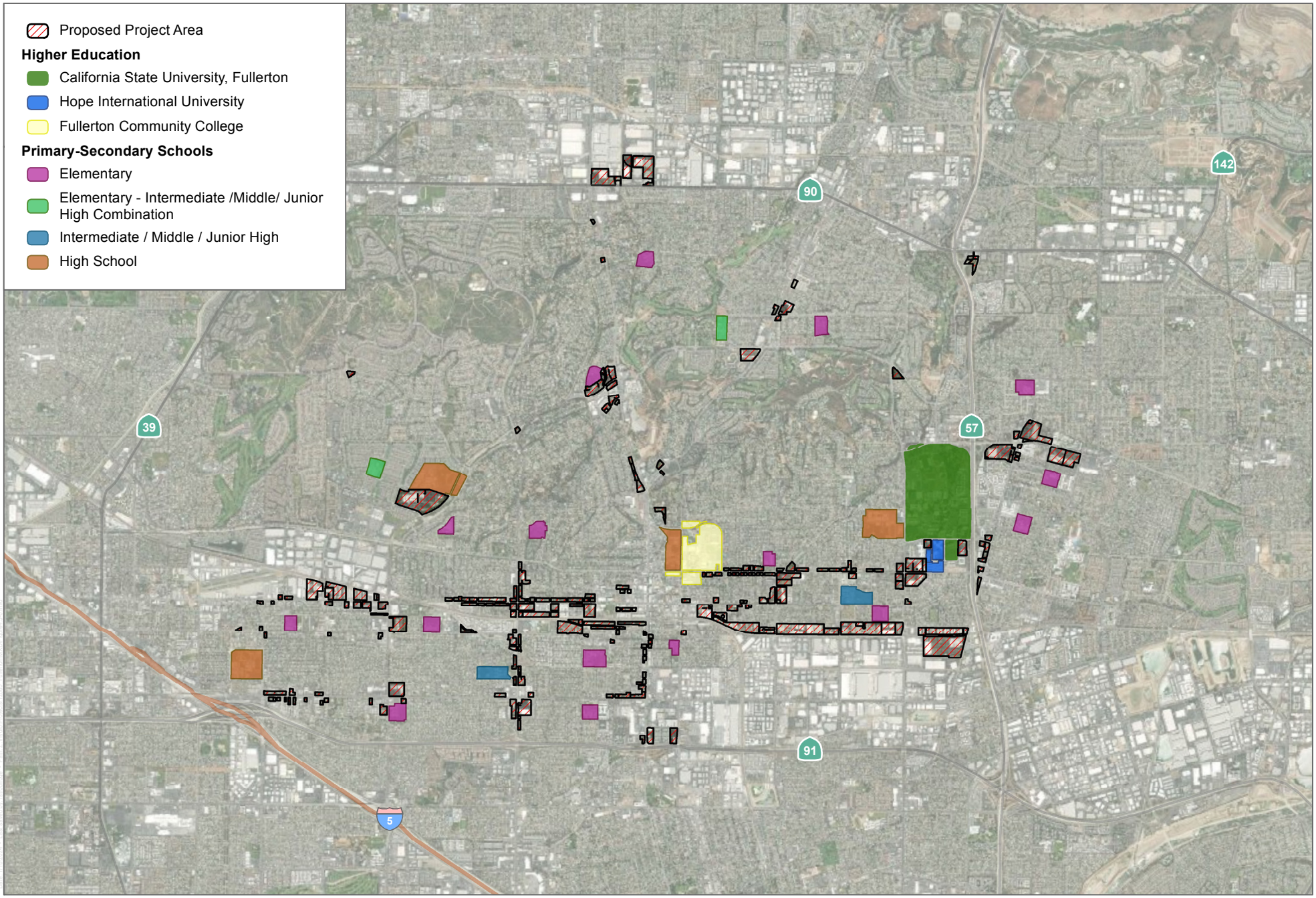

SOURCE: Fullerton County Schools, Bing Maps

DUDEK

Figure 4.3-6

Schools within 0.25 mile of the Proposed Project Area

Fullerton Housing Incentive Overlay Zone PEIR

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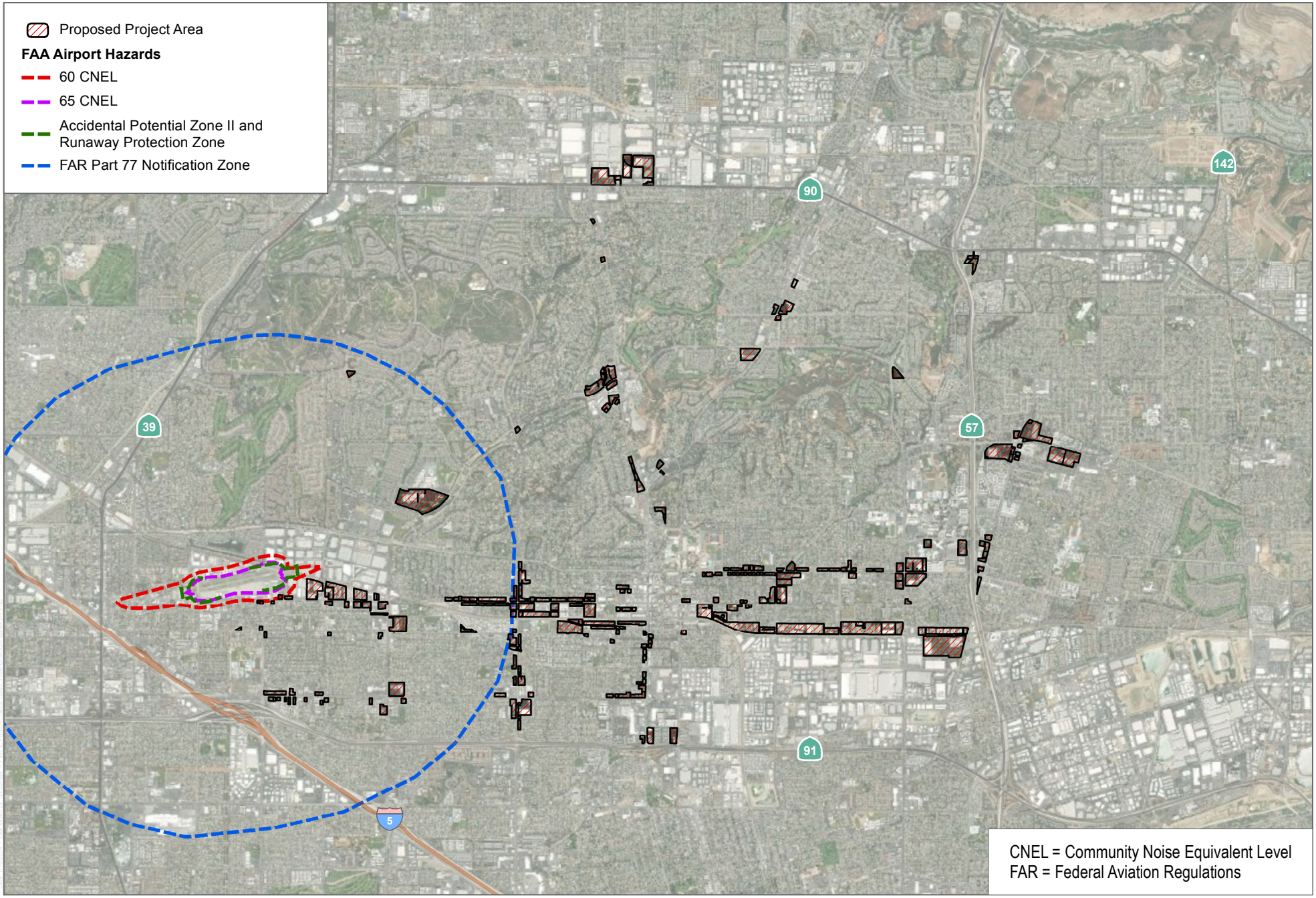

SOURCE: FAA, Bing Maps

DUDEK

0 0.5 1 Miles

Figure 4.3-7

Airport Hazards

Fullerton Housing Incentive Overlay Zone PEIR

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4.4 Hydrology and Water Quality

This section describes the existing hydrology and water quality conditions of Program area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.4.1 Existing Conditions

Regional Watershed

The City of Fullerton (City) is located within the Lower San Gabriel River watershed. The San Gabriel River receives drainage from 689 square miles of eastern Los Angeles County and a portion of Orange County with its headwaters originating in the San Gabriel Mountains (RWQCB 2023b). The watershed consists of extensive areas of undisturbed riparian and woodland habitats in its upper reaches. Much of the watershed of the West Fork and East Fork of the river is set aside as a wilderness area; other areas in the upper watershed are subject to heavy recreational use. The upper watershed also contains a series of flood control dams. Further downstream, towards the middle of the watershed, are large spreading grounds utilized for groundwater recharge. The watershed is hydraulically connected to the Los Angeles River through the Whittier Narrows Reservoir (normally only during high storm flows). The lower part of the river flows through a concrete-lined channel in a heavily urbanized portion of Los Angeles County before becoming a soft bottom channel once again near the ocean in the city of Long Beach. Large electrical power poles line the river along the channelized portion; nurseries, small stable areas, and storage facilities are located in these areas.

Coyote Creek is a tributary to San Gabriel River and a subwatershed in Orange County that is under the authority of the Santa Ana Regional Water Quality Control Board. Also referred to as the Lower San Gabriel River/Coyote Creek Watershed, the watershed covers an area of 85.49 square miles located within the northwest corner of Orange County, which includes the Carbon Creek Watershed (Orange County 2018). The watershed includes portions of the cities of Anaheim, Brea, Buena Park, Cypress, Fullerton, La Habra, La Palma, Los Alamitos, Placentia, and Seal Beach. The primary surface water body within the watershed is Coyote Creek, which flows from Los Angeles County to the San Gabriel River. Carbon Creek flows from the foothills to the San Gabriel River and has six retarding basins. Other creeks and channels include Brea Creek, Moody Creek, Fullerton Creek, and Los Alamitos Channel. Coyote Creek flows just to the west of the City of Fullerton.

Topography

The City is located within the central block of the Los Angeles Basin with a relatively flat or gently sloping southern section, and the northern and western reaches that are dominated by the Coyote Hills, a low-lying mountain range divided into the East Coyote Hills and West Coyote Hills. The land south of West Coyote Hills is known as Sunny Hills where the topography is generally fairly level at an elevation of approximately 200 feet above mean sea level that very gently slopes to the west. Elevation ranges across the City range from approximately 90 to 700 feet above mean sea level.

Climate

Orange County is characterized by a Mediterranean climate, with mild winters and warm summers. Temperatures around the City of Fullerton range from an average low of 46.9°F in December to an average high of 87.1°F in August (WRCC 2023). The average annual rainfall has historically been 14.09 inches, as measured in nearby City of Anaheim, with the majority coming from the period of November through April (WRCC 2023).

Stormwater Drainage

There are several major watercourses and reservoir facilities that provide flood protection from peak storm runoff generated in watersheds north and east of the City. The most significant of these facilities include Imperial Channel (south of and parallel to Imperial Highway on the north boundary of the City), as well as Brea Creek Reservoir and Brea Creek Channel (extends along the base of the foothills), which are maintained by the U.S. Army Corps of Engineers (USACE) and the Orange County Flood Control District (OCFCD), respectively. Fullerton Reservoir and Fullerton Creek (extending from east to west through the center of the City); Houston Storm Channel (southerly boundary of the City); Placentia Storm Channel (extends along the easterly boundary of the City); and Carbon Creek Channel (southeast corner of the City) are all operated and maintained by the OCFCD.

Normal dry-weather storage of Brea Reservoir is about 1 acre-foot, while the flood control capacity of the reservoir is 4,000 acre-feet (Orange County 2018). The drainage area is 21.6 square miles from Brea Creek and its tributaries. Fullerton Dam, also located in the City, was constructed in 1941 for flood control purposes and is owned by the USACE and managed by the County. Normal dry weather storage behind the dam is 1 acre-foot, while the flood control capacity of the Fullerton Reservoir is 1,342 acre-feet with a maximum discharge of 3,640 cubic feet per second (cfs) (Orange County 2018). The drainage area is 5 square miles. Carbon Canyon Dam, located in the City of Brea within the Carbon Creek Watershed provides normal dry weather storage of 1 acre-foot, with a capacity of 7,033 acre-feet.

According to the City's 2010 Local Hazard Mitigation Plan, all of these regional drainage facilities have insufficient capacity for a 100- year storm. The more recent Local Hazard Mitigation Plan for Orange County also notes that the majority of the countywide system of flood control facilities are inadequate for conveying runoff from major storms. However, the historical occurrences of very large floods within the County has been relatively infrequent (County of Orange 2021).

The City is a co-permittee in the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit for the County of Orange, Orange County Flood Control District, and the incorporated cities of Orange County within the Santa Ana Regional Water Quality Control Board (RWQCB) jurisdiction.

Surface Water Quality

Stormwater runoff is a significant contributor to local and regional pollution. Urban stormwater runoff is the largest source of unregulated pollution in the waterways of the United States. Federal, state, and regional regulations require the City to control the discharge of pollutants to the storm drain system, including the discharge of pollutants from construction sites and areas of new development.

Under the Clean Water Act Section 303(d), the State of California is required to develop a list of impaired water bodies that do not meet water quality standards and objectives. The U.S. Environmental Protection Agency (EPA) has approved a 303(d) list of water quality impairments for water bodies located downstream of the Program Area. Once a water body has been listed as impaired on the 303(d) list, a total maximum daily load (TMDL) for the constituent of concern (pollutant) must be developed for that water body. A TMDL is an estimate of the daily load of pollutants that a water body may receive from point sources, non-point sources, and natural background conditions (including an appropriate margin of safety), without exceeding its water quality standards. Those facilities and activities that are discharging into the water body, collectively, must not exceed the TMDL. In general, dischargers within each watershed are collectively responsible for meeting the required reductions and other TMDL requirements by the assigned deadline. According to the most recent list of impaired bodies of water, Coyote Creek is listed as impaired with indicator bacteria, iron, malathion, toxicity, and pH (RWQCB 2023a).

Flood Zones

The Federal Emergency Management Agency (FEMA) has established standards for floodplain mapping as part of the National Flood Insurance Program (NFIP). The NFIP makes flood insurance available to property owners in participating communities adopting FEMA-approved local floodplain studies, maps, and regulations. The City of Fullerton is a participant in the NFIP. The term "100-year flood" is defined by FEMA as the flood elevation that has a one percent chance of being equaled or exceeded each year. A "500-year flood" is one which has a 0.2 percent chance of occurring each year. A 500-year flood event would be slightly deeper and cover a greater area than a 100-year flood event. FEMA designates flood zones based on flood risk in the area. Land areas that are at high risk, within one percent annual chance of flooding are called Special Flood Hazard Areas, or floodplains. These areas are indicated on Flood Insurance Rate Maps (FIRMs) that are compiled by FEMA. The majority of the City is located outside of the 100-year flood zone, however, there are areas of the City that have been identified as located within 100-year flood areas (City of Fullerton 2012) (Figure 4.4-1, FEMA Flood Zones).

Flooding can also occur due to catastrophic failure of a dam. The City of Fullerton is also subject to potential flooding in the event of dam failure, inadequate spillway capacity, overtopping flows, negligent operation, or failure of upstream dams on the same waterway. There are two dams located within the City of Fullerton and five dams located outside of the City that pose a risk of inundation within the City. Six of these dams have been classified as high hazard dams and one as significant hazard; refer to Table 4.4-1, Dams with Potential Flood Risk to Fullerton. Dams assigned the high hazard potential classification are those where failure or mis-operation would probably cause loss of human life. Dams assigned the significant hazard potential classification are those dams where failure or mis-operation results in no probable loss of human life but can cause economic loss, environmental damage, disruption of lifeline facilities, or can impact other concerns. Significant hazard potential classification dams are often located in predominantly rural or agricultural areas but can be located in areas with population and significant infrastructure.

Table 4.4-1. Dams with Potential Flood Risk to Fullerton

Dam	Downstream Hazard Class	Stream	Type	Purpose
Brea	High	Brea Creek	Earthen-rockfill	Flood Control
Carbon Canyon	High	Carbon Canyon Creek	Earthen-rockfill	Flood Control
Fullerton	High	Fullerton Creek	Earthen-rockfill	Flood Control
Prado	High	Santa Ana River	Earthen-rockfill	Flood Control
Diemer Reservoir	High	Offstream	Other	Water Supply
Orange County Reservoir	High	Tributary Fullerton Creek	Earthen-rockfill	Water Supply
Yorba	High	Tributary of Santa Ana River	Earthen-rockfill	Flood Control

Source: City of Fullerton 2010

Groundwater

The Program Area is located in the Coastal Plain of Orange County Groundwater Basin, which is managed by the Orange County Water District (OCWD). The basin is approximately 350 square miles and bounded by the Puente and Chino Hills to the north, the Santa Ana Mountains to the northeast, and the Pacific Ocean to the southwest. The basin has three aquifer systems that are characterized by depth and are all hydrologically connected, as groundwater is able to flow between them. The Shallow Aquifer system extends approximately 250 feet below the ground surface and is mainly used for agricultural and industrial purposes. The Principal Aquifer system extends from approximately 200 to 1,300 feet below the ground surface and is the source of a majority of the groundwater water supply. The Deep Aquifer system lies below and is only a minor contributor to the groundwater supply. I According to the California Department of Water Resources (DWR) and the Sustainable Groundwater Management Act (SGMA) basin prioritization evaluation results, the groundwater basin is considered medium priority and must comply with the requirements of SGMA (DWR 2023).

In the Coastal Plain of Orange County Groundwater Basin, the groundwater is characterized as sodium-calcium bicarbonate with localized areas of high total dissolved solids due to seawater intrusion along the Pacific Ocean coast, as well as nitrate and volatile organic compounds (DWR 2023). Groundwater is recharged naturally from precipitation and injection wells to reduce seawater intrusion. The OCWD also injects water into the Talbert Barrier and the portion of the Alamitos Barrier Project within Orange County. Water supplies for the seawater barriers include water from the Groundwater Replenishment System and State Water Project water.

The City of Fullerton is a retail water supplier that provides water to its residents using imported potable water supply and local groundwater from OCWD. In fiscal year 2019-2020, the City relied on groundwater for 79% of its water supply but is projected to 85% by 2045 (City of Fullerton 2021).

4.4.2 Relevant Plans, Policies, and Ordinances

Federal

Clean Water Act

The federal Water Pollution Control Act, or Clean Water Act (CWA) is the principal statute governing water quality. This act establishes the basic structure for regulating discharges of pollutants into the Waters of the United States (U.S.) and provides the U.S. Environmental Protection Agency (EPA) authority to implement pollution control programs, such as setting wastewater standards for industries. The goal of the statute is to completely end all discharges and to restore, maintain, and preserve the integrity of the nation's waters. The CWA regulates direct and indirect discharge of pollutants, sets water quality standards for all contaminants in surface waters, and makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained under its provisions. The CWA mandates permits for wastewater and stormwater discharges; requires states to establish site-specific water quality standards for navigable bodies of water; and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The CWA funds the construction of sewage treatment plants and recognizes the need for planning to address nonpoint sources of pollution. Section 402 of the CWA requires a permit for all point source (i.e., a discernible, confined, and discrete conveyance, such as a pipe, ditch, or channel) discharges of any pollutant (except dredge or fill material) into Waters of the U.S.

Section 303(d) of the CWA requires states to identify waterbodies that are "impaired," or those that do not meet water quality standards and are not supporting their beneficial uses. Total Maximum Daily Loads (TMDLs) are

established in Section 303(d) to serve as pollution controls for these specific pollutants. TMDLs define how much of a specific pollutant/stressor a given water body can tolerate and still meet relevant water quality standards. The RWQCB has developed TMDLs for select reaches of water bodies.

National Pollutant Discharge Elimination System

In compliance with the National Pollutant Discharge Elimination System (NPDES) program (under Section 402 of the CWA), all facilities that discharge pollutants from any point source into Waters of the U.S. must have an NPDES permit. The term "pollutant" broadly applies to any type of industrial, municipal, and agricultural waste discharged into water. Point sources can be publicly owned treatment works (POTWs), industrial facilities, and urban runoff. The NPDES program addresses certain agricultural activities, but the majority are considered nonpoint sources and are exempt from NPDES regulation. Direct sources discharge directly to receiving waters, and indirect sources discharge to POTWs, which in turn discharge to receiving waters. Under the NPDES program, permits are issued only for direct, point-source discharges. The National Pretreatment Program addresses industrial and commercial indirect dischargers. Municipal sources are POTWs that receive primarily domestic sewage from residential and commercial customers. Specific NPDES program areas applicable to municipal sources are the National Pretreatment Program, the Municipal Sewage Sludge Program, Combined Sewer Overflows, and the Municipal Storm Water Program. Nonmunicipal sources include industrial and commercial facilities. Specific NPDES program areas applicable to these industrial/commercial sources are: Process Wastewater Discharges, Non-process Wastewater Discharges, and the Industrial Storm Water Program. NPDES issues two basic permit types: individual and general. The EPA has focused on integrating the NPDES program further into watershed planning and permitting.

The NPDES has a variety of measures designed to minimize and reduce pollutant discharges. All counties with storm drain systems that serve a population of 100,000 or more, as well construction sites 1 acre or more in size, must file for and obtain an NPDES permit. Another measure for minimizing and reducing pollutant discharges to a publicly owned conveyance or system of conveyances (including roadways, catch basins, curbs, gutters, ditches, human-made channels, and storm drains designed or used for collecting and conveying stormwater) is the EPA's Storm Water Phase I Final Rule. The Phase I Final Rule requires an operator (such as a city) of a regulated municipal separate storm sewer system (MS4) to develop, implement, and enforce a program (e.g., best management practices [BMPs], ordinances, or other regulatory mechanisms) to reduce pollutants in post-construction runoff to Los Angeles County's storm drain system from new development and redevelopment projects that result in land disturbance greater than or equal to 1 acre.

The MS4 Permit in effect for the Project area is Order No. R4-2012-0175-A01, issued by the Los Angeles RWQCB in 2012 and amended in 2016. The LACDPW enforces conditions of the MS4 NPDES permit on development and redevelopment projects under Los Angeles County's jurisdiction.

Federal Antidegradation Policy

The Federal Antidegradation Policy (Title 40 Code of Federal Regulations Section 131.12) requires states to develop statewide policies to prevent degradation of water quality and identify methods for implementing those policies. Pursuant to the Code of Federal Regulations, state antidegradation policies and implementation methods shall, at a minimum, protect and maintain: (1) existing in-stream water uses; (2) existing water quality where the quality of the waters exceeds levels necessary to support existing beneficial uses, unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area; and (3) water quality in waters considered an outstanding national resource.

National Flood Insurance Program

The National Flood Insurance Act of 1968 established the National Flood Insurance Program in order to provide flood insurance within communities that were willing to adopt floodplain management programs to mitigate future flood losses. The Act also required the identification of all floodplain areas within the U.S. and the establishment of flood-risk zones within those areas. FEMA is the primary agency responsible for administering programs and coordinating with communities to establish effective floodplain management standards. FEMA is responsible for preparing Flood Insurance Rate Maps that delineate the areas of known special flood hazards and their risk applicable to the community. The program encourages the adoption and enforcement by local communities of floodplain management ordinances that reduce flood risks. In support of the program, FEMA identifies flood hazard areas throughout the United States on FEMA flood hazard boundary maps.

Federal Guidelines for Emergency Action, FEMA Publication No. 64

These guidelines provide guidance to help dam owners, in coordination with emergency management authorities, effectively develop and exercise Emergency Action Plans for dams. The guidelines encourage (1) the development of comprehensive and consistent emergency action planning to protect lives and reduce property damage and (2) the participation of emergency management authorities and dam owners in emergency action planning.

Federal Guidelines for Dam Safety Risk Management, FEMA Publication No. 1025

These guidelines enable federal agencies to use the general principles of risk management to make risk-informed decisions. The agencies work to develop and maintain consistent application of risk analysis, risk assessment, risk management, and risk communication, using equivalent procedures and tools. Risk estimates typically reflect the risk at a given dam at the snapshot in time when the risk analysis is performed. Risk management includes structural and nonstructural actions on a given dam, as well as activities such as routine and special inspections, instrumented monitoring, structural analyses, site investigations, development and testing of emergency action plans, and many other activities.

State

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code Section 13000 et seq.) is the basic water quality control law for California. Under this act, the SWRCB has ultimate control over state water rights and water quality policy. In California, the U.S. EPA has delegated authority to issue NPDES permits to the SWRCB. The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine RWQCBs, carries out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a water quality control plan or basin plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems (RWQCB 2008). The Program area is in the jurisdiction of Santa Ana RWQCB Region 8, which encompasses the upper and lower Santa Ana River watersheds, the San Jacinto River watershed, and several other small drainage areas. The Basin Plan for Region 8, which was adopted January 24, 1995 and most recently amended in June 2019 (Santa Ana RWQCB 2019), provides direction on the beneficial uses of the state waters in Region 4; describes the water quality that must be maintained to support such uses; and provides programs, projects, and other actions necessary to achieve the standards in the Basin Plan.

Construction General Permit Order No. 2022-0057-DWQ

Pursuant to the CWA, the SWRCB issued a statewide general NPDES permit for stormwater discharges from construction sites in 2001 (Order No. 2022-0057-DWQ, effective September 1, 2023). Under this Statewide Construction General Permit, discharges of stormwater from construction sites with a disturbed area of 1.0 acre or more are required to either obtain individual NPDES permits for stormwater discharges or be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the Construction General Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list BMPs implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program, a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of BMPs, and a monitoring plan if the site discharges directly to a waterbody listed on the state's 303(d) list of impaired waters.

California Antidegradation Policy

The California Antidegradation Policy, otherwise known as the Statement of Policy with Respect to Maintaining High Quality Water in California, was adopted by the SWRCB (State Board Resolution No. 68-16) in 1968. Unlike the Federal Antidegradation Policy, the California Antidegradation Policy applies to all waters of the state (e.g., isolated wetlands and groundwater), not just surface waters. The policy states that whenever the existing quality of a water body is better than the quality established in individual Basin Plans, such high quality shall be maintained, and discharges to that water body shall not unreasonably affect present or anticipated beneficial use of such water resource.

Clean California Toxics Rule Water Act

The U.S. EPA has established water quality criteria for certain toxic substances via the California Toxics Rule. The California Toxics Rule established acute (i.e., short-term) and chronic (i.e., long-term) standards for bodies of water, such as inland surface waters and enclosed bays and estuaries, that are designated by each RWQCB as having beneficial uses protective of aquatic life or human health.

Clean Sustainable Groundwater Management Act Water Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package—Assembly Bill 1739 (Dickinson), Senate Bill 1168 (Pavley), and Senate Bill 1319 (Pavley)—collectively known as SGMA, which requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the California Department of Water Resources provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies to manage basins sustainably, and requires those Groundwater Sustainability Agencies to adopt Groundwater Sustainability Plans for crucial (i.e., medium to high priority) groundwater basins in California.

Clean Assembly Bill 3030 - Groundwater Management Act Water Act

In 1992, Assembly Bill 3030 was passed, which increased the number of local agencies authorized to develop a groundwater management plan and set forth a common framework for management by local agencies throughout California. These agencies could possess the same authority as a water replenishment district to "fix and collect fees and assessments for groundwater management" (California Water Code Section 10754), provided they receive a majority of votes in favor of the proposal in a local election (California Water Code Section 10754.3).

Clean California Water Code Water Act

The California Water Code includes 22 kinds of districts or local agencies with specific statutory provisions to manage surface water. Many of these agencies have statutory authority to exercise some forms of groundwater management. For example, a Water Replenishment District (California Water Code Section 60000 et seq.) is authorized to establish groundwater replenishment programs and collect fees for that service, while a Water Conservation District (California Water Code Section 75500 et seq.) can levy groundwater extraction fees. Through special acts of the Legislature, 13 local agencies have been granted greater authority to manage groundwater. Most of these agencies, formed since 1980, have the authority to limit export and control some in-basin extraction upon evidence of overdraft or the threat of an overdraft condition. These agencies can also generally levy fees for groundwater management activities and for water supply replenishment.

Clean California Water Code, Division 3. Dams and Reservoirs, Sections 6101–6102Water Act

These regulations require dam owners to maintain records of, and to report on, maintenance, operation, staffing, and engineering and geologic investigations and to issue orders as necessary to secure maintenance and operations to safeguard life and property. The owner of a dam, or his agent, shall fully and promptly advise the Department of Water Resources of any sudden or unprecedented flood or unusual or alarming circumstance or occurrence affecting the dam or reservoir. These regulations require the Department of Water Resources to periodically inspect dams and reservoirs for the purpose of determining their safety. If required, the dam owner shall perform work necessary to secure maintenance and operation that will safeguard life and property.

Governor's Office of Emergency Services, California Code of Regulations, Title 19 - Public Safety, Division 2 - Office of Emergency Services, Chapter 2 – Emergencies and Major Disaster, Subchapter 4 – Dam Inundation Mapping Procedures

These regulations were adopted to implement the provisions of Government Code Section 8589.5, which provide the standards for producing and submitting an inundation map, acquiring a waiver from the inundation mapping requirement, and administering the program. These regulations are not applicable to those structures identified as Debris Basins in Department of Water Resources Division of Safety and Dams Bulletin 17-00, dated July 2000. However, these regulations are not intended to limit the authority of the Governor's Office of Emergency Services, or any appropriate public agency, to act under the police power of the state, when necessary, to protect life and property from a threatened or actual dam failure.

Local

City of Fullerton General Plan

The Conservation and Natural Resources Element of the Los Angeles County 2035 General Plan (General Plan) provides the following goals and policies potentially relevant to the Program:

Goal C/NR 5. Protect any useable local surface water resources.

> Policy C/NR 5.1. Support the Low Impact Development (LID) philosophy, which seeks to plan and design public and private development with hydrologic sensitivity, including limits Text.

City of Fullerton Drainage Master Plan Update

The City of Fullerton Drainage Master Plan Update (October 1996) (Drainage Master Plan) identifies major system deficiencies and proposes corrective improvements that would be incorporated in future land development. The Drainage Master Plan provides cost estimates for the needed improvements and prioritizes drainage improvement projects for purposes of the City's Capital Improvements Program (CIP).

City of Fullerton Municipal Code

Chapter 12.18 (Water Quality Ordinance)

Fullerton Municipal Code (FMC) Chapter 12.18 prohibits illicit connections and prohibited discharges to the City's storm drain system and requires all new development and significant redevelopment comply with the Drainage Area Management Plan (DAMP) and any conditions and requirements established by the City. Prior to the issuance by the City of a grading permit, building permit or nonresidential plumbing permit for any new development or significant redevelopment, the planning agency would review the project plans and impose terms, conditions and requirements on the project in accordance with the ordinance. If the new development or significant redevelopment will be approved without application for a grading permit, building permit or nonresidential plumbing permit, the planning agency (Community Development Department and Engineering Department) would review the project plans and impose terms, conditions and requirements on the project in accordance with the ordinance prior to the issuance of a discretionary land use approval or, at the City's discretion, prior to recordation of a subdivision map.

4.4.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to hydrology and water quality are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hydrology and water quality would occur if the project would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    a. result in substantial erosion or siltation on or off site;

   b. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;
   c. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
   d. impede or redirect flood flows.
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to violating any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. As such, the following thresholds are evaluated within this section for the Program:

HYD-1 Would the Program substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

HYD-2 Would the Program substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- Result in substantial erosion or siltation on or off site?
- Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
- Impede or redirect flood flows?

HYD-3 In flood hazard, tsunami, or seiche zones, would the Program risk release of pollutants due to inundation?

HYD-4 Would the Program conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Methodology

As described in Chapter 3, Project Description, the proposed Program does not include or propose any site-specific development that could directly result in construction or operational impacts to the environment. However, implementation of the Program would help facilitate the development or redevelopment of up to 759 parcels identified in the overlay zone for multi-family housing, despite the existing land use zoning. Therefore, this Draft PEIR does not assess the site-specific construction and operation details of each future development within the Program Area. Rather, it assesses the impacts associated with potential changes to existing land uses and the associated overall effects of full buildout of the overlay parcels, where reasonably foreseeable physical changes to the environment could occur. Analysis at a parcel or site-specific level was not conducted because, unless otherwise noted within this assessment, the actual locations of project development (and its chronologic sequence or concurrence) that may be implemented in the future are speculative.

The following analysis considers the existing environmental setting and regulatory environment applicable to the Program Area. The analysis considers the existing regulatory requirements related to hydrology and water quality that prohibit the contamination of receiving water bodies and provides protection of surface waters and groundwater supplies. In addition, the screening criteria for identifying the overlay zone parcels has already excluded any parcels located in existing hazard zones including flood hazard zones.

Impacts associated with potential increased stormwater runoff have been evaluated on a programmatic level. Drainage impacts have been evaluated with consideration of existing regulatory requirements, as specified in the Orange County LID Standards Manual and Green Infrastructure Guidelines contained within the California Building Code, which are designed to lessen the adverse impacts of stormwater runoff from development and urban runoff on natural drainage systems, receiving waters, and other waterbodies. Impacts to groundwater supplies have been evaluated based on the existing 2020 Urban Water Management Plan for the City of Fullerton (City of Fullerton 2021).

4.4.4 Impacts Analysis

HYD-1. Would the Program substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Water supply in the City is provided by the City's Water Utility which sources its water supply from imported potable water obtained from Metropolitan Water District of Southern California (MWD) and local groundwater from the Orange County Groundwater Basin, that is managed by OCWD. Water use within the City's service area has been trending downward in the past decade with an annual average of 26,098 acre-feet (AF) for potable use (City of Fullerton 2021). In fiscal year 2019-20, the City's water use was 23,799 AF of potable water (groundwater and imported). There is currently no recycled water use within the City's service area. In fiscal year 2019-20, the City's water use profile was comprised of 63.2% residential use, 26.6% commercial, industrial, and institutional (CII), 4.8% landscape/irrigation, with non-revenue water and other uses comprising about 5.4%. According to the City's 2020 UWMP, even though the City's service area is nearly completely built-out, the population is projected to increase at a rate of 1.4% per year with minimum land use increase. Water demand is likely to increase 7.8% over the 2020-2025 period and 8.5% from 2025 through 2045. The potable water demand for 2045 is projected to be 27,850 AF, 85% of which or 23,673 AF would be sourced from local groundwater (City of Fullerton 2021).

The change in water demand associated with implementation of the proposed Program is difficult to estimate based on uncertainties in the timing of development, how dense the residential land use could end up (though still consistent with development standards and maximum residential densities), and how the water demands might change with redeveloped parcels as compared to existing water demands. However, considering that the 2020 UWMP has projected water demand growth based on City growth projections and the Program is only allowing the land use zoning changes to accommodate the City's Regional Housing Needs Assessment, the growth that could occur under the Program should be in line with the projected growth for the City.

According to Tables 7-2, 7-3, and 7-4 of the City's 2020 UWMP, water demands for the City are projected to be met in normal, single dry year, and multiple dry year scenarios out to 2045 (City of Fullerton 2021). The multiple dry year scenario even conservatively assumes a 6% demand increase each year for five consecutive years. In this scenario, there is also still significant reserves held by MWD that would be available for purchase by the City (City of Fullerton 2021).

In addition, the Orange County Groundwater Basin is managed by OCWD which has developed an alternative to a Groundwater Sustainability Plan (GSP), consistent with the requirements of SGMA. This alternative, known as Basin 8-1 Alternative, is updated on a 5-year basis and provides a roadmap for sustainable management of the groundwater basin. Each year OCWD calculates the volume of groundwater storage change from a theoretical "full" benchmark condition based on a calculation using changes in groundwater elevations in each of the three major aquifer systems and aquifer storage properties (OCWD 2022). This calculation is checked against an annual water budget that accounts for all production, measured recharge and estimated unmeasured recharge (also referred to as "incidental recharge"). OCWD manages the basin for long-term sustainability by maximizing groundwater recharge and managing basin production within sustainable levels. Maintaining the basin storage condition on a long-term basis within the established operating range allows for long-term sustainable management of the basin without experiencing undesirable effects. Therefore, according to the alternative management plan, the undesirable result of "significant and unreasonable reduction of groundwater storage" is not present and is not anticipated to occur in the OCWD Management Area in the future due to OCWD's management programs and long-term planning efforts.

Full buildout of the Program could also have an effect on the amount of impervious surfaces and amount of surface area within the City that currently allows for infiltration of stormwater runoff. However, all proposed development and redevelopment would be required to adhere to existing drainage control requirements including the MS4 NPDES permit, the DAMP, and the City's requirements which all require implementation of low impact development (LID) features which facilitate onsite infiltration of stormwater runoff, typically through construction of retention/detention basins. In many cases this would likely represent an increase in the amount of runoff made available for infiltration as sites are redeveloped that have no existing onsite retention/detention.

Therefore, considering the long-term planning efforts of the Orange County Groundwater Basin that is facilitated by the City's 2020 UWMP, OCWD's Basin 8-1 Alternative, and the drainage control requirements for any development or redevelopment associated with the Program, the potential for adverse effects to groundwater supplies would be considered **less than significant**. No mitigation is required.

HYD-2. Would the Program substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

a) Result in substantial erosion or siltation on or off site?

Construction

Development and redevelopment projects associated with the Program would likely involve ground disturbing activities that could expose underlying soils to the effects of erosion and/or siltation. Such activities include the removal of vegetation, demolition of on-site infrastructure, and grading of the site. Environmental factors that affect erosion include topographic, soil, and rainfall characteristics. Erosion and sedimentation affect water quality and interferes with photosynthesis; oxygen exchange; and the respiration, growth, and reproduction of aquatic species.

Construction impacts from development would be minimized through compliance with local, state, and federal regulations pertaining to water quality standards. This includes adherence to the NPDES Construction General Permit that requires future projects of 1 acre or more to prepare and implement a

SWPPP prior to grading and construction activities. The SWPPP is required to identify BMPs that protect stormwater runoff and ensure the avoidance of substantial degradation of water quality during project construction. All demolition and construction activities associated with the project, including installation and realignment of utilities, would be subject to existing regulatory requirements as well as the relevant conditions of approval (See Section 3.6 of this document) including COA-HYD-1 which also requires preparation and implementation of a SWPPP.

Prior to issuance of a building permit, individual project proponents would file a Notice of Intent with the SWRCB to comply with the requirements of the NPDES Construction General Permit. This process would include the preparation of a SWPPP and incorporation of BMPs to control construction-related erosion and sedimentation in dry weather and stormwater runoff. Other typical BMPs that could be incorporated into the SWPPP to protect water quality include the following:

- Diverting off-site runoff away from the construction site
- Vegetating landscaped/vegetated swale areas as soon as feasible following grading activities
- Placing perimeter straw wattles to prevent off-site transport of sediment
- Using drop inlet protection (filters and sandbags or straw wattles), with sandbag check dams within paved areas
- Regular watering of exposed soils to control dust during demolition and construction
- Implementing specifications for demolition/construction waste handling and disposal
- Using contained equipment wash-out and vehicle maintenance areas
- Maintaining erosion and sedimentation control measures throughout the construction period
- Stabilizing construction entrances to avoid trucks from imprinting soil and debris onto the project site and adjoining roadways
- Training, including for subcontractors, on general site housekeeping

Incorporation of required BMPs for materials and waste storage and handling and equipment and vehicle maintenance and fueling would reduce the potential discharge of polluted runoff from construction sites, consistent with the CALGreen requirements. Compliance with existing regulations would prevent violation of water quality standards and minimize the potential for erosion and siltation of offsite discharges. Therefore, the potential impacts associated with construction activities would be **less than significant**. No mitigation is required.

Operation

Development and redevelopment associated with Program could involve changes to existing drainage patterns. While the majority of the City is already developed and largely covered in impervious surfaces, these changes could create new impervious surfaces such as pathways, access roads, parking lots, and buildings, and could be a source of erosion and siltation that can be conveyed by storm and landscape irrigation flows, if not stormwater drainage facilities are not designed appropriately.

However, all improvements that could be associated with the Program would be required to adhere to existing drainage control requirements including the MS4 NPDES permit, the DAMP, and the City's Municipal Code Chapter 12.18 as well as the condition of approval COA-HYD-2 (see Section 3.6 of this document). Prior to issuance of a building permit, the proponent would have to submit a water quality

management plan (WQMP) to the City for review and approval. The WQMP would ensure that all new development and significant redevelopment incorporates appropriate site design, source control, and treatment control BMPs to address specific water quality issues including erosion and siltation. As part of these requirements, the WQMP would have to identify and demonstrate applicable BMPs as consistent with the DAMP and Municipal Code in order to prevent, to the maximum extent practicable, siltation from entering the stormwater drainage system, as well as maintain the BMPs as specified in the project approved WQMP. Therefore, compliance with these existing regulatory requirements for drainage control design measures would reduce potential impacts related to erosion and siltation to a **less-than-significant** level. No mitigation is required.

b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

Development associated with the proposed Program is not expected to have any substantial effect on the rate or amount of surface runoff since the majority of the City is already largely developed with high percentages covered in impervious surfaces. Development and redevelopment associated with the Program is not likely to substantively change the amount of impervious surfaces and would be required to detain flows from a 100-year storm event as required by the Orange County Hydrology Manual (County of Orange 2020). Detaining flows is commonly accomplished with construction of a retention/detention system that can slow, reduce, and meter the volume of runoff leaving the project site and ensure that downstream drainage facilities are not inundated with flows from the project site. In addition, condition of approval COA-HYD-3 (See Section 3.6) requires that project proponents receive City approval that appropriate stormwater volumes are managed onsite with the proposed drainage control features. Therefore, considering that the development and redevelopment would likely not substantively increase stormwater flows, implementation of drainage control features would encourage on-site infiltration to the extent feasible, and development would adhere to the Orange County Hydrology Manual, the potential for surface runoff to result in on- or off-site flooding would be **less than significant**. No mitigation is required.

c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

As discussed above, with incorporation of required stormwater control features (e.g., retention/detention basins, infiltration galleries, vegetated swales, and landscaped areas) into the final project designs, development and redevelopment associated with the Program would not likely make any substantive changes to stormwater runoff rates or volumes. All proposed improvements would be required to adhere to drainage control requirements and would be consistent with the Orange County Hydrology Manual, the City Municipal Code, and COA-HYD-3 so that stormwater runoff would not result in substantively increased runoff rates compared to existing conditions. With adherence to these existing regulatory requirements, there would be no substantive increase in runoff rates and runoff would not exceed the capacity of existing or planned stormwater drainage systems. The proposed improvements would not include any other sources of polluted runoff that has not been addressed above, and the potential impact would be **less than significant**. No mitigation is required.

d) Impede or redirect flood flows?

The screening process for selection of the overlay parcels already excludes all parcels located within any 100-year flood zones. Since all 759 parcels associated with the Program are outside of an identified flood

zone hazard area, the potential impact related to impeding or redirecting flood flows would be **less than significant**. No mitigation is required.

HYD-3. In flood hazard, tsunami, or seiche zones, would the Program risk release of pollutants due to project inundation?

As noted above, all 759 parcels associated with the Program would be located outside of any flood hazard zones. The City is also located well inland and such that it is not considered susceptible to tsunami hazards. Seiche hazards are limited to areas immediately adjacent to enclosed or semi-enclosed bodies of water. The only body of water that would be susceptible to seiche hazards is Laguna Lake, and none of the 759 parcels associated with the Program are in close proximity to Laguna Lake. Therefore, there would be no potential for adverse effects from seiche zone hazards. As discussed more thoroughly in Section 4.3, Hazards and Hazardous Materials, the proposed Program would not include the storage of any bulk quantities of hazardous materials that would be at risk of being released due to inundation. While residential land uses are associated with hazardous materials use, it is typically in very limited quantities and would not risk substantive adverse effects from release in the event of inundation. Further, any storage of hazardous materials on-site would be consistent with applicable federal, state, and local regulations, assuring the appropriate storage such that a release would not be likely. Therefore, considering the Program characteristics, location of the parcels involved, and proposed land uses related to hazardous materials, the potential for risk of release of pollutants due to project inundation would be **less than significant**. No mitigation is required.

HYD-4. Would the Program conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As previously discussed, compliance with the NPDES General Construction Permit, the NPDES MS4 Permit, DAMP, as well as implementation of a site-specific SWPPP, LID features, and WQMP, would ensure that degradation of water quality (surface water and groundwater) would remain minimal and would be consistent with Basin Plan policies for the Santa Ana region. As such, impacts would be **less than significant**.

With respect to groundwater management, as discussed above, the OCWD has demonstrated an ability to meet water demands out to the year 2045 in normal, single dry year, and multiple dry year scenarios. OCWD does derive its water supply largely from groundwater resources but also has flexibility in its sources of potable water supplies. The groundwater basin is considered a medium priority basin according to DWR and must comply with the requirements of the SGMA. OCWD adopted its first Groundwater Management Plan in 1989, which was most recently updated in 2022 and submitted to DWR as an Alternative to a Groundwater Sustainability Plan, also known as the Basin 8-1 Alternative plan. Although the groundwater basin rarely reaches the full basin condition, basin storage has fluctuated within the safe operating range for many decades (OCWD 2022). One of OCWD's basin management objectives is to maximize groundwater recharge, which is achieved through increasing the efficiency of and expanding OCWD's recharge facilities and the supply of recharge water. The Groundwater Replenishment System provides a substantial increase in supply of water available to recharge the basin. Additional OCWD supply management programs include encouraging and using recycled water for irrigation and other non-potable uses, participating in water conservation efforts, and working with Metropolitan Water District and the MWDOC in developing and conducting other supply augmentation projects and strategies. Development and redevelopment associated with both the project- and program-level elements would not conflict with any of these management strategies and programs that are used to provide sustainable management of the basin. As a result, the Program would not conflict with or

obstruct the implementation of a water quality control plan or sustainable groundwater management plan and impacts would be **less than significant**. No mitigation is required.

4.4.5 Mitigation Measures

All Program impacts relative to hydrology and water quality would be less than significant. As such, no mitigation is required.

4.4.6 Significance Conclusion

Impacts are less than significant with no mitigation required.

4.4.7 Cumulative Effects

Groundwater Supply and Groundwater Recharge

Development of nearby related projects could increase land use intensities in the area, resulting in increased water usage. The proposed Program and some of the related projects are served by OCWD. As such, development of the proposed Program and the related projects would increase the amount of water used in OCWD's service area. OCWD's UWMP has planned for the provision of regional water during normal, dry, and multiple dry years. The plan uses regional population, land use plans, and projections of future growth as the basis for planning water system improvements (including water treatment plants) and demonstrating compliance with state water conservation goals and policies. As such, to the extent that related projects are generally consistent with regional growth patterns and projections, cumulative projects would not be expected to result in increased water usage causing the need for new entitlements, resources, and/or treatment facilities that are not already being planned to accommodate regional growth forecasts.

As previously discussed, OCWD has planned water supply projects aimed at meeting increased future water demands within its service area. These plans include increasing the groundwater recharge capabilities, such as the expansion of the Groundwater Replenishment Program. When coupled with regional groundwater management plans and the regulatory bindings of the basins, these projects would ensure that the proposed project, as well as future regional projects, would not substantially decrease groundwater supplies or impede sustainable ground management of the relevant groundwater basins.

Certain qualifying projects would be subject to water supply assessment requirements, which assess the sufficiency of supply for existing and future demands, to serve as evidentiary basis during CEQA review on such projects. Further, compliance with the CALGreen would be required for new developments. This would ensure that many of the related projects, as well as the proposed project, do not result in wasteful or inefficient use of limited water resources and may in fact result in an overall decrease in water use per person. Due to water planning efforts and water conservation standards, impacts to groundwater supplies would be minimized and the contributions of the proposed project to cumulative impacts would not be cumulatively considerable.

Stormwater Drainage

The geographic context for the analysis of cumulative impacts related to storm drainage is the Santa Ana River Watershed. As discussed for water quality, development within the Santa Ana River Watershed could increase the

number of impervious surfaces that could cause or contribute to adverse water quality effects, storm drain and receiving water capacity exceedances, or flooding.

All cumulative development in the watershed is subject to the existing regulatory requirements to protect water quality and minimize increases in stormwater runoff. For example, the Construction General Permit requires the development and implementation of a SWPPP for all construction sites larger than 1 acre to mitigate potential impacts to water quality from polluted stormwater runoff.

Every 2 years, the Santa Ana RWQCB must re-evaluate water quality within its geographic region and identify those water bodies not meeting water quality standards. For those impaired water bodies, a TMDL must be prepared and implemented to reduce pollutant loads to levels that would not contribute to a violation of water quality standards. All development within the Santa Ana River Watershed would be subject to the water quality standards outlined in the Basin Plan and must comply with any established TMDLs. The continuing review process would ensure that cumulative development within the watershed would not substantially degrade water quality.

Orange County and other co-permittee cities and counties within the Santa Ana River Watershed are subject to the requirements of their respective MS4 Permits. Currently, the MS4 Permits require that the project designers and/or contractors of all new development and redevelopment projects that fall under specific priority project categories must develop WQMPs that include LID design requirements related to water quality. The LID features would address long-term effects on water quality within the Santa Ana River Watershed and ensure BMPs and LID designs minimize potential water quality concerns to the maximum extent practicable. Therefore, impacts associated with water quality standards and polluted runoff in the watersheds would be minimized and the proposed project's contribution to cumulative impacts would not be cumulatively considerable.

New development within the watershed is also subject to the environmental review process and compliance with local stormwater regulations, such as the Construction General Permit, the Section 404 permit process of the CWA, local code requirements (DAMP and LIP), and local WQMP requirements. The proposed project would incorporate LID features during project design to reduce impervious surfaces and reduce stormwater runoff. Similar to the proposed project, other projects in the Santa Ana River Watershed would incorporate hydromodification features such that drainage rates would be no more than existing conditions. Therefore, impacts associated with changes in runoff in the watershed would be minimized and the contributions of the proposed project to cumulative impacts would not be cumulatively considerable.

Release of Pollutants from Inundation

The geographic context for the analysis of cumulative impacts associated with risk of release of pollutants due to inundation from flooding, tsunami, or seiche hazards is the City of Fullerton. As described above in Impact HYD-3, the Program parcels would all be located outside of any flood hazard zones and therefore could not contribute to any risk of release of pollutants. The City is also located well inland and outside of any tsunami hazard areas. Seiche hazards are limited to areas immediately adjacent to Laguna Lake, the only enclosed or semi-enclosed open water body in the City, and none of the 759 parcels associated with the Program are in close proximity to Laguna Lake. Therefore, there would be no potential for the Program to contribute to a potential cumulative risk of release of pollutants due to inundation from flood, tsunami, or seiche hazards.

Conflict or Obstruct Water Quality Plan or Groundwater Sustainability Plan

The geographic context for the analysis of cumulative impacts associated with conflicting or obstructing with a Water Quality Plan or Groundwater Sustainability Plan is the Santa Ana RWQCB jurisdiction and the Orange County

Groundwater Basin. Cumulative development within the Santa Ana RWQCB jurisdiction could include increases to impervious areas and new potential sources of pollutants in stormwater runoff. Construction activities associated with cumulative development could temporarily increase the number of exposed surfaces that could contribute to sediments in stormwater runoff. All qualifying cumulative development would be required to adhere to NPDES General Construction Permit requirements as well as drainage control requirements including Regional MS4 NPDES Permit and local requirements that would all be consistent with the Santa Ana RWQCB Basin Plan goals and policies to protect water quality.

With respect to groundwater management, as discussed above, the regional planning by OCWD through their 2020 UWMP indicates an ability to meet water demands out to the year 2045 in normal, single dry year, and multiple dry year scenarios. Future demand projections consider growth that matches the City's General Plan and anticipated increases in development such as the cumulative projects. While OCWD does derive its water supply largely from groundwater resources, there is also flexibility within the system to access other sources. To comply with SGMA, OCWD provides groundwater management through the groundwater sustainability plan known as the Basin 8-1 Alternative plan. Development and redevelopment projects considered as part of the cumulative projects would not conflict with OCWD's Basin 8-1 Alternative Plan because they do not represent projects that were not considered as part of regional growth and would also not interfere with any of the management strategies and programs that are used to provide sustainable management of the basin. As a result, the Program would not contribute to a conflict with or obstruction of the implementation of a water quality control plan or sustainable groundwater management plan and cumulative impacts would be less than significant

4.4.8 References Cited

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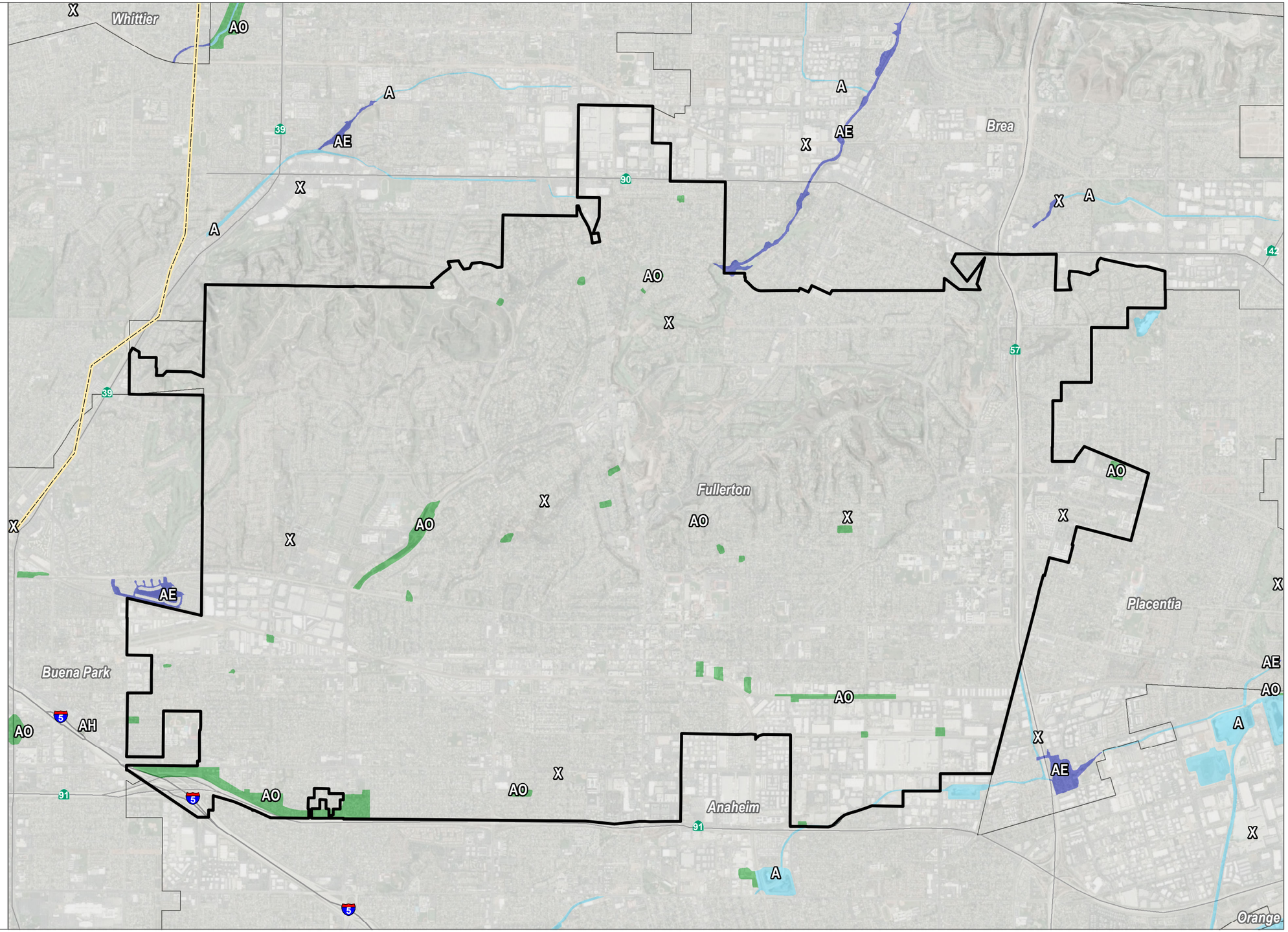
City of Fullerton

Orange County Boundary

FEMA Floodzone

- A; 100 year flood zone
- AE; 100 year flood zone
- AO; 100 year flood zone (usually sheet flow, between 1 and 3 ft)
- X; Outside 500 year flood zone (determined to be outside the 1% and 0.2% flood zones)



SOURCE: ESRI 2023; Orange County 2020; FEMA 2024

DUDEK

0 1,750 3,500 Feet

FIGURE 4.4-1

FEMA Flood Zones

Fullerton Housing Incentive Overlay Zone PEIR

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4.5 Land Use and Planning

This section describes the existing land use and planning conditions of the Planning Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.5.1 Existing Conditions

The Program is proposed within the City of Fullerton (City), a city located in north Orange County, California, as shown in Figure 3-1, Regional Location. The proposed Program would apply to select parcels across the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map.

The proposed Program is based on a methodology in which parcels Citywide were analyzed and either removed from or considered for inclusion based on a variety of criteria. In summary, four specific criteria were considered when identifying eligible parcels for the inclusion in the Program, listed below:

1. **Economic Viability:** Parcels that are most likely to be redeveloped given their current underutilization of land. For example, these parcels are either vacant or the development is outdated and has a likelihood of redevelopment in the near-term.
2. **Location within Opportunity Areas:** Promotion of affirmatively furthering fair housing policies by including areas identified within the California Tax Credit Allocation Committee (TCAC)/HCD Opportunity Areas to support positive economic, educational, and health outcomes for low-income families. In addition, parcels were included if they are within high-quality transit areas, defined by SCAG as areas within one-half-mile of major transit stops and high-quality transit corridors. Parcels that are adjacent (e.g., within 100 feet) to existing residential were also included.
3. **Location Outside of Local Hazard Zones:** Discourage development within known local hazard zones, such as airport impact zones defined by the Airport Land Use Commission of Orange County, and as noted within the City's 2020 Local Hazard Mitigation Plan (i.e., inundation hazard zones, flood hazard zones, fire hazard zones, landslide hazard zones, earthquake fault hazard zones, liquefaction hazard zones, and oil and gas hazard zones).
4. **Adjacent to Local Amenities:** Encourage residential development with access to community amenities (i.e., within one-quarter mile of a school, college, or university and within one-quarter–mile of open space).

Based on this criteria, parcels were screened and either included for, or removed from, consideration. The HIOZ Site Inventory (Appendix B) provides further detail about the Program's screening analysis and methodology. In addition to using the criteria outlined above, parcels were removed from consideration if public uses (i.e., schools, parks, municipal facilities, infrastructure, etc.) are on site and/or if the parcel is identified on the local register of historical resources.

As a result of the site screening process, the Planning Area includes a total of 759 parcels, totaling 593 acres across the City. These sites are shown in Figure 3-2, Fullerton HIOZ Map. Under existing conditions, these parcels are currently zoned with the following underlying zoning designations (City of Fullerton 2023a): C-G (Commercial Greenbelt), C-M (Commercial, Manufacturing), G-C (General Commercial), O-P (Office Professional), M-G (Manufacturing, General), M-P (Manufacturing Park) (100,000 square-foot minimum lot size), and M-P

(Manufacturing Park) (200,000 square-foot minimum lot size), as shown in Figure 3-4, Zoning. Currently, the Planning Area does not include land with a Specific Plan District (SPD) zoning classification (City of Fullerton 2023b).

Under existing conditions, the Planning Area contains a variety of commercial (i.e., retail stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office land uses as well as vacant land (e.g., parking lots). Although the Planning Area is currently zoned for non-residential uses, there are parcels within the Planning Area which contain existing non-conforming residential uses on site.

The General Plan designates the Planning Area with the following land use designations (also referred to as Community Development Types): Commercial, Greenbelt Concept, Industrial, Low-Density Residential, Medium-Density Residential, Office, and Religious Use. Furthermore, the Planning Area includes parcels within each of the General Plan's Focus Areas, with the exception of Focus Area F, Transportation Center.

4.5.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal policies or regulations applicable to land use and planning with respect to the proposed Program.

State

State Planning Law

State Planning Law (California Government Code Section 65300) requires every city and county in California to adopt a comprehensive, long-term general plan for the physical development of the jurisdiction and of any land outside its boundaries that, in the planning agency's judgment, bears relation to its planning (sphere of influence). A general plan should consist of an integrated and internally consistent set of goals and policies grouped by topic into a set of elements and guided by a jurisdiction-wide vision. State law requires that a general plan address seven elements or topics (land use, circulation, housing, conservation, open space, noise, and safety), but allows some discretion on the arrangement and content. Additionally, each of the specific and applicable requirements in the state planning law should be examined to determine if there are environmental issues within the community that the general plan should address, such as hazards or flooding.

Housing Element Law

Pursuant to Section 65580 of the Government Code, a Housing Element of a General Plan must contain local commitments to the following:

- Provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's RHNA for each income level. The RHNA is the only population and/or housing requirement that applies to the General Plan Update.
- Assist in the development of adequate housing to meet the needs of lower and moderate-income households.
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.

- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability.
- Preserve assisted housing developments for lower income households.

State law requires that jurisdictions provide their fair share of regional housing needs. California Department of Housing and Community Development (HCD) is mandated to determine the statewide housing need. The HCD, in cooperation with local governments and councils of governments, are charged with making a determination of the existing and projected housing need as a share of the statewide housing need of their city or region. The housing construction need is determined for four broad household income categories: very low (households making less than 50% of median family income), low (50% to 80% of median family income), moderate (80% to 120% of median family income), and above moderate (more than 120% of median family income). The intent of the future needs allocation by income groups is to relieve the undue concentration of very low and low-income households in a single jurisdiction and to help allocate resources in a fair and equitable manner.

The "fair share" allocation process begins with the DOF's projection of statewide housing demand for an eight-year period, which is then apportioned by the HCD among each of the state's official regions, which are represented by councils of government. A local jurisdiction's fair share of regional housing need is the number of additional dwelling units that will need to be constructed during a given eight-year planning period. Once a local government has received its final RHNA, it must revise its Housing Element to show how it plans to accommodate its portion of the region's housing need.

Local

Connect SoCal

The Southern California Association of Governments (SCAG) is the nation's largest metropolitan planning organization, representing six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura), 191 cities, and approximately 19 million residents. SCAG is mandated to research and develop plans for transportation, growth management, hazardous waste management, and air quality. SCAG is responsible for planning efforts that result in the Regional Transportation Plan (RTP) and the Federal Transportation Improvement Program. SCAG also develops the Sustainable Communities Strategy (SCS) to reduce greenhouse gas emissions as required by the Sustainable Communities and Climate Protection Act (Senate Bill 375). The RTP is a long-range transportation plan that is developed and updated by SCAG every four years to guide transportation investments throughout the region. The SCS is a required element of the RTP that integrates land use and transportation strategies to achieve California Air Resources Board emissions reduction targets pursuant to Senate Bill 375. At the time of the issuance of the Notice of Preparation (NOP), the applicable regional growth forecasts were included in SCAG's 2020–2045 RTP/SCS, known as Connect SoCal (SCAG 2020a).

Connect SoCal includes goals to increase mobility and enhance sustainability for the region's residents and visitors and encompasses three principles to improve the region's future: mobility, economy, and sustainability. In addition, Connect SoCal provides a regional investment framework to address the region's transportation and related challenges, while enhancing the existing transportation system and integrating land use into transportation planning. Connect SoCal recommends local jurisdictions accommodate future growth within existing urbanized areas, particularly near existing transit, to reduce vehicle miles traveled (VMT), congestion, and greenhouse gas emissions. The adopted Connect SoCal was made available for public review in March 2020 (SCAG 2020a). On May 7, 2020, the Regional Council adopted Resolution No. 20-621-1 certifying the Connect SoCal and the associated Program Environmental Impact Report (PEIR) and approving Connect SoCal for federal conformity

purposes only. On September 3, 2020, the SCAG Regional Council unanimously voted to approve Resolution No. 20-624-1 to: (1) adopt the Connect SoCal PEIR Addendum and Revised Mitigation Monitoring and Reporting Program; (2) approve Connect SoCal in its entirety; and (3) submit Connect SoCal to the California Air Resources Board for confirmation that the Plan meets greenhouse gas reduction targets.

According to SCAG, for the purpose of determining consistency with Connect SoCal under the California Environmental Quality Act (CEQA), lead agencies, such as the City, have the sole discretion in determining a local project's consistency; consistency should be evaluated using the goals and policies of Connect SoCal and its associated PEIR. Connect SoCal does not supersede or otherwise affect a local jurisdiction's authority or decisions on future development, including entitlements and development agreements. There is no obligation by a jurisdiction to change its land use policies, General Plan, or regulations to be consistent with Connect SoCal (SCAG 2020a).

For informational purposes, SCAG released the Connect SoCal 2024, also known as the 2024-2050 RTP/SCS, for public review and comment on November 2, 2023 (SCAG 2023). Given that the Connect SoCal 2024 is still in draft form, the 2020 Connect SoCal is used for the purposes of this Draft PEIR.

Regional Housing Needs Allocation

Regional Housing Needs Allocation (RHNA) is mandated by the State Housing Law as part of a periodic process of updating local housing elements in city and county general plans. SCAG is required to develop a final RHNA methodology to distribute existing and projected housing need for the 6th Cycle RHNA for each jurisdiction, which will cover the planning period October 2021 through October 2029. Several guiding principles that SCAG staff has developed to use as the basis for developing the distribution mechanism for the RHNA methodology, as detailed below.

1. The housing crisis is a result of housing building not keeping up with growth over the last several decades. The RHNA allocation for all jurisdictions is expected to be higher than the 5th RHNA cycle.
2. Each jurisdiction must receive a fair share of their regional housing need. This includes a fair share of planning for enough housing for all income levels, and consideration of factors that indicate areas that have high and low concentration of access to opportunity.
3. It is important to emphasize the linkage to other regional planning principles to develop more efficient land use patterns, reduce greenhouse gas emissions, and improve overall quality of life.

HCD provided SCAG a final regional determination of 1,341,827 units for the 6th Cycle RHNA on October 15, 2019. Following the formal distribution of draft RHNA allocations based on the Final RHNA methodology and a separate appeals phase described in Government Code 65584.05 et seq., RHNA allocations were adopted on March 4, 2021 by the SCAG Regional Council, and approved by HCD on March 22, 2021, and later modified on July 1, 2021. Based on SCAG's determination of existing need and projected needs, which considers anticipated vacancies and projected household growth, the regional existing need for additional housing units has been determined to be 836,857 units, and the regional projected need is 504,970 units (SCAG 2020a). In total, HCD's regional determination of 1,341,827 exceeds SCAG's 2020–2045 household growth forecast of 1,297,000 by 3.68% (SCAG 2020b).

General Plan

The City's General Plan (or The Fullerton Plan), adopted in May 2012, provides goals and policies to achieve the vision for the City. The General Plan, in accordance with State law and the California's General Plan Guidelines, is organized in four parts: The Fullerton Built Environment, the Fullerton Economy, the Fullerton Community, and the Fullerton Natural Environment (City of Fullerton 2012a). State law requires that general plans address the several

topics (or "Elements") of land use, circulation, housing, open space, conservation, safety, noise, and environmental justice, in accordance with California Government Code Section 65302.

The City's General Plan identifies 12 Focus Areas that present opportunities where land use and design change can help fully implement the vision of The Fullerton Plan. The Focus Areas are designed to catalyze revitalization efforts along corridors; create more options for travel between Fullerton's major destinations and neighborhoods; guide the enhancement of unique assets; and support the function of business clusters such as medical facilities and industrial areas. For each Focus Area, the General Plan provides objectives to serve as a framework for further community-based planning efforts. (City of Fullerton 2012a). These focus areas were identified as opportunity areas because they generally possess some or all of the following characteristics: (1) Areas that are currently experiencing transition or anticipated transition in the near future, (2) Areas that exhibit special community resources (historic, educational, cultural, etc.), (3) Areas providing a variety of development options or market interest, and (4) Areas exhibiting potential for enhancement or reinvestment through public or private investment. Given the outlined criteria, the General Plan established the following: Focus Area A: Airport Industrial; Focus Area B: Commonwealth Corridor; Focus Area C: Orangethorpe Corridor Nodes; Focus Area D: Harbor Gateway; Focus Area E: Downtown; Focus Area F: Transportation Center; Focus Area G: North Harbor Corridor; Focus Area H: North Industrial; Focus Area I: Chapman Corridor; Focus Area J: Education; Focus Area K: Southeast Industrial; and Focus Area L: West Coyote Hills.

The Fullerton Built Environment. The Fullerton Built Environment addresses the physical dimensions of the Fullerton community's districts and neighborhoods, including the mobility connections and public infrastructure that occur within the City and between the City and the region. This section of the General Plan includes components of the General Plan elements required by State law, including Land Use, Circulation, Housing, Conservation, and Noise. The Fullerton Built Environment consists of the following chapters, goals, and policies related to Community Development and Design, Housing, Historic Preservation, Mobility, Bicycle, Growth Management, and Noise. A list of the overarching goals are as follows:

- **Goal 1:** Resilient and vital neighborhoods and districts.
- **Goal 2:** A positive identity and distinctive image.
- **Goal 3:** A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.
- **Goal 4:** Valued and preserved historic resources.
- **Goal 5:** A balanced system promoting transportation alternatives that enable mobility and an enhanced quality of life.
- **Goal 6:** A bicycle-friendly city where bicycling is a safe and convenient alternative to motorized transportation and a recreational opportunity for people of all ages and abilities.
- **Goal 7:** Growth and development aligned with infrastructure capabilities.
- **Goal 8:** Protection from the adverse effects of noise.

High-Density Residential. The purpose of this Community Development Type is to establish and protect opportunities for households that desire dense urban living within a compact, walkable neighborhood that is well served by transit, and to provide opportunities for neighborhood support uses and amenities. The General Plan identifies attached dwellings, live-work units, limited neighborhood-serving commercial, and compatible public, quasi-public, and special uses as potential land uses. The City establishes a minimum density of 28.1 dwelling units per acre (du/ac) and a maximum floor area ratio (FAR) at 0.65. There is no maximum density or minimum FAR development standard for this land use designation.

Airport Influence Areas. Airport Influence Areas are comprised of airport property, runway protection zones, and noise contours. With certain exceptions, all developments located in an Airport Influence Area are subject to review by the Orange County Airport Land Use Commission (ALUC) for compliance with noise and safety regulations. State Law requires the creation of ALUCs to coordinate planning for the areas surrounding public use airports. The Fullerton Municipal Airport is a general aviation airport located at 4011 West Commonwealth Avenue, in the southwestern portion of the City. Fullerton Municipal Airport is within the oversight of the Orange County ALUC. The ALUC is required to prepare and adopt an airport land use plan for each of the airports within its jurisdiction. The ALUC prepared the Airport Environs Land Use Plan for Fullerton Municipal Airport (AELUP) on November 18, 2004. Airport influence areas, as illustrated in Exhibit D2, Fullerton Municipal Airport – Airport Impact Zones and Noise Contours, of the AELUP shows that the Planning Area is overlies, or is adjacent to, a portion of the Planning Area (ALUC 2019). See Section 4.7, Noise, of this Draft PEIR for more discussion on land use consistency with quantifiable community noise exposure. In summary, below are the standards for land use consistency:

- Normally Consistent: Conventional construction methods used. No special noise reduction requirements.
- Conditionally Consistent: Must use sound attenuation required by the California Noise Insulation Standards, Title 25, California Code of Regulations. Residential use sound attenuation required to ensure that the interior CNEL does not exceed 45 dB. Commercial and industrial structures shall be sound attenuated to meet Noise Impact Zone "1" criteria.
- Normally Inconsistent: All residential units are inconsistent unless are sound attenuated to ensure that the interior CNEL does not exceed 45 dB, and that all units are indoor oriented so as to preclude noise impingement on outdoor living areas.

The Fullerton Economy. The Fullerton Economy addresses the economic dimensions of the community that contribute to a prosperous quality of life for the residents, businesses and other organizations within the City. This section of the General Plan is considered an optional element of the General as allowed by State law. The Fullerton Built Environment consists of the following chapters, goals, and policies related to Economic Development, and Redevelopment and Revitalization. A list of the overarching goals are as follows:

- **Goal 9:** Long-term fiscal strength and stability that has a foundation in local economic assets and adapts to dynamic market conditions.
- **Goal 10:** An innovation economy built upon Fullerton's local entrepreneurial spirit and intellectual capital.
- **Goal 11:** Revitalization activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.

The Fullerton Community. The Fullerton Community addresses the dimensions of the Fullerton community that reinforce civic participation and contribute to a safe, healthful, and enriching quality of life for residents and visitors within the City. This section of the General Plan includes components of the Safety Element, as required by State law, as well as optional elements allowed by State law. The Fullerton Built Environment consists of the following chapters, goals, and policies related to Public Safety, Public Health, Parks and Recreation, Arts and Culture, Education, and Community Involvement. A list of the overarching goals are as follows:

- **Goal 12:** Proactively addressing public safety concerns.
- **Goal 13:** Responsive to public safety needs.
- **Goal 14:** An environment with opportunities for community health and wellbeing.

- **Goal 15:** Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.
- **Goal 16:** Broad community participation in cultural activities and visual and performing arts.
- **Goal 17:** An exceptional variety and quality of educational opportunities that reach community members throughout their lives.
- **Goal 18:** Citizens that are actively involved in shaping the community's future and overall quality of life.

The Fullerton Natural Environment. The Fullerton Natural Environment addresses natural resources, open space, natural hazards, and related topics pertaining to the Fullerton community's quality of life. This section of the General Plan includes components of the General Plan elements required by State law, including Conservation, Open Space, and Safety, as well as optional elements allowed by State law. The Fullerton Built Environment consists of the following chapters, goals, and policies related to Water, Air Quality and Climate Change, Integrated Waste Management, Open Space and Natural Resources, and Natural Hazards. A list of the overarching goals are as follows:

- **Goal 19:** An adequate and safe water supply.
- **Goal 20:** A healthy watershed and clean urban runoff.
- **Goal 21:** Protection and improvement of air quality.
- **Goal 22:** Participation in regional efforts to address climate change and its local impacts.
- **Goal 23:** Safe and efficient management of waste.
- **Goal 24:** Responsible management of open spaces balanced with the healthy functioning of environmental systems.
- **Goal 25:** Responsible management of natural resources.
- **Goal 26:** Protection of people, natural and built environments and economy from natural hazards.

Appendix H: Housing Element. State law requires that each jurisdiction's Housing Element consist of "identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled program actions for the preservation, improvement and development of housing." The most current Housing Element Update (HEU) covers the planning period of October 15, 2021 to October 15, 2029. The HEU represents the City's effort in fulfilling the requirements under State Housing Element law. The California State Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's major housing goal. Recognizing the important role of local planning and housing programs in the pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of the comprehensive General Plan.

The City's Housing Element was updated in conformance with the 2021-2029 cycle (6th Cycle) as a jurisdiction within the SCAG region. The HEU builds upon the other General Plan elements and is consistent with the policies set forth by the General Plan, as amended. The Housing Incentive Overlay Zone is identified as an implementation program in the 2021 Draft HEU (City of Fullerton 2021).

HCD is required to prepare the RHNA for each council of governments in the State that identifies projected residential dwelling units needed for all economic segments based on DOF population estimates. Each local government must demonstrate that it has planned to accommodate all of its regional housing need allocation in its Housing Element. The City has been allocated 13,209 units, including the following income breakdown: 3,198 very-low income, 1,989 low income, 2,271 moderate income, and 5,751 above-moderate income housing units (SCAG 2021).

The following provides a summary of the most applicable goals and policies across applicable General Plan Elements that pertain to the Program (City of Fullerton 2021):

Policy Action Area #1. Housing Production.

Policy Action 1.1: Provision of Adequate Sites for Housing Development. Fullerton's assigned housing need for the 2021-2029 period is 13,209 units, compared to 1,841 units in the prior planning period. The City's existing land use plans and regulations do not identify sufficient sites with appropriate zoning to accommodate the City's assigned share of regional housing need for the 6th planning period. To address the shortfall of sites, the City has identified the following major strategies:

- Housing Incentive Opportunity Zone (HIOZ) – The HIOZ is an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units.
- Religious Institution Properties – An amendment to the Fullerton Municipal Code pertaining to development standards and review procedures to allow properties containing religious institutions to also be developed with permanent supportive housing and/or deed restricted affordable housing.

Policy Action 1.3: Facilitate Infill Development. The built-out nature of the City requires infill development through proactive and coordinated efforts with the City, private and non-profit entities, and other housing-related groups to encourage the construction of housing affordable to extremely-low-, very-low-, low-, and moderate-income households through a menu of regulatory incentives (e.g., streamlined review, reduced development standards, land assemblage, lot consolidation, fee assistance, and other methods).

Policy Action 1.4: Encourage Mixed Use Development. To provide connections with jobs, housing, and transportation, the City shall continue to encourage mixed-use development, which could be either "vertical" (i.e., residential on upper floors above nonresidential uses) or "horizontal" (i.e., adjacent residential and non-residential uses in the same development area). Key focus areas shall include the City's primary activity centers, including the downtown area. The Fullerton Plan, adopted in 2012, identifies 12 focus areas in which development character is either in transition or desired. Within 11 of these areas, residential development is established as an appropriate use. The Fullerton Plan further includes density parameters for each focus area, establishing maximums ranging from 30 to 80 units per acre, and creates two additional land use designations for mixed-use developments. Other locations in addition to General Plan focus areas may also be appropriate for vertical or horizontal mixed-use development. The City will pursue a community-based planning process to implement these general plan policies on parcels, including pursuing City-initiated general plan and zoning amendments as required.

Policy Action 1.7: Establish Comprehensive Community Outreach Strategy for Housing. One of the most effective tools to inform and educate the community about the City's housing programs, policies, and resources is through direct outreach. To ensure the Fullerton community is provided the highest level of access to information, the City has established a comprehensive community outreach strategy and multi-faceted plan called the Housing Game Plan. The one-stop shop online portal helps to inform the community on housing fundamentals through Speaker Series videos,

interactive demographic categories and maps, community participation opportunities and will include links to development opportunities, links to affordable housing opportunities and resources. The City will continue to utilize this tool and various methods of delivery including print media, mailers, speaker's bureaus, social media, and other methods that consider economic and cultural considerations unique to the City of Fullerton.

Policy Action 1.8: Review and Revise Multi-Family Development Standards. Development standards such as off-street parking requirements may impact the feasibility of residential development, especially the development of multi-family units. To ensure the City's development standards are not an unreasonable constraint to residential development, especially new housing units affordable to lower- and moderate-income households, the City shall review existing requirements and revise, as appropriate, during preparation of the Housing Incentive Opportunity Zone.

Policy Action 1.9: Accessory Dwelling Units. Accessory dwelling units (ADUs) provide affordable housing options for singles and small households including the elderly, young adults and caregivers. To encourage and incentivize ADUs and Junior ADUs, the City will:

- Monitor ADU legislation and update relevant Codes to reflect State law.
- Partner with OCCOG and surrounding jurisdictions in support of creating "pre-approved" ADU Plans.
- Proactively outreach to property owners to provide greater awareness of program components by utilizing a variety of print and electronic media.
- Explore additional incentives and/or program components that will further support the development ADUs and Junior ADUs.
- Maintain an ADU monitoring program that tracks ADU development, including affordability levels and deed-restricted affordable units.
- Conduct a mid-cycle review of ADU development within the 2021-2029 planning period to evaluate if the City is achieving its production estimates.

Policy Action 1.10: Lot Consolidation and Small-Lot Subdivision. Incentives including flexible development standards (e.g., setbacks, lot coverage, parking) and reduced fees. The City currently has a Planned Residential - Infill (PRD-I) zone which is intended to provide development standards for vacant or underutilized properties located within existing residential neighborhoods or sites identified in the General Plan as appropriate for residential development. Development standards are established based on the type of street or streets on which the site is located and utilize a combination of Building Types and Frontage Types specific to compact development and/or smaller lot subdivisions. The City will evaluate this ordinance to determine effectiveness, update as necessary and promote to developers to utilize to further small lot subdivisions, where appropriate.

Policy Action 1.11: Streamlined Permit Review. The City currently has a Planned Residential - Infill (PRD-I) zone which is intended to provide development standards for vacant or underutilized properties located within existing residential neighborhoods or sites identified in the General Plan as appropriate for residential development. Development standards are established based on the type of street or streets on which the site is located and utilize a combination of Building Types and Frontage Types to ensure a quality development compatible with its surroundings. The Building and Frontage types are designed to accommodate more context appropriate compact development and/or smaller lot

subdivisions. The City will evaluate this ordinance to determine effectiveness, update as necessary and promote to developers to utilize to further small lot subdivisions, where appropriate.

Appendix G: Bicycle Master Plan. The Bicycle Master Plan provides goals, policies, and actions in conjunction with the City's General Plan. The plan meets the requirements of Section 891.2(a) through (k) of the Streets and Highways Code. In summary, the Bicycle Master Plan elevates prior planning efforts, recognizes that bicycling is a means of mobility, and sets priorities for the creation of a complete and safe bicycle network. For discussion on consistency with the City's Bicycle Master Plan, see Section 4.11, Transportation, of this Draft PEIR.

Appendix H: Climate Action Plan. In order to address the global climate change, the City prepared a Climate Action Plan (CAP), which provides a framework for reducing GHG emissions. The CAP recommends GHG emissions targets consistent with the State's reduction targets and presents strategies to meet the recommended targets. The CAP also suggests best practices for implementation and makes recommendations for measuring progress. The CAP is intended to address the main sources of the emissions that cause climate change, which include emissions from the energy consumed in buildings and for transportation, as well as the solid waste sent to landfills. The purpose of the CAP is to guide the development, enhancement, and ultimately the implementation of actions that will reduce the City's GHG emissions by 15 percent below existing levels. For discussion on consistency with the City's Climate Action Plan, see Section 4.2, Greenhouse Gas Emissions, of this Draft PEIR.

Appendix I: Local Hazard Mitigation Plan. The Local Hazard Mitigation Plan (LHMP) provides a comprehensive assessment of the threats that Fullerton faces from natural and human-caused hazard events and a coordinated strategy to reduce these threats. It identifies resources and information that can help community members, City staff, and local officials understand local threats and make informed decisions. The LHMP also supports increased coordination and collaboration between the City, other public agencies, local employers, service providers, community members, and other key stakeholders. For discussion on consistency with the City's Local Hazard Mitigation Plan, see Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR.

Municipal Code

Title 15, Zoning, of the City's Municipal Code includes regulations concerning where and under what conditions various land uses may occur in the City. It also establishes zone-specific height limits, setback requirements, and other development standards, for residential, mixed-use, commercial, industrial, and all other types of sites. The Zoning Code is a primary tool for implementing the City's General Plan. The purpose of the Zoning Code is to encourage, classify, designate, regulate, and restrict the highest and best locations and uses of buildings and structures, for residential, commercial, and industrial or other purposes. Applicable sections of the Zoning Code include Chapter 15.17 (Residential Zone Classifications), Chapter 15.30 (Commercial Zone Classifications), Chapter 15.21 (Specific Plan Districts [SPD] Zone), Chapter 15.47 (Site Plan Review), and Chapter 15.72 (Amendments).

Chapter 15.17 (Residential Zone Classifications). As detailed further in this section, it is assumed that the City's existing R-5 (Maximum Density, Multiple Residential) zone is an appropriate equivalent to the proposed Program. R-5 is designed for high-rise apartments and condominiums to meet the specialized needs for high-density housing. Permitted uses in the R-5 zone are listed in Section 15.17.020 of the Zoning Code.

Chapter 15.30 (Commercial Zone Classifications). Similar to R-5, the proposed Program would allow for commercial land uses, which would be equivalent to the C-3 (Central Business District Commercial) zone. The C-3 zone is intended to provide for a highly concentrated business district that includes mixed residential and commercial use, primarily for the downtown area. Permitted uses in the C-3 zone are listed in Section 15.30.030.3 of the Zoning Code.

Chapter 15.21 (Specific Plan Districts [SPD] Zone). Across the City there are specific plans which regulate land use and development at localized level. Specific plans are used to ensure that multiple property owners and developers adhere to a common plan or coordinate multiple phases of a long-term development. Specific plans must also be consistent with the General Plan goals and policies. In Fullerton, a Specific Plan District (SPD) is a zoning classification which governs standards and uses for a larger area of land. SPD zoning provides for the establishment of physical development standards and regulations for land uses that may be unique to the particular area. These standards and regulations can include such things as lot sizes, building separation distances, land use, parking standards, and open/recreational space. There are 21 SPDs in the City ranging from a focus on mixed use, residential, or commercial development (City of Fullerton 2023b). However, none of the City's existing SPDs overlap with the proposed Planning Area.

Chapter 15.47 (Site Plan Review). This chapter of the Municipal Code facilitates compliance with development standards for the following types of projects:

- Any new use of vacant land.
- New construction, rehabilitation which alters the exterior facade, or expansion of more than 25 percent of the existing square footage in any commercial or industrial zone classifications.
- New construction, rehabilitation which alters the street-facing elevation, or expansion of more than 50 percent of the existing square footage in a residential zone.
- The construction of a new second floor addition regardless of the square footage in a residential zone.
- New construction, alteration, expansion, or demolition in the residential preservation zone classifications when required by Section 15.17.060 of Title 15.
- New construction, alteration, expansion, or demolition in Landmark Districts; or in the Central Business District when design review is required by the Central Business District Design Guidelines.
- New construction, alteration, expansion, or demolition involving a Historical Landmark or Significant Property as required by Chapter 15.48 of Title 15.
- A subdivision of land pursuant to Title 16.

Chapter 15.72 (Amendments). Amendments to the Zoning Code may be initiated by a verified application of one or more owners of property proposed to be changed or reclassified, a Resolution of Intention by the City Council, and a Resolution of Intention of the Planning Commission.

4.5.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to land use and planning are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to land use and planning would occur if the project would:

1. Physically divide an established community.
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to physically dividing an established community. As such, the following threshold is evaluated within this section for the Program:

LU-1. Would the Program cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

4.5.4 Impacts Analysis

LU-1. Would the Program cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As described in Chapter 3, Project Description, the proposed Program is an identified strategy in the City's Housing Element Update consisting of a zoning overlay on parcels with a non-residential underlying zoning designation. Implementation of the proposed Program would require the establishment of a new chapter within the Zoning Code necessary to include provisions for review and inclusion, approval processes, affordable housing requirements, permitted uses, and development standards for the Housing Incentive Overlay Zone. Similarly, the Program requires amendments to Citywide Development Standards for multi-family zoning classifications and mixed-use zoning classifications. Moreover, the Program requires a General Plan Amendment to ensure consistency with the proposed Program for parcels designated with restrictive land uses.

Implementation of the proposed Program does not include or propose any site-specific development that could directly result in construction or operational impacts to the environment. However, implementation of the Program would encourage development in a manner consistent with the proposed land use and zoning changes, which would facilitate future development throughout the City. Therefore, this Draft PEIR does not assess the site-specific construction and operation details of each future development within the Planning Area. Rather, it assesses the impacts associated with changes to existing land uses and the associated overall effects of buildout of the proposed Program, where reasonably foreseeable physical changes to the environment could occur. Analysis at a parcel or site-specific level was not conducted because, unless otherwise noted within this assessment, the actual locations of project development (and its chronologic sequence or concurrence) that may be implemented in the future are speculative.

This section of the Draft PEIR analyzes impacts related to land use and conflicts with applicable planning documents. As stated in CEQA Guidelines Section 15382, a conflict would not result in a significant impact unless it would result in an adverse physical change to the environment. The following evaluation assesses the potential for the Program to interfere with land use plans and regulations adopted for the purpose of avoiding or mitigating an environmental effect such that significant environmental effects would result. This section focuses on direct land use impacts. Indirect impacts are secondary effects resulting from land use policy implementation and are generally addressed in other topical sections of this Draft EIR. For example, air impacts resulting from increased vehicle trips as a result of reasonably anticipated development are discussed in Section 4.1, Air Quality, of this Draft PEIR; transportation impacts resulting from VMT associated with increased development facilitated under the proposed Program are discussed in Section 4.11, Transportation, of this Draft PEIR.

To evaluate the Program's impacts related to land use and planning, this analysis examines the Program's potential to conflict with both regional and local plans, policies, and regulations that regulate land uses within the Planning Area. These plans are as follows:

- SCAG's Connect SoCal
- City of Fullerton General Plan
- City of Fullerton Municipal Code

Connect SoCal

SCAG's Connect SoCal is a regional growth-management strategy that targets per capita GHG reduction from passenger vehicles and light-duty trucks in the Southern California region. Connect SoCal incorporates local land use projections and circulation networks in city and county general plans. Typically, consistency with Connect SoCal would occur if a project does not exceed the underlying growth assumptions within Connect SoCal. As discussed in Section 4.8, Population and Housing, the Program would facilitate housing growth and associated population growth regionally within Orange County. As shown in Table 4.8-11, the Program-related growth of 103,619 additional residents would be approximately 2.9% of the planned buildout for Orange County in the year 2045. As such, the Program-related growth would be within growth projections when compared to SCAG's Connect SoCal's buildout for the County. Thus, the Program-related buildout would not represent substantial population growth on a regional scale.

As demonstrated in Table 4.5-1, the Program would be consistent with the guiding principles, goals, and policies of SCAG's Connect SoCal. Implementation of the proposed Program would facilitate housing growth within the City and would thereby alleviate urban sprawl in the region. The major goals of the Connect SoCal are outlined in Table 4.5-1, along with a conflict evaluation with the proposed Program.

Table 4.5-1. Connect SoCal Conflict Evaluation

Goals		Conflict Evaluation
Goal 1	Encourage regional economic prosperity and global competitiveness.	**No Conflict.** The Program would facilitate housing growth within the City and result in associated population growth in compliance with the City's Housing Element Update. The City's housing inventory does not currently contain sufficient sites with appropriate zoning to accommodate the assigned share of regional housing need for the 6th RHNA Cycle. To address the shortfall of sites, the City has identified the proposed Program to add housing capacity. Implementation of the proposed Program would also support regional economic development with the incorporation of new commercial uses associated with future residential development projects. Although the Program would likely facilitate the loss of approximately 11,139 jobs due to the future redevelopment of parcels, the Program would result in approximately 4,979 new jobs associated with the proposed commercial uses. Thus, the Program would result in a net loss of 6,160 jobs (see Section 4.8, Population and Housing, of this Draft PEIR). As such, the County's jobs-housing ratio would reduce from 1.34:1 to 1.31:1, as further detailed in Section 4.8, Population and Housing. Thus, the Program would facilitate positive environmental effects by creating a balance between employment and housing in close proximity within the County. Additionally, the Program's methodology included parcels based on their current underutilization of land. For example, these parcels are either vacant or the development is outdated and has a likelihood of redevelopment in the near-term. Given this, allowing housing development on these parcels encourages the highest and best use for the Planning Area. Therefore, the Program would not conflict with this goal.
Goal 2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	**No Conflict.** The Program is primarily proposed along transportation corridors, such as Commonwealth Avenue and Chapman Avenue. Furthermore, the Program is based on a methodology in which parcels were included if they were within high-quality transit areas, defined by SCAG as areas within one-half-mile of major transit stops and high-quality transit corridors. Therefore, the Program would result in future development which

Table 4.5-1. Connect SoCal Conflict Evaluation

Goals		Conflict Evaluation
		would increase transit accessibility of jobs and services within the City. In addition, proposed development standards implemented under the Program would allow for mixed-use developments, bringing residential development in proximity with office and commercial uses, thereby reducing travel demands for people. Further, the Program would result in development standards consistent with the City's existing Zoning Code, supporting bicycle parking and storage for multi-modal access and connectivity. For these reasons, the Program would not conflict with this goal.
Goal 3	Enhance the preservation, security, and resilience of the regional transportation system.	**No Conflict.** Similar to the discussion within Goal 2, the Program would facilitate housing growth within the City, including existing corridors along Commonwealth Avenue and Chapman Avenue, for example. Connectivity with these corridors to transportation hubs such as the Fullerton Transportation Center with service by Metrolink, Amtrak, and the Orange County Transportation Authority would support the use of the existing transit system and would provide an enhancement to the existing transit system. The Program would not otherwise alter or affect the security or resilience of the regional transportation system. Therefore, the Program would not conflict with this goal.
Goal 4	Increase person and goods movement and travel choices within the transportation system.	**No Conflict.** One of the Program objectives is to provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community, thereby supporting the placement of residential uses in areas well served by transit and within walking distance to amenities. As such, the Program would increase access to transit and increase the ability of people using the transit infrastructure. Therefore, the Program would not conflict with this goal.
Goal 5	Reduce greenhouse gas emissions and improve air quality.	**No Conflict.** Implementation of the proposed Program would result in additional housing units in the City. As further detailed in Section 4.8, Population and Housing, the jobs-housing ratio as a result of the Program would be 0.66:1 and considered a housing-rich community. SCAG defines a balanced community with a ratio of 1.0 to 1.29 jobs per household. Thus, the Program would reverse the City's existing slightly jobs-rich ratio. Although locally the Program would facilitate substantial unplanned population growth, regionally the Program would facilitate positive environmental effects (e.g., reduce GHG emissions and improve air quality) by creating a balance between employment and housing in close proximity within the County and reducing VMT. See Section 4.1, Air Quality, and Section 4.2, Greenhouse Gas Emissions, of this Draft PEIR for more details. Therefore, the Program would not conflict with this goal.
Goal 6	Support healthy and equitable communities.	**No Conflict.** The Program would incorporate land use and zoning changes to increase residential capacity within the City to meet RHNA goals, including affordable housing. The Program's methodology is designed to promote affirmatively furthering fair housing policies by including areas identified within the California Tax Credit Allocation Committee (TCAC)/HCD Opportunity Areas to support positive economic, educational, and health outcomes for low-income families. In addition, parcels were included if they are within high-quality transit areas. Furthermore, parcels were discouraged from inclusion when identified within known local hazard zones, such as airport impact zones, inundation hazard zones, flood hazard zones, fire

Table 4.5-1. Connect SoCal Conflict Evaluation

Goals		Conflict Evaluation
		hazard zones, landslide hazard zones, earthquake fault hazard zones, liquefaction hazard zones, and oil and gas hazard zones. For these reasons, the Program would not conflict with this goal.
Goal 7	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**No Conflict.** Implementation of the proposed Program would include development standards for future development projects within the Planning Area. These regulations would be consistent with existing provisions found within the City's Municipal Code, including but not limited to electric vehicle (EV) charging parking spaces and energy-efficient building features in compliance within the California Building Code. Similar to the discussion above under Goal 5, the Program would facilitate housing growth in the County, which would support a balance between employment and housing within the region and reduce VMT. Therefore, the Program would not conflict with this goal.
Goal 8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	**No Conflict.** The Program would include development standards consistent with existing provisions found within the City's Municipal Code, including but not limited to bicycle parking and storage facilities. In addition, the Planning Area is proposed along corridors with access to existing transit, which would encourage residents of future development projects to use alternative modes of transportation (as opposed to single-occupancy vehicles); this in turn would support more efficient travel in the area. The Program would not otherwise alter or affect the use of new transportation technologies and data driven solutions to provide more efficient travel. Therefore, the Program would not conflict with this goal.
Goal 9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	**No Conflict.** One of the Program objectives is to provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community, thereby supporting the placement of residential uses in areas well served by transit and within walking distance to amenities. Therefore, the Program would not conflict with this goal.
Goal 10	Promote conservation of natural and agricultural lands and restoration of habitats.	**No Conflict.** The parcels within the Planning Area are located in a highly urbanized area away from existing agricultural lands and natural habitat. The Program would not facilitate development that would encroach upon agricultural lands and natural habitat. (See the Chapter 5, Other CEQA Considerations, for more discussion regarding agricultural and biological resources.) Therefore, the Program would not conflict with this goal.

Source: SCAG 2020a.

As shown in Table 4.5-1, the Program would not conflict with the goals of Connect SoCal. Given this, the Program would not conflict with the applicable goals adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant. No mitigation is required.

General Plan

As stated under Section 4.5.2, Relevant Plans, Policies, and Ordinances, above, the proposed Program is identified within the City's Housing Element Update as a strategy for meeting regional housing goals. Implementation of the proposed Program would supplement the shortfall of sites by permitting a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in

exchange for providing a specified percentage of deed-restricted affordable housing units. Therefore, the creation and implementation of the proposed Program is explicitly required by an element of the General Plan.

Additionally, as mentioned above, a conflict would not result in a significant impact unless it would result in an adverse physical change to the environment. Given that the proposed Program is explicitly identified in the Housing Element Update, the analysis contained within this Draft PEIR incorporates the City's General Plan PEIR's mitigation measures as conditions of approval (COAs).

For the purposes of this environmental analysis, assumptions of the Program's buildout were required to determine the maximum potential environmental effects required under CEQA. The General Plan assumed buildout scenarios for each land use designations by establishing minimum and/or maximum density or intensity standards. It is assumed the City's existing High Density Residential land use designation is an appropriate equivalent for the proposed Program. However, the General Plan only specifies a minimum density of 28.1 du/ac and no maximum is identified. As discussed in Chapter 3, Project Description, an assessment of the Planning Area's location within Focus Areas was made to determine an appropriate equivalent for an assumed maximum density. The Planning Area includes parcels within each of the General Plan's Focus Areas, with the exception of Focus Area F, Transportation Center. As a result of the analysis, a maximum density of 60 du/ac is the assumed for the proposed Program (see Section 3.5.1, Methodology, for more discussion).

However, parcels within the Planning Area contain existing land use designations (e.g., Commercial, Industrial, Office, and Religious Use) which restrict the development of residential uses. Implementation of the proposed Program would not include a General Plan Amendment to ensure existing underlying zoning designations are consistent with existing General Plan designations on Planning Area parcels. Rather, a General Plan Amendment is proposed to allow residential uses on select parcels with restrictive land use designations. Similarly, the proposed Program would require consistency with development standards that specify a maximum residential density on site. The Greenbelt Concept includes development standards, such as a maximum density of 3 du/ac. Thus, the Program would require a General Plan Amendment to ensure consistency with HIOZ's allowable density proposed on select parcels within the Planning Area. Moreover, parcels with Low Density Residential and Medium Density Residential land use designations would require a General Plan Amendment to make the respective maximum densities of 6 du/ac and 28 du/ac consistent with the proposed Program.

Finally, an evaluation of potential conflicts between the applicable goals and policies of the General Plan and proposed Program is provided in Table 4.5-2. As shown below, the Program would not conflict with applicable goals and policies of the General Plan.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Chapter 1: Community Development and Design		
Goal 1	Resilient and vital neighborhoods	***No Conflict.*** The proposed Program would facilitate future development of additional housing within the City in compliance with the City's Housing Element in order to meet the City's RHNA for the 6th Cycle. Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code, which would be consistent with existing land use regulations and reduce environmental effects. As such, implementation of the Program would not conflict with this goal.
Policy 1.1	Regional Coordination. Support regional and subregional efforts to create a strong sense of place and support the efficient use of land.	***No Conflict.*** The Program is identified as a strategy under the City's Housing Element to achieve the City's fair share allocation of regional housing needs for the planning period between October 2021 and October 2029 (i.e., the 6th RHNA Cycle). The Program is proposed on existing non-residential underlying zoning designations to facilitate housing production. As such, implementation of the Program would not conflict with this policy.
Policy 1.2	Subregional Coordination. Support projects, programs and policies to promote compatibility and mutually beneficial built environments and land uses with adjacent jurisdictions and other agencies.	***No Conflict.*** Similar to the discussion provided above for Policy 1.1, compliance with State Housing Law is required by all jurisdictions adjacent to the City and within the SCAG region. Moreover, the City, as the lead agency, hosted a CEQA Scoping Meeting, required under Public Resources Code Section 21083.9, which solicited comment with State, regional, and local jurisdictions. As a result, State and regional agencies, such as the California Department of Transportation (Caltrans) District 12, the State Department of Toxic Substance Control, and the Orange County Transportation Authority commented on the NOP for the proposed Program. See Table 2-1. Notice of Preparation and Comment Letters Summary, for details on the comment letters and how this Draft PEIR addresses environmental topic issues raised. Given this, the Program would not conflict with this policy.
Policy 1.3	Protection and Restoration of Natural Resources. Support projects, programs, policies and regulations to protect, and where appropriate restore, the natural landscape, topography, drainage ways, habitat, and other natural resources when planning improvements to existing and new neighborhoods and districts	***No Conflict.*** The Program would result in future residential and mixed-use development throughout the City. As demonstrated throughout this Draft PEIR, the Program's potential impacts to aesthetics, biological resources, geology and soils, and hydrology and water quality have been analyzed. See Section 4.4, Hydrology and Water Quality, and Chapter 5, Other CEQA

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		Considerations, of this Draft PEIR for more discussion. As such, the Program would not conflict with this policy.
Policy 1.4	Connection and Integration of Uses. Support projects, programs and policies to improve connections between housing, shops, work places, schools, parks and civic facilities, and integrate uses where possible and appropriate.	***No Conflict.*** The Program would result in future residential and mixed-use development throughout the City. As described further in Chapter 3, Project Description, of this Draft PEIR, the proposed Program is based on a methodology in which parcels Citywide were analyzed and either removed from or considered for inclusion in HIOZ based on a variety of criteria. In summary, four specific criteria were considered when identifying eligible parcels for the inclusion in HIOZ: economic viability, location within opportunity areas, location outside of local hazard zones, and adjacent to local amenities. Given this, the Program would not conflict with this policy.
Policy 1.5	Maintenance and Improvement of Existing Built Environment. Support projects, programs, policies and regulations to maintain positive attributes of the built environment and seek continual improvement.	***No Conflict.*** Similar to the discussion provided for Policy 1.4, the Program would likely result in redevelopment of underutilized land. In fact, as stated above, one of the screening criteria for selecting parcels within the Planning Area is economic viability, in which consideration was made for parcels that are most likely to be redeveloped given their current underutilization of land. For example, these parcels are either vacant or the development is outdated and has a likelihood of redevelopment in the near-term. As such, the Program would not conflict with this policy.
Policy 1.6	Protection of Employment Areas. Support projects, programs, policies and regulations to evaluate and consider short- and long-term impacts of the conversion of manufacturing and industrial lands and employment centers on the City	***Partially Conflict.*** The Program would apply an overlay zone to parcels across the City, including parcels with existing underlying zoning designations for industrial uses. In addition, the Planning Area includes parcels with existing industrial uses totaling approximately 1.2 million square feet of structures zoned M-G (Manufacturing General), approximately 890,000 square feet zoned M-P (Manufacturing Park, 100k), and approximately 783,000 square feet zoned M-P (Manufacturing Park, 200k). For more information on existing conditions, see Table 3-1, Existing Conditions per Zoning Designations. Although the proposed Program would allow for additional land uses (i.e., residential and mixed-use development), the HIOZ designation would overlay the existing underlying zoning designation and not result in a change in zone. As such, the Program would not conflict with this policy.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		However, the City's General Plan states the Industrial land use designation (also referred to as Community Development Type) should not be located adjacent to a residential neighborhood or center without substantial buffers (City of Fullerton 2012c). As such, implementation of the proposed Program would require a General Plan Amendment to allow residential land uses within and adjacent to Industrial-designated areas. Given this, the Program would partially conflict with this policy.
Policy 1.7	Development that Supports Mobility. Support projects, programs, policies and regulations to promote a development pattern that encourages a network of multi-modal transportation options.	***No Conflict.*** Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code, and would include provisions related to parking, vehicle site access, and alternative modes of transportation (i.e., bicycles). Moreover, the Program would not result in physical changes to the City's existing transportation network. Implementation of the Program would not conflict with this policy. See Section 4.11, Transportation, of this Draft PEIR for more discussion.
Policy 1.8	Consideration of Neighborhood Impacts. Support projects, programs, policies and regulations to evaluate and consider short- and long-term impacts of significant planning efforts or developments on nearby neighborhoods.	***No Conflict.*** As demonstrated throughout this Draft PEIR, the potential impacts to the environment, including nearby neighborhoods, is analyzed in compliance with CEQA. Moreover, the City, as the lead agency, hosted a CEQA Scoping Meeting, required under Public Resources Code Section 21083.9, which solicited comment from stakeholders, including the general public. As a result, City residents, for example, commented on the NOP for the proposed Program. See Table 2-1. Notice of Preparation and Comment Letters Summary for details on the comment letters and how this Draft PEIR addresses environmental topic issues raised. Given this, the Program would not conflict with this policy.
Policy 1.9	Housing Choice. Support projects, programs, policies and regulations to create housing types consistent with market demand for housing choice.	***No Conflict.*** The proposed Program would facilitate future development of housing within the City in compliance with the City's Housing Element. Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code, including high-density residential. The Program is identified as a strategy under the City's Housing Element to achieve the City's fair share allocation of regional housing needs for the planning period between October 2021 and October 2029 (i.e., the 6th RHNA Cycle). Given this, the Program includes an affordable housing requirement to meet specific

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		income-level housing needs. As such, implementation of the Program would not conflict with this policy.
Policy 1.10	Focus Area Planning. Support projects, programs, policies and regulations to evaluate ways to contribute to the resiliency and vitality of neighborhoods and districts as part of community-based planning of Focus Areas.	***No Conflict.*** As discussed in Chapter 3, Project Description, of this Draft PEIR, an assessment of the Planning Area's location within Focus Areas was made to determine an appropriate equivalent for an assumed maximum density. The Planning Area includes parcels within each of the General Plan's Focus Areas, with the exception of Focus Area F, Transportation Center. As a result of the analysis, a maximum density of 60 du/ac is the assumed for the proposed Program, consistent with the City's Focus Areas (see Section 3.5.1, Methodology, for more discussion). As such, no conflict with this policy.
Policy 1.11	Compatibility of Design and Uses. Support programs, policies and regulations to consider the immediate and surrounding contexts of projects to promote positive design relationships and use compatibility with adjacent built environments and land uses, including the public realm.	***No Conflict.*** The proposed Program would facilitate future development of additional housing within the City in compliance with the City's Housing Element in order to meet the City's RHNA for the 6th Cycle. Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code, which would be consistent with existing land use regulations and reduce environmental effects. Moreover, impacts related to aesthetics were determined to be less than significant. For discussion related to visual compatibility, see Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, no conflict with this policy.
Policy 1.12	Energy- and Resource-Efficient Design. Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects.	***No Conflict.*** The proposed Program would facilitate future development of additional housing within the City in compliance with the City's Housing Element. Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code. Moreover, issues related to energy- and resource-efficient design would be required by existing regulations (e.g., CalGreen). As such, the Program would not conflict with this policy.
Policy 1.13	Universal Design. Support projects, programs, policies and regulations to produce buildings and environments that are inherently accessible to people of all abilities.	***No Conflict.*** The proposed Program would facilitate future development of additional housing within the City in compliance with the City's Housing Element. Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code. Moreover, issues related to accessibility and universal design would be required by existing regulations (e.g., the Americans with Disabilities Act). As such, the Program would not conflict with this policy.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Goal 2	A positive identity and distinctive image	***No Conflict.*** Development standards, including design, are proposed as part of this Program. Moreover, potential impacts related to aesthetics are analyzed in Chapter 5, Other CEQA Consideration, of this Draft PEIR. Less than significant impacts would occur. As such, the Program would not conflict with this goal.
Policy 2.2	Distinctive and Memorable Places. Support projects, programs, policies and regulations to promote distinctive, high-quality built environments whose form and character respect Fullerton's historic, environmental and architectural identity and create modern places that enrich community life and are adaptable over time.	***No Conflict.*** Similar to the discussion provided in Goal 2, the Program includes proposed development standards for implementation of future residential and mixed-use development. Moreover, as demonstrated in this Draft PEIR, impacts to cultural resources (including historical resources) were found to be less than significant. See Chapter 5, Other CEQA Considerations, for more discussion. Given this, the Program would not conflict with this policy.
Policy 2.3	Distinctive Landmarks. Support projects, programs, policies and regulations to preserve existing landmarks and encourage the creation of new landmarks that reinforce Fullerton's identity and image.	***No Conflict.*** See discussion for General Plan Policy 2.2.
Policy 2.4	Sense of Place. Support projects, programs, policies and regulations to reinforce the character and sense of place of established neighborhoods and districts by preserving and enhancing the attributes which contribute to neighborhood and district identity, vitality and livability.	***No Conflict.*** See discussion for General Plan Goal 2 and Policy 2.2.
Policy 2.6	Focus Area Planning. Support projects, programs, policies and regulations to create a positive identity and distinctive image as part of community-based planning of Focus Areas.	***No Conflict.*** As detailed in Section 3.5.1, Methodology, a maximum density was assumed for the purposes of analyzing the proposed Program's environmental impacts. This methodology is based in-part on the prevalence of the High Density Residential land use designation within the City's Focus Areas. Given this, the Program would not conflict with this policy.
Policy 2.7	Relationship to Street. Support projects, programs, policies and regulations to site and design buildings to create a positive, accessible image along the street and reinforce a vibrant and comfortable public realm.	***No Conflict.*** Future development projects under the Program would comply with proposed development standards outlined in the Municipal Code, and would include provisions related to open space and site access. Moreover, the Program would not result in physical changes to the City's existing transportation network. Implementation of the Program would not conflict with this policy. See Section 4.11, Transportation, of this Draft PEIR for more discussion.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 2.8	Responsiveness to Context. Support projects, programs, policies and regulations to respect the local context, including consideration of cultural and historic resources, existing scale and character and development patterns of the surrounding neighborhood or district.	***No Conflict.*** See discussion for General Plan Policy 2.2. In addition, impacts related to aesthetics were determined to be less than significant. For discussion related to visual compatibility, see Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, no conflict with this policy.
Chapter 2: Housing		
Goal 3	A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.	***No Conflict.*** The Program's objectives include the following: Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing; Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community; and Identify sites that are most likely to be redeveloped given their current underutilization of land. As such, the Program is designed to meet this goal. No conflict would occur.
Housing Element (City of Fullerton 2021)		
Goal 1	Increase the supply of affordable housing in high opportunity areas.	***No Conflict.*** Similar to the discussion provided for Goal 3, above, the Program includes the following objective: Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas. As such, the Program is designed to meet this goal. No conflict would occur.
Goal 2	Prevent displacement of low- and moderate-income residents with protected characteristics, including Hispanic residents, Vietnamese residents, other seniors, and people with disabilities.	***No Conflict.*** As further detailed in Chapter 5, Other CEQA Considerations, the Program facilitate the future development of residential uses within the Planning Area. In the event future development is proposed where existing non-conforming residential uses exist, the Program would indirectly result in potential displacement of existing housing or people. However, the Program's implementation would be gradual through 2029. Buildout of the Program would require the demolition and construction, or renovation, of existing properties that are occupied. The temporary displacement of some residents due to redevelopment of existing non-conforming residential properties would occur throughout the Planning

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		Area. Moreover, the Program would implement land use and zone changes to accommodate development of approximately 35,611 additional dwelling units that are expected to substantially increase the capacity for housing stock in the Planning Area. As such, the Program is not anticipated to permanently displace a substantial number of people. Given this, the Program would not conflict with this goal.
Chapter 3: Historic Preservation		
Goal 4	Value and preserve historic resources.	***No Conflict.*** Implementation of the proposed Program would facilitate development of additional housing. Future development projects could impact historic-age structures and historical resources. However, these future projects would be required to comply with General Plan EIR mitigation measures, which have been incorporated as conditions of approval for the proposed Program. For example, COA-CR-1 would require the preparation of a Phase I Cultural Resources Study in the event a property is considered to be sensitive for cultural resources. Upon review and approval of the study, a qualified professional shall identify feasible measures to mitigate potential effects. Compliance with measures like COA-CR-1 would result in less than significant impacts. See Chapter 5, Other CEQA Considerations, of this Draft PEIR for more discussion.
Policy 4.1	Regional Recognition of Historic Resources. Support programs and policies to raise the regional and subregional awareness of Fullerton's historic resources.	***No Conflict.*** See discussion for General Plan Goal 4.
Policy 4.2	Awareness of Historic Resources. Support programs and policies to raise the awareness of the value of historic resources in strengthening communities, conserving resources, fostering economic development, and enriching lives.	***No Conflict.*** See discussion for General Plan Goal 4.
Policy 4.4	Historic Character and Sense of Place. Support projects, programs, policies and regulations to reinforce the character and sense of place of established neighborhoods and districts by protecting and preserving those elements in both the private and public realms which contribute to the historic character through the use of tools including, but not limited to, preservation overlay zones and landmark districts.	***No Conflict.*** See discussion for General Plan Goal 4.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 4.5	Historic Building Preservation. Support projects, programs, policies and regulations to encourage the protection and preservation of individual historic structures throughout the City, but with particular attention to the preservation of noteworthy architecture in the downtown.	***No Conflict.*** See discussion for General Plan Goal 4. Moreover, although the Program would facilitate the future development of housing projects throughout the Planning Area, these future projects could range in construction and building types, including but not limited to demolition and construction, or renovation, of existing properties. As such, compliance with this policy would be determined on a project-by-project basis. Implementation of the Program would not conflict with this policy.
Policy 4.7	Responsiveness to Historic Context. Support projects, programs, policies and regulations to design new buildings that respect the integrity of nearby historic buildings while clearly differentiating the new from the historic.	***No Conflict.*** See discussion for General Plan Goal 4.
Policy 4.8	Co-Benefits. Support projects, programs, policies and regulations to seek co-benefits along with historic preservation, for example, the provision of affordable housing and/or resource conservation.	***No Conflict.*** See discussion for General Plan Goal 4. In addition, the Program would require a percentage of affordable housing on sites identified for future development. See Chapter 3, Project Description, for more discussion.
Policy 4.9	Historic Building Retrofits. Support projects, programs, policies and regulations to encourage the retrofit of historic buildings in ways that preserve their architectural design character, consistent with life safety considerations, maintaining the unique visual image of Fullerton.	***No Conflict.*** See discussion for General Plan Policy 4.5.
Chapter 4: Mobility		
Goal 5	A balanced system promoting transportation alternatives that enable mobility and an enhanced quality of life.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area, including along existing transportation corridors (e.g., Chapman Avenue and Commonwealth Avenue). Further, development standards are proposed, which would be consistent with the City's existing Zoning Code, supporting bicycle parking and storage for multi-modal access and connectivity. Implementation of the Program would not conflict with this goal.
Policy 5.1	Circulation Between Cities. Support regional and subregional efforts to implement programs that coordinate the multi-modal transportation needs and requirements across jurisdictions, including but not limited to the Master Plan of Arterial Highways, the Commuter Bikeways Strategic Plan, the Signal Synchronization	***No Conflict.*** Implementation of the Program would not result in the physical division of an establish community, including connectivity between adjacent cities. Additionally, for discussion related to the Program's consistency with these transportation plans, see Section 4.11, Transportation, of this Draft PEIR. As detailed in Section 4.11, the Program would not conflict with this policy.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	Master Plan, the Orange County Congestion Management Plan, and the Growth Management Plan.	
Policy 5.2	Reduction of Single Occupant Vehicle Trips. Support regional and subregional efforts to increase alternatives to and infrastructure supporting reduction of single occupant vehicle trips.	***No Conflict.*** See discussion provided for General Plan Goal 5.
Policy 5.4	Fullerton Municipal Airport. Support projects, programs, policies and regulations to advance the Fullerton Municipal Airport as an important economic asset that provides efficient regional travel for business, commerce and the general public, as well as a base of operations for public safety aviation operations.	***No Conflict.*** The Program would not apply to the Fullerton Municipal Airport. Some parcels identified within the Planning Area are located within the vicinity of the airport. Implementation of future development projects would be required to comply with existing regulations regarding height and land use in proximity to an airport. Given this, the Program would not conflict with this policy.
Policy 5.5	Fullerton Transportation Center. Support projects, programs, policies and regulations to advance the Fullerton Transportation Center as an important economic asset that provides efficient regional travel and mode choice options for business, commerce and the general public.	***No Conflict.*** The Program is not proposed within Focus Area F, Transportation Center; however, parcels within the Planning Area are within the vicinity of the Fullerton Transportation Center. As such, future development projects would result in additional housing which would benefit from the regional transportation options. Given this, the Program would not conflict with this policy.
Policy 5.6	Quality Highways and Roads. Support projects, programs, policies and regulations to operate and maintain a comprehensive network of arterial highways and local roads supporting safe and efficient movement of people, goods and services to, through and within the City.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. In addition, development standards are proposed, consistent with the City's existing Zoning Code, which would support connectivity with the City's existing network. Moreover, the Program would not result in physical changes to the City's roadways. As such, implementation of the Program would not conflict with this policy.
Policy 5.7	Complete Streets. Support projects, programs, policies and regulations to maintain a balanced multi-modal transportation network that meets the needs of all users of the streets, roads and highways – including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation and seniors – for safe and convenient travel in a manner that is suitable to the suburban and urban contexts within the City.	***No Conflict.*** See discussion provided for General Plan Goal 5.
Policy 5.10	Easements and Rights-Of-Way. Support projects, programs, policies and regulations to use public easements and rights-of-way along	***No Conflict.*** See discussion provided for General Plan Goal 5.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	flood control channels and/or inactive railroads as part of the multi-modal network.	
Policy 5.11	Integrated Land Use and Transportation. Support projects, programs, policies and regulations to integrate land use and transportation planning and implementation.	***No Conflict.*** See discussion provided for General Plan Goal 5. In addition, see more discussion within Section 4.11, Transportation, of this Draft PEIR, regarding land use and transportation.
Policy 5.12	Multi-Modal Traffic Analysis. Support programs, policies and regulations to analyze and evaluate urban streets using an integrated approach from the points of view of automobile drivers, transit passengers, bicyclists and pedestrians rather than auto-centric thresholds which conflict with other policies of The Fullerton Plan – including better environments for walking and bicycling, safer streets, increased transit use, cost-effective infrastructure investments, reduced greenhouse gas emissions, and the preservation of open space.	***No Conflict.*** See discussion provided for General Plan Goal 5. In addition, see more discussion within Section 4.11, Transportation, of this Draft PEIR, regarding land use and transportation.
Policy 5.13	Development-Oriented Transit. Support projects, programs, policies and regulations to encourage transit improvements that incentivize investment and link neighborhoods, while fitting the scale and traffic patterns of the surrounding area.	***No Conflict.*** See discussion provided for General Plan Goal 5. In addition, see more discussion within Section 4.11, Transportation, of this Draft PEIR, regarding land use and transportation.
Policy 5.14	Fair Share of Improvements. Support policies and regulations which require new development to pay a fair share of needed transportation improvements based on a project's impacts to the multi-modal transportation network.	***No Conflict.*** See discussion provided for General Plan Goal 5. In addition, see more discussion within Section 4.11, Transportation, of this Draft PEIR, regarding implementation of future development projects.
Policy 5.15	Neighborhood and Focus Area Connections. Support projects, programs, policies and regulations to connect neighborhoods via a multi-modal network to each other and to the City's Focus Areas.	***No Conflict.*** See discussion provided for General Plan Goal 5. In addition, see more discussion within Section 4.11, Transportation, of this Draft PEIR, regarding land use and transportation.
Chapter 5: Bicycle		
Goal 6	A bicycle-friendly city where bicycling is a safe and convenient alternative to motorized transportation and a recreational opportunity for people of all ages and abilities.	***No Conflict.*** Implementation of the proposed Program would facilitate the future development of housing throughout the Planning Area, including along existing transportation corridors (e.g., Chapman Avenue and Commonwealth Avenue). Further, development standards are proposed, which would be consistent with the City's existing Zoning Code, supporting bicycle parking and storage for multi-modal access and connectivity. Implementation of the Program would not conflict with this goal.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 6.1	Consideration of Bicyclists. Support regional and subregional efforts to ensure bicyclists are considered when developing new or retrofitting existing transportation facilities and systems.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.2	Inter-Jurisdiction Connections. Support efforts to maintain, expand and create new connections between the Fullerton bicycle network and the bicycle networks of adjacent cities, Orange County and the region.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. In addition, development standards are proposed, consistent with the City's existing Zoning Code, which would support connectivity with the City's existing bicycle network. Moreover, the Program would not result in physical changes to the City's bicycle network. As such, implementation of the Program would not conflict with this policy.
Policy 6.3	Bicycle Transportation Plan. Support projects, programs and policies to maintain and update as necessary a Bicycle Transportation Plan prepared and approved pursuant to the California Streets and Highways Code to maintain eligibility for funding for State Bicycle Transportation Account funds.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.6	Safe Travel to Key Destinations. Support projects, programs, policies, and regulations to facilitate safe travel by bicycle to key destinations within the community and the larger region.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.7	Development Projects. Support projects, programs, policies, and regulations to reduce negative impacts to and increase opportunities for bicycle users and the bicycle network in private and public development projects.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.8	Multi-Tiered Bicycle Network. Support projects, programs, policies and regulations to develop a multi-tiered network of bicycle travel options that consider traffic volumes and rider experience; and which recognizes that all streets should be safe for bicycling.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.9	Intersection Safety. Support projects, programs, policies, and regulations to support the safe and efficient movement of bicyclists through and across intersections.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.11	Neighborhood and Focus Area Connections. Support projects, programs, policies and regulations to connect neighborhoods via a multi-modal network to each other, and to and through the City's Focus Areas.	***No Conflict.*** See discussion provided for General Plan Goal 6.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 6.12	Bicycle Parking and Facilities. Support projects, programs, policies, and regulations to provide convenient bicycle parking and other bicycle facilities in existing and potential high demand locations within the City, such as educational institutions, parks, business districts, transit stops, retail, commercial and employment centers.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Policy 6.13	Design Standards. Support projects, programs, policies and regulations to use recognized bicycle infrastructure design standards of the Federal Highway Administration, California Department of Transportation, and the American Association of State Highway and Transportation Officials, and participate in their pilot studies for alternative designs when appropriate.	***No Conflict.*** See discussion provided for General Plan Goal 6.
Chapter 6: Growth Management		
Goal 7	Growth and development aligned with infrastructure capabilities.	***No Conflict.*** While the Program-related growth would exceed growth projections when compared to the City's General Plan buildout, as shown in Table 4.8-10, the Program would not result in growth and development beyond what can be served by existing infrastructure capabilities. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion.
Policy 7.1	Balanced Decisionmaking. Support regional and subregional efforts to focus growth and development within areas that can be adequately served by existing and planned infrastructure systems.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 7, unplanned growth is growth that is not anticipated under local or regional planning documents, such as Connect SoCal. Implications of this unplanned growth affect other local and regional plans that rely on SCAG and County projections, such as the region's Air Quality Management Plan (AQMP) and the City's Urban Water Management Plan (UWMP) (see Sections 4.1, Air Quality, and 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion).
Policy 7.2	Housing Growth. Support projects, programs, policies and regulations to accommodate housing growth consistent with the Regional Housing Needs Assessment in areas of the City with existing and planned infrastructure capabilities	***No Conflict.*** The proposed Program is an identified strategy under the City's Housing Element designed to achieve the City's RHNA for the 6th Cycle. Given this, the Program would not conflict with this policy. See Section 4.8, Population and Housing, of this Draft PEIR for more discussion.
Policy 7.3	Infrastructure Planning. Support projects, programs, policies and regulations to plan for appropriate levels and types of	***No Conflict.*** The Program does not directly involve infrastructure improvements or infrastructure planning. However, the Planning Area is based on a methodology for parcel selection. Additionally, consideration

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	infrastructure based on the desired character of each neighborhood or district.	and consistency with the City's Focus Areas were made in establishing the Planning Area. As such, the Program would not conflict with this policy.
Policy 7.4	Focus Area Planning. Support projects, programs, policies and regulations to evaluate infrastructure capabilities as part of community-based planning of Focus Areas.	***No Conflict.*** See the discussion provided for General Plan Policy 7.4.
Policy 7.5	Appropriate Development Scale. Support projects, programs, policies and regulations to ensure that development is appropriate in scale to current and planned infrastructure capabilities.	***No Conflict.*** The Program includes proposed development standards to help facilitate the construction of future residential development. The development standards are designed to be consistent with the City's Municipal Code and regulations for the R-5 zone. Given this, the Program would not conflict with this policy.
Chapter 7: Noise		
Goal 8	Protection from the adverse effects of noise.	***No Conflict.*** The Program would facilitate the future development of residential and mixed-use development within the Planning Area. Construction and operational impacts are anticipated during implementation of the Program. In the event a potentially significant impact would occur, mitigation measures would be required to reduce impacts. Moreover, these future projects would be required to comply with the City's Municipal Code regulating noise. See Section 4.7, Noise, of this Draft PEIR for more discussion. As such, the Program would not conflict with this goal.
Policy 8.1	Noise Reduction Measures. Support regional and subregional efforts to implement projects or programs that abate and/ or attenuate noise across jurisdictions, particularly where the source is not under the City's authority.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 8, noise reduction measures would be incorporated in compliance with the City's Municipal Code, where appropriate. The Program would only result in future development projects within the City's jurisdiction. See Section 4.7, Noise, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 8.2	Mobile Sources. Support projects, programs, policies and regulations to control and abate noise generated by mobile sources.	***No Conflict.*** As demonstrated throughout this Draft PEIR, the Program would facilitate future development of residential and mixed-use development within the Planning Area. Vehicle trips are anticipated during construction and operation of these future projects. See Section 4.7, Noise, of this Draft PEIR for more discussion on off-site traffic noise. Given this, the Program would not conflict with this policy.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 8.3	Consideration of Noise in Land Use Decisions. Support projects, programs, policies and regulations which ensure noise-compatible land use planning recognizing the relative importance of noise sources in order of community impact, the local attitudes towards these sources, and the suburban or urban characteristics of the environment, while identifying noise sensitive uses.	***No Conflict.*** The proposed Program would facilitate future development of residential and mixed-use development within the Planning Area. These land uses are not typically considered as noise-intensive. Implementation of the proposed Program would facilitate housing growth within areas currently designated as Industrial under the City's General Plan. The General Plan requires buffers between residential and industrial land use designations. As such, the Program would require a General Plan Amendment to allow residential land uses within and adjacent to Industrial-designated areas. Similarly, for parcels within the Planning Area designated as Commercial, Office, or Religious Use; a General Plan Amendment is required to allow for residential uses on site. See Section 4.7, Noise, of this Draft PEIR for more discussion on land use compatibility and noise. Given this, the Program would not conflict with this policy.
Policy 8.4	Noise Reduction Measures. Support projects, programs, policies and regulations to control and abate noise generated by stationary sources.	***No Conflict.*** The proposed Program would facilitate future development of residential and mixed-use development within the Planning Area. These land uses are not typically considered as noise-intensive. See Section 4.7, Noise, of this Draft PEIR for more discussion on potential noise impacts and incorporation of mitigation measures and provisions within the City's Municipal Code. As such, the Program would not conflict with this policy.
Policy 8.5	Focus Area Planning Support projects, programs, policies and regulations to evaluate ways to ensure noise-compatible land use planning as part of community-based planning of Focus Areas.	***No Conflict.*** Similar to the discussion provided under General Plan Policy 8.3, the Program does not directly involve infrastructure improvements or infrastructure planning. However, the Planning Area is based on a methodology for parcel selection. Additionally, consideration and consistency with the City's Focus Areas were made in establishing the Planning Area. As such, the Program would not conflict with this policy.
Policy 8.6	Noise Receptors. Support projects, programs, policies and regulations to permit uses where the noise level of the surroundings—after taking into account noise insulation features and other control techniques of the use—is not detrimental to the use.	***No Conflict.*** See the discussion provided under General Plan Goal 8 and Policy 8.3.
Policy 8.7	Noise Generators. Support projects, programs, policies and regulations to permit uses and/or activities where the noise	***No Conflict.*** See the discussion provided under General Plan Goal 8 and Policy 8.3.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	generated by the use and/ or activity is not detrimental or otherwise a nuisance to the surroundings.	
Chapter 9: Redevelopment and Revitalization		
Goal 11	Revitalization activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.	***No Conflict.*** The proposed Program is an identified strategy of the City's Housing Element. Moreover, parcel selection is based on a methodology in which economic viability was considered. As such, implementation of the proposed Program would facilitate the future development of housing and mixed-use projects throughout the City, thus, resulting in redevelopment and revitalization of existing underutilized land. Given this, the Program would not conflict with this goal.
Policy 11.1	Sustainable Regional Revitalization Efforts. Support regional and subregional efforts pertaining to community revitalization that are rooted in sustainable development principles.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 11, the Program would also result in zoned capacity for housing growth within the City, thereby, resulting in sustainable regional growth by reducing urban sprawl, efficiently using existing infrastructure, reducing regional congestion, and improving air quality through the reduction of vehicle miles traveled. As such, the Program would not conflict with this policy.
Policy 11.2	Community-Based Revitalization. Support projects and programs surrounding community revitalization that are rooted in community-based planning processes that integrate the vision, values, views and priorities of residents, property owners, business owners and other members of the Fullerton community.	***No Conflict.*** The proposed Program is an identified strategy within the City's Housing Element designed to meet regional and local housing needs for the City. Additionally, the City, as the lead agency, hosted a CEQA Scoping Meeting, required under Public Resources Code Section 21083.9, which solicited comment from the community regarding the proposed Program. See Table 2-1. Notice of Preparation and Comment Letters Summary, for details on the comment letters and how this Draft PEIR addresses environmental topic issues raised. Given this, the Program would not conflict with this policy.
Policy 11.3	Preservation-Based Revitalization. Support policies, projects and programs concerning historic preservation to protect Fullerton's heritage, revitalize neighborhoods, generate design and construction jobs, and bolster the community's sense of place.	***No Conflict.*** As demonstrated in this Draft PEIR, impacts to cultural resources (including historical resources) were found to be less than significant. See Chapter 5, Other CEQA Considerations, for more discussion. Given this, the Program would not conflict with this policy.
Policy 11.5	Neighborhood Safety. Support policies, projects, programs and regulations that utilize innovative policing and crime prevention techniques to improve the safety of neighborhoods and districts,	***No Conflict.*** The proposed Program would facilitate future development of housing within the Planning Area. The Program includes development standards which would be consistent with provisions in City's Municipal Code related to safety and crime prevention. See Section 4.9, Public

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	such as evidence-based policing, community-based policing and Crime Prevention Through Environmental Design (CPTED).	Services, for more discussion related to police protection services. As such, the Program would not conflict with this policy.
Policy 11.6	Brownfield and Grayfield Revitalization. Support policies, projects, programs and regulations that encourage the revitalization of brownfield and grayfield properties to protect the environment, reduce blight and revitalize underutilized properties.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 11, the Program would result in future development on existing underutilized land. As demonstrated in this Draft PEIR, the Program's potential impacts related to hazards are analyzed. See Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR for more discussion.
Policy 11.9	Focus Area Revitalization Priority Support policies, projects, programs and regulations that prioritize revitalization efforts that are within or adjacent to the City's Focus Areas.	***No Conflict.*** Parcels within the Planning Area are based on a methodology for selection, in which consideration and consistency with the City's Focus Areas were made. As such, the Program would not conflict with this policy.
Chapter 10: Public Safety		
Goal 12	Proactively addressing public safety concerns.	***No Conflict.*** The Program would facilitate future development of housing and mixed-use project within the Planning Area. As demonstrated in this Draft PEIR, potential impacts related to public safety, including policy and fire protection services, are analyzed. See Section 4.9, Public Services, for more discussion. Given this, the Program would not conflict with this goal.
Policy 12.8	Airport Safety Standards. Support policies, projects, programs and regulations that provide for safe and efficient airport operations through compliance with the Fullerton Municipal Airport (FMA) Master Plan and the Airport Land Use Commission for Orange County's Airport Environs Land Use Plan for FMA and the Airport Environs Land Use Plan for Heliports.	***No Conflict.*** The Program would facilitate future development within the vicinity of the Fullerton Municipal Airport. See Section 4.3, Hazards and Hazardous Materials, for more discussion related to airport safety standards.
Policy 12.12	Crime Prevention. Support policies, programs and regulations that implement crime prevention strategies that have demonstrated success, including Crime Prevention Through Environmental Design (CPTED), Crime-Free Multi-Housing, Business Watch; Neighborhood Watch, iWatch and other similar strategies.	***No Conflict.*** The proposed Program would facilitate future development of housing within the Planning Area. The Program includes development standards which would be consistent with provisions in City's Municipal Code related to safety and crime prevention. See Section 4.9, Public Services, for more discussion related to police protection services. As such, the Program would not conflict with this policy.
Policy 12.13	Safety through Design. Support policies, projects, programs and regulations that make crime prevention and the maintenance of public safety service levels considerations in design and management of existing and new private and public spaces.	***No Conflict.*** See the discussion provided under General Plan Policy 12.12.

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Goals and Policies		Conflict Evaluation
Goal 13	Responsive to public safety needs.	***No Conflict.*** See the discussion provided under General Plan Goal 12.
Policy 13.1	Inter-City Coordination. Support regional and subregional efforts to: coordinate as appropriate Continuity of Operations Plan, plans and procedures for Emergency Operations Centers, and emergency response training systems; maintain inter-agency and public communications systems that will provide mutual aid and be reliable during and following an emergency; and, formulate definitive plans and procedures for evacuation of hazard-prone areas and high risk uses.	***No Conflict.*** See the discussion provided under General Plan Goal 12.
Policy 13.2	Adequate Resources for Emergencies. Support policies and programs that ensure adequate resources are available in all areas of the City to respond to health, fire and police emergencies.	***No Conflict.*** See the discussion provided under General Plan Goal 12.
Policy 13.3	Disaster Hazard Reduction. Support policies, projects, programs and regulations that reduce structural and nonstructural hazards to life safety and minimize property damage and resulting social, cultural and economic dislocations resulting from future disasters.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. As demonstrated in this Draft PEIR, impacts related to hazards and hazardous materials were analyzed under Section 4.3, Hazards and Hazardous Materials. See Section 4.3 of this Draft PEIR for more discussion. Additionally, as detailed in Chapter 5, Other CEQA Considerations, the Program would result in less than significant impacts related to emergency planning and evaluation. Implementation of the proposed Program would not interfere with the City's disaster planning efforts. Given this, the Program would not conflict with this policy.
Policy 13.4	Disaster Risk Reduction. Support programs that promote greater public awareness of disaster risks, personal and business risk reduction, and personal and neighborhood emergency response.	***No Conflict.*** See the discussion provided under General Plan Policy 13.3.
Policy 13.11	Crime Reduction Strategies. Support policies, programs and regulations to create problem-solving strategies and plans for areas with higher crime rates in the City and to reduce crime by implementing these strategies and plans through a range of measures including increased policing activities, neighborhood partnerships and other innovative programs.	***No Conflict.*** See the discussion provided under General Plan Policy 12.12.
Chapter 11: Public Health		

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Goals and Policies		Conflict Evaluation
Goal 14	An environment with opportunities for community health and wellbeing.	***No Conflict.*** The Program includes proposed development standards for the incorporation of open space. Moreover, as demonstrated throughout this Draft PEIR, impacts related to public services and recreational facilities are analyzed. See Section 4.9, Public Services, and Section 4.10, Recreation, of this Draft PEIR for more discussion.
Policy 14.5	Opportunities for Physical Activity. Support policies, projects, programs and regulations that provide for convenient and safe areas that facilitate opportunities for physical activity such as parks, trails, open space, safe streets for bicycling, safe sidewalks for walking, and recreational facilities for residents of all ages and abilities.	***No Conflict.*** See the discussion provided under General Plan Goal 14.
Policy 14.6	Amenities Within a Walkable Distance. Support policies and regulations involving land use and zoning changes that would provide access to daily retail needs, recreational facilities, and transit stops within a walkable distance (i.e., a quarter- to a half-mile) of established residential uses.	***No Conflict.*** See the discussion provided under General Plan Goal 14.
Policy 14.7	Accessible Health Service Facilities. Support projects and programs that facilitate private, nonprofit and public health-related organizations' efforts to provide for a range of health services including large- and small-scale medical facilities, assisted living facilities, and comprehensive healthy living resources in locations that are accessible to residents.	***No Conflict.*** The Program includes parcels based on a methodology for selection, including the location adjacent to local amenities. As such, Planning Area parcels are located nearby St. Jude's Medical Center, for example. Given this, the Program would not conflict with this policy.
Policy 14.9	Healthy Buildings. Support policies, projects, programs and regulations that encourage buildings to support the health of occupants and users by using non-toxic building materials and finishes, using windows and design features to maximize natural light and ventilation, and providing access to the outdoor environment.	***No Conflict.*** The proposed Program include development standards that would facilitate the construction of new housing and mixed-use projects. These future projects would be required to comply with existing federal, state, and local regulations governing hazardous materials. See Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR for more discussion.
Chapter 12: Parks and Recreation		
Goal 15	Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.	***No Conflict.*** As demonstrated throughout this Draft PEIR, the Program would facilitate future development of housing and mixed-use developments throughout the Planning Area. Future occupants would utilize existing parks and recreational facilities within the City. See Section 4.9, Public Services, and Section 4.10, Recreation, of this Draft

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Goals and Policies		Conflict Evaluation
		PEIR for more discussion on the potential impacts to these services. As such, the Program would not conflict with this goal.
Policy 15.2	Existing Parks and Recreation Resources. Support policies, projects, programs and regulations that preserve, protect, maintain and enhance Fullerton's existing parks, recreational facilities and trails	***No Conflict.*** See the discussion provided under General Plan Goal 15.
Policy 15.3	Access to Recreation Programs. Support policies, projects, programs and regulations that strengthen access to quality recreation programs which, in turn, promote a sense of community and a higher quality of life for Fullerton residents.	***No Conflict.*** See the discussion provided under General Plan Goal 15.
Policy 15.6	Accessible Citywide Park System. Support policies, programs and regulations that facilitate the planning, design and development of an extensive system of parks (passive and active), recreational facilities, and trails that meets the current needs of Fullerton residents and is accessible and within a 15-minute walking distance (i.e., one-quarter to one-half mile) of every Fullerton resident.	***No Conflict.*** See the discussion provided under General Plan Goal 15.
Policy 15.7	Park-to-Population Ratio. Support projects and programs that contribute to a citywide minimum park-to-population ratio of 4 acres per 1,000 people.	***No Conflict.*** The Program would result in population growth within the Planning Area. The Draft PEIR analyzes the potential impacts to the City's desired park-to-population ratio. See Section 4.9, Public Services, of this Draft PEIR for more discussion. As such, the Program would not conflict with this policy.
Policy 15.10	Park Dwelling Fee. Support policies and regulations which require new construction of dwelling units in the City to pay a park dwelling fee that provides for the creation and enhancement of open space, parks and recreational facilities accessible to all residents.	***No Conflict.*** The Program would facilitate future development of housing and mixed-use developments throughout the Planning Area. These future projects would be required to comply with the City's existing fee structures. See Section 4.9, Public Services, and Section 4.10, Recreation, of this Draft PEIR for more discussion. As such, the Program would not conflict with this policy.
Policy 15.16	Relationships to Development Projects. Support projects located adjacent to or near parks and trail facilities that facilitate connections and reinforce a positive relationship between private property and public parks and trails.	***No Conflict.*** See the discussion provided under General Plan Goal 15.
Chapter 13: Arts and Culture		

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Goal 16	Broad community participation in cultural activities and visual and performing arts.	***No Conflict.*** As demonstrated throughout this Draft PEIR, the Program would facilitate future development of housing and mixed-use developments throughout the Planning Area. Future occupants would utilize existing amenities. See Section 4.9, Public Services, and Section 4.10, Recreation, of this Draft PEIR for more discussion on the potential impacts to services, including those provided by the Fullerton Library. Given this, the Program would not conflict with this goal.
Policy 16.6	Fullerton Library System. Support policies and programs which continuously seek to improve and strengthen the Fullerton Library System as an educational and cultural resource accessible to the entire Fullerton community.	***No Conflict.*** See the discussion provided under General Plan Goal 16.
Chapter 14: Education		
Goal 17	An exceptional variety and quality of educational opportunities that reach community members throughout their lives.	***No Conflict.*** As demonstrated throughout this Draft PEIR, the Program would facilitate future development of housing and mixed-use developments throughout the Planning Area. Future population growth could result in school-age children. See Section 4.9, Public Services, of this Draft PEIR for more discussion on the potential impacts to schools. As such, the Program would not conflict with this goal.
Policy 17.1	Collaboration with Education Providers. Support regional and subregional efforts to work collaboratively with education providers to coordinate efforts and achieve shared goals.	***No Conflict.*** See the discussion provided under General Plan Goal 17.
Policy 17.3	Vitality of Educational Resources. Support policies, projects, programs and regulations that contribute to the long-term vitality of higher educational institutions, high schools and elementary schools, and the Fullerton Library system.	***No Conflict.*** See the discussion provided under General Plan Goal 17. Additionally, see the discussion provided under General Plan Goal 16.
Policy 17.15	Mitigate Growth Impacts on School Facilities. Continue to mitigate the impacts of growth by assessing school impact fees and other appropriate mitigation measures.	***No Conflict.*** See the discussion provided under General Plan Goal 17.
Policy 17.16	Project Impact Mitigation. Support programs that foster coordination between the City and local school districts, colleges and universities to assess and mitigate project impacts pertaining to on- and off-campus development.	***No Conflict.*** See the discussion provided under General Plan Goal 17.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 17.17	Fullerton Library. Support policies, projects and programs that recognize the Fullerton Library as a central element in Fullerton's citywide educational system.	***No Conflict.*** See the discussion provided under General Plan Goal 16.
Chapter 15: Community Involvement		
Goal 18	Citizens that are actively involved in shaping the community's future and overall quality of life.	***No Conflict.*** The proposed Program is an identified strategy within the City's Housing Element, which engaged a public process. Moreover, the City, as the lead agency, hosted a CEQA Scoping Meeting, required under Public Resources Code Section 21083.9, which solicited comment from stakeholders. As a result, City residents, for example, commented on the NOP for the proposed Program. See Table 2-1. Notice of Preparation and Comment Letters Summary for details on the comment letters and how this Draft PEIR addresses environmental topic issues raised. As part of this CEQA process, the public, organizations, and agencies may provide comment on the analysis provided in this Draft PEIR. Noticing and public outreach, as well as public hearings will be held prior to the consideration of the Program's approval. Given this, the Program would not conflict with this goal.
Policy 18.1	Regional Participation. Support programs that encourage local participation in regional planning, decision-making and activities that affect the City of Fullerton and its residents.	***No Conflict.*** See the discussion provided under General Plan Goal 18.
Policy 18.2	Multi-Jurisdiction Outreach Tools. Support regional and subregional efforts to develop new outreach tools, such as a clearinghouse feature on cities' websites for use by other public entities and regional agencies (such as school districts, universities, neighborhood organizations, transportation agencies, etc.) to post notices of items under their jurisdiction.	***No Conflict.*** See the discussion provided under General Plan Goal 18.
Policy 18.3	Opportunities for Community Involvement. Support policies, projects, programs and regulations that maximize opportunities for public participation in planning and decision-making processes pertaining to community development and design, including outreach to members of underrepresented communities.	***No Conflict.*** See the discussion provided under General Plan Goal 18.
Policy 18.5	Transparent Government. Support policies, programs and regulations that maintain transparency in municipal operations and	***No Conflict.*** See the discussion provided under General Plan Goal 18.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	decision-making by being clear about City objectives and providing access to information, City staff and decision makers.	
Policy 18.6	Accessible Participation. Support policies, projects, programs and regulations that take all feasible steps to ensure that everyone interested in participating in community forums has the materials necessary to contribute to informed decisions.	***No Conflict.*** See the discussion provided under General Plan Goal 18.
Policy 18.10	Noticing. Support policies and programs to review and update the City's noticing requirements and consider the use of websites, automatic telephone calling systems, email distribution lists, text messaging and other innovative features to provide better access to information.	***No Conflict.*** See the discussion provided under General Plan Goal 18.
Chapter 16: Water		
Goal 19	An adequate, safe, and reliable water supply.	***No Conflict.*** The Program would facilitate future development of housing and mixed-use projects within the Planning Area. The Draft PEIR analyzes the Program's impacts to water supply as a result of the Program-related buildout. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion. As such, the Program would not conflict with this goal.
Policy 19.1	Agency Coordination for Water Supplies. Support regional and subregional efforts to ensure that an adequate water supply, including groundwater, remains available.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 19, this Draft PEIR analyzes the Program-related growth in comparison with local and regional water supply, including groundwater supplies. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 19.2	Conservation Efforts. Support regional and subregional efforts to promote water efficiency and conservation.	***No Conflict.*** Similar to the discussion provided under General Plan Goal 19, this Draft PEIR analyzes the Program's potential water use. Moreover, future projects implemented under the proposed Program would be required to comply with regulations governing water conservation. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 19.4	Adequate Supply. Support projects, programs, policies and regulations to maintain adequate quantities of water, including groundwater, available to the City now and in the future.	***No Conflict.*** See the discussion provided under General Plan Goal 19.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 19.5	Water Quality. Support projects, programs, policies and regulations to ensure the quality of the water supply.	***No Conflict.*** The Program would facilitate the future development of housing and mixed-use projects. This Draft PEIR analyzes the potential impacts to water quality on a programmatic level. See Section 4.4, Hydrology and Water Quality, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 19.7	Sustainable Water Practices in New Development. Support projects, programs, policies and regulations to encourage water efficient practices in site and building design for private and public projects.	***No Conflict.*** Similar to the discussion provided under General Plan Policy 19.2, this Draft PEIR analyzes the Program's potential water use. Moreover, future projects implemented under the proposed Program would be required to comply with regulations governing water conservation and sustainability. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Goal 20	A healthy watershed and clean urban runoff.	***No Conflict.*** The Program would facilitate the future development of housing and mixed-use projects. This Draft PEIR analyzes the potential impacts to water quality on a programmatic level. See Section 4.4, Hydrology and Water Quality, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this goal.
Policy 20.1	Regional Watersheds Support regional and subregional efforts to support functional and healthy watersheds.	***No Conflict.*** See the discussion provided under General Plan Goal 20.
Policy 20.2	Urban Runoff Management Support regional and subregional efforts to support cleaner and reduced urban runoff.	***No Conflict.*** See the discussion provided under General Plan Goal 20.
Policy 20.3	Product Handling and Disposal Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff from the improper handling and disposal of commercial products.	***No Conflict.*** See the discussion provided under General Plan Goal 20. Additionally, future development implemented under the proposed Program would be required to comply with existing regulations governing stormwater runoff and disposal of potential hazardous materials. See Section 4.4, Hydrology and Water Quality, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 20.4	Local Watersheds. Support projects, programs, policies and regulations that support a functional and healthy watershed within neighborhoods and districts.	***No Conflict.*** See the discussion provided under General Plan Goal 20.
Policy 20.6	Construction Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by private and public construction projects.	***No Conflict.*** See the discussion provided under General Plan Goal 20.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 20.7	Development Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by the design or operation of a site or use.	***No Conflict.*** See the discussion provided under General Plan Goal 20.
Chapter 17: Air Quality and Climate Change		
Goal 21	Protection and improvement of air quality.	***No Conflict.*** The proposed Program would facilitate future development of housing and mixed-use development, the construction and operation of which would result in effects to local and regional air quality. See Section 4.1, Air Quality, of this Draft PEIR for more discussion. As such, the Program would not conflict with this goal.
Policy 21.1	Jobs-Housing Balance. Support regional and subregional efforts to improve the alignment of housing options and employment opportunities to reduce commuting.	***No Conflict.*** Program-related growth would introduce new housing in the Planning Area. The Draft PEIR analyzes the Program's impact to the City's existing jobs-housing balance. See Section 4.8, Population and Housing, for more discussion. As such, the Program would not conflict with this policy.
Policy 21.2	Transportation System. Support regional and subregional efforts to promote a transportation system coordinated with air quality improvements.	***No Conflict.*** The Program result in additional housing within the Planning Area, which would reduce urban sprawl, reduce regional traffic congestion, and improve air quality through the reduction of vehicle miles traveled. See Section 4.1, Air Quality, and Section 4.11, Transportation, of this Draft PEIR for more discussion. As such, the Program would not conflict with this policy.
Policy 21.3	Inter-Jurisdictional Regulation. Support regional and subregional efforts to implement programs that regulate pollution across jurisdictions, particularly where the source is not under the City's authority.	***No Conflict.*** The future development projects implemented under the proposed Program would be required to comply with existing regulations, such as those established by the South Coast Air Quality Management District, the California Department of Toxic Substances, and the State Water Resources Control Board. See Section 4.1, Air Quality; Section 4.3, Hazards and Hazardous Materials; and Section 4.4, Hydrology and Water Quality, of this Draft PEIR for more discussion related to air quality, hazards, and water quality regulations. As such, the Program would not conflict with this policy.
Policy 21.4	Balanced Land Use. Support projects, programs, policies and regulations to promote a balance of residential, commercial,	***No Conflict.*** The Program proposes an overlay zone to allow for the development of additional housing on existing non-residential underlaying zoning designations. See Section 4.11, Transportation, of this Draft PEIR

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	industrial, recreational and institutional uses located to provide options to reduce vehicle trips and vehicle miles traveled.	for more discussion on VMT. As such, the Program would not conflict with this policy.
Policy 21.5	Product Handling and Disposal Impacts. Support projects, programs, policies and regulations to reduce impacts to air quality from the improper handling and disposal of commercial products.	***No Conflict.*** Future development implemented under the proposed Program would be required to comply with existing regulations governing disposal of potential hazardous materials. See Section 4.1, Air Quality, and Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR for more discussion. Given this, the Program would not conflict with this policy.
Policy 21.6	Construction Impacts. Support projects, programs, policies and regulations to reduce impacts to air quality caused by private and public construction projects.	***No Conflict.*** See the discussion provided under General Plan Goal 21.
Policy 21.7	Development Impacts. Support projects, programs, policies and regulations to reduce impacts to air quality caused by the design or operation of a site or use.	***No Conflict.*** See the discussion provided under General Plan Goal 21.
Goal 22	Participation in regional efforts to address climate change and its impacts.	***No Conflict.*** Future development projects implemented under the proposed Program would result in the generation of greenhouse gas emissions from construction and operational activities. The Draft PEIR analyzes the Program-related effects to greenhouse gas emissions. See Section 4.1, Air Quality, and Section 4.2, Greenhouse Gas Emissions, of this Draft PEIR for more discussion. As such, the Program would not conflict with this goal.
Policy 22.1	Motor Vehicle-related GHG Emissions. Support regional and subregional efforts to reduce greenhouse gas emissions associated with transportation through land use strategies and policies, transportation system improvements, and transportation demand management programs.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Policy 22.2	GHG Emissions from Electrical Generation. Support regional and subregional efforts to reduce greenhouse gas emissions associated with electrical generation through energy conservation strategies and alternative/renewable energy programs.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Policy 22.3	GHG Emissions from Water Conveyance. Support regional and subregional efforts to reduce greenhouse gas emissions	***No Conflict.*** See the discussion provided under General Plan Goal 22.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
	associated with water conveyance through water conservation strategies and alternative supply programs.	
Policy 22.4	Solid Waste-Related GHG Emissions. Support regional and subregional efforts to reduce emissions associated with solid waste through increased recycling programs and reduced waste strategies.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Policy 22.6	GHG Emissions from Waste. Support projects, programs, policies and regulations to reduce greenhouse gas emissions from waste through improved management of waste handling and reductions in waste generation.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Policy 22.7	Climate Adaptation. Support projects, programs, policies and regulations to address climate change impacts relevant to the City as an inland community, including rises in average and extreme temperature, less annual precipitation, more flooding during El Niño seasons, increased power outages and higher levels of smog.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Policy 22.8	Sustainable Communities Strategies. Support projects, programs, policies and regulations to coordinate future community-based planning efforts of the Focus Areas for consistency with the SCAG Sustainable Communities Strategy and Orange County Sustainable Communities Strategy.	***No Conflict.*** See Table 4.5-1, Connect SoCal Conflict Evaluation, for discussion related to the Program's consistency with the SCAG's RTP/SCS.
Policy 22.9	Development. Support projects which voluntarily desire to implement site and/or building design features exceeding minimum requirements to reduce project greenhouse gas emissions.	***No Conflict.*** See the discussion provided under General Plan Goal 22.
Chapter 18: Integrated Waste Management		
Goal 23	Safe and efficient management of waste.	***No Conflict.*** The Program would facilitate the development of future housing and mixed-use development, which would result in the generation of solid waste. See Section 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion on the Program's compliance with waste management. As such, the Program would not conflict with this goal.
Policy 23.1	Regional Waste Management. Support regional and subregional efforts to increase recycling, waste reduction, and product reuse.	***No Conflict.*** See the discussion provided under General Plan Goal 23.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 23.2	Hazardous Waste. Support projects, programs, policies and regulations to promote safe handling and disposal by households, businesses and City operations of solid waste which has specific disposal requirements.	***No Conflict.*** See the discussion provided under General Plan Goal 23.
Policy 23.3	Waste Reduction and Diversion. Support projects, programs, policies and regulations to promote practices to reduce the amount of waste disposed in landfills.	***No Conflict.*** See the discussion provided under General Plan Goal 23.
Policy 23.4	Waste Stream Separation and Recycling. Support projects, programs, policies and regulations to expand source separation and recycling opportunities to all households, businesses and City operations.	***No Conflict.*** See the discussion provided under General Plan Goal 23.
Policy 23.7	Waste Management. Support projects, programs, policies and regulations to consider project level solid waste management needs at the site and building design stages.	***No Conflict.*** See the discussion provided under General Plan Goal 23.
Chapter 19: Open Space and Natural Resources		
Goal 24	Responsible management of open spaces balanced with the healthy functioning of environmental systems.	***No Conflict.*** The Program is proposed on parcels with underlying zoning designations, including C-G, C-M, G-C, O-P, M-G, and M-P, none of which consistent of open space zoning designations. Moreover, future development projects facilitated under the Program would include development standards for open space. Section 4.9, Public Services, of this Draft PEIR for more discussion on parks. Given this, the Program would not conflict with this goal.
Policy 24.3	Access and Use of Open Space. Support projects, programs, policies and regulations to increase access to and use of open space resources while respecting the natural environment.	***No Conflict.*** See the discussion provided under General Plan Goal 24.
Policy 24.5	Long-Range Needs. Support projects, programs, policies and regulations to preserve areas of open space sufficient to meet the long-range needs of the City	***No Conflict.*** See the discussion provided under General Plan Goal 24.
Policy 24.6	Watershed Management. Support projects, programs, policies and regulations to manage open space watersheds to limit potential fire and erosion hazards.	***No Conflict.*** See the discussion provided under General Plan Goal 24. Moreover, as demonstrated in this Draft PEIR, potential impacts related to watersheds, fire risk, and erosion hazards are analyzed in Section 4.4, Hydrology and Water Quality, and Chapter 5, Other CEQA Considerations,

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		of the Draft PEIR. Given this, the Program would not conflict with this policy.
Policy 24.7	New Open Space. Support projects, programs, policies and regulations to create open space as funding and other opportunities become available.	***No Conflict.*** See the discussion provided under General Plan Goal 24.
Policy 24.8	Environmentally Sensitive Areas. Support projects, programs, policies and regulations to preserve the environmentally sensitive areas of public open spaces.	***No Conflict.*** See the discussion provided under General Plan Goal 24. Moreover, as detailed in Chapter 5, Other CEQA Considerations, the Program would not result in significant impacts to environmentally sensitive areas. As such, the Program would not conflict with this policy.
Policy 24.9	Passive Open Space. Support projects, programs, policies and regulations to encourage diverse, environmentally-sensitive, passive open spaces.	***No Conflict.*** See the discussion provided under General Plan Goal 24. In addition, see Section 4.10, Recreation, of this Draft PEIR for more discussion on recreational facilities.
Policy 24.10	Trail Linkages to Open Space Support projects, programs, policies and regulations to promote recreational trails and the bikeway system to link open spaces to public areas and neighborhoods.	***No Conflict.*** See the discussion provided under General Plan Goal 24. In addition, see Section 4.10, Recreation, of this Draft PEIR for more discussion on recreational facilities.
Policy 24.11	Open Space in Focus Areas. Support projects, programs, policies and regulations to evaluate increasing urban and natural open spaces as part of community-based planning of Focus Areas.	***No Conflict.*** See the discussion provided under General Plan Goal 24. In addition, see Section 4.10, Recreation, of this Draft PEIR for more discussion on recreational facilities.
Policy 24.12	Environmental Impact of Support Facilities. Support projects, programs, policies and regulations to limit the construction of facilities in open space areas and to design necessary improvements, such as fire roads, access roads, and parking facilities, to minimize environmental impacts and maintain the visual qualities of the open space.	***No Conflict.*** See the discussion provided under General Plan Goal 24. Moreover, as detailed in Chapter 5, Other CEQA Considerations, the Program would not result in significant impacts to environmentally sensitive areas. As such, the Program would not conflict with this policy.
Goal 25	Responsible management of natural resources.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this goal.
Policy 25.1	Conservation of Sensitive. Natural Resources Support regional and subregional efforts to conserve habitat for sensitive species and plant communities.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this goal.
Policy 25.2	Waterways Preservation. Support projects, programs, policies and regulations to preserve the City's public creeks and lakes such as Tri City Lake, Bastanchury Greenbelt Creek, and Laguna Lake; pursue collaborative efforts to restore channelized portions of Brea Creek and Fullerton Creek.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. Future development projects would not result in the redevelopment of the City's public creeks and lakes. As such, the Program would not conflict with this policy.
Policy 25.3	Comprehensive Tree Management. Support projects, programs, policies and regulations to comprehensively plan for, manage and promote trees throughout the City.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this policy.
Policy 25.4	Wildlife Management. Support projects, programs, policies and regulations to promote and encourage residents and visitors to respect the natural environment of wildlife inhabiting and/or migrating to the City's open spaces.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this policy.
Policy 25.5	Managed Development. Support projects, programs, policies and regulations to manage development in areas containing significant or rare biological resources.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this policy.
Policy 25.7	Mitigation of Impacts on Sensitive Areas. Support projects, programs, policies and regulations to consider and mitigate project level impacts to sensitive habitat areas at the site and building design stages.	***No Conflict.*** The Program would not result in significant impacts to natural resources (i.e., biological resources), as detailed in Chapter 5, Other CEQA Considerations, of this Draft PEIR. As such, the Program would not conflict with this policy.
Policy 25.8	Mitigation of Impacts on Waterways. Support projects, programs, policies and regulations to consider and mitigate project level impacts to public waterways at the site and building design stages.	***No Conflict.*** See the discussion provided under General Plan Policy 25.2.
Chapter 21: Natural Hazards		
Goal 26	Protection of people, natural and built environments and economy from natural hazards.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. The proposed Program is based on a methodology in which parcels Citywide were analyzed and either removed from or considered for inclusion in HIOZ based on criteria, such

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
		as being located outside of local hazard zones. As such, the methodology discouraged development within known local hazard zones, such as airport impact zones and others noted within the City's 2020 Local Hazard Mitigation Plan (i.e., inundation hazard zones, flood hazard zones, fire hazard zones, landslide hazard zones, earthquake fault hazard zones, liquefaction hazard zones, and oil and gas hazard zones). Moreover, as demonstrated in this Draft PEIR, impacts related to hazards and hazardous materials were analyzed under Section 4.3, Hazards and Hazardous Materials. See Section 4.3 of this Draft PEIR for more discussion. Given this, the Program would not conflict with this goal.
Policy 26.1	Regional Coordination. Support projects, programs, policies and regulations to coordinate planning for and response to natural disasters with other agencies within the region.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. As demonstrated in this Draft PEIR, impacts related to hazards and hazardous materials were analyzed under Section 4.3, Hazards and Hazardous Materials. See Section 4.3 of this Draft PEIR for more discussion. Additionally, as detailed in Chapter 5, Other CEQA Considerations, the Program would result in less than significant impacts related to emergency planning and evaluation. Implementation of the proposed Program would not interfere with the regional coordination efforts established within the City during natural disasters. Given this, the Program would not conflict with this goal.
Policy 26.2	Adequate Emergency Response Infrastructure. Support projects, programs, policies and regulations to prepare to respond to natural disasters to the best of the City's ability.	***No Conflict.*** See the discussion provided under General Plan Policy 26.1. Moreover, as demonstrated in this Draft PEIR, the Program's potential effects on police and fire protection services is further analyzed in Section 4.9, Public Services, of this Draft PEIR. As such, the Program would not conflict with this policy.
Policy 26.4	Minimization of Development in High Risk Areas. Support projects, programs, policies and regulations to discourage or limit development within areas that are vulnerable to natural disasters, particularly in areas with recurring damage and/ or the presence of multiple natural hazards.	***No Conflict.*** The Program would facilitate the future development of housing throughout the Planning Area. As demonstrated in this Draft PEIR, impacts related to geology and soils, wildfire, hazards and hazardous materials, and hydrology and water quality are analyzed in Chapter 5, Other CEQA Considerations; Section 4.3, Hazards and Hazardous Materials; and Section 4.4, Hydrology and Water Quality, of this Draft PEIR. Given this, the Program would not conflict with this goal.

Table 4.5-2. General Plan Conflict Evaluation

Goals and Policies		Conflict Evaluation
Policy 26.5	Hazard Specific Development Regulations Support projects, programs, policies and regulations to utilize hazard specific development regulations to mitigate risks associated with identified potential natural hazards, including flooding, wildland fires, liquefaction, and landslides when development does occur.	***No Conflict.*** See the discussion provided under General Plan Policy 26.4.

Source: City of Fullerton 2012a; City of Fullerton 2021

As described above, the Program requires the approval of a General Plan Amendment for implementation to ensure consistency with Planning Area parcels with restrictive land use designations (i.e., do not allow for residential or limit the maximum density necessary for Program buildout). Upon approval of the proposed amendments, the Program would be consistent with the General Plan. Furthermore, based on analysis contained in Table 4.5-2 and the reasons described above, the Program would generally not conflict applicable goals and policies for the purposes of avoiding or mitigating environmental effect. Impacts would be less than significant. No mitigation is required.

Airport Land Use Compatibility

As described under Section 4.5.2, Relevant Plans, Policies, and Ordinances, the Planning Area includes parcels that are within the Airport Influence Area of the Fullerton Municipal Airport, located in the southwestern edge of the City (ALUC 2019). As such, these parcels are subject to review by the Orange County Airport Land Use Commission (ALUC) for compliance with noise and safety regulations. The Airport Environs Land Use Plan for Fullerton Municipal Airport (AELUP) regulates future development of new residential dwellings, commercial structures, and other noise- or risk-sensitive uses within the Airport Influence Area based on factors, including but not limited to noise, overflight, safety, and airspace protection. Height Restriction boundaries are based on Federal Aviation Regulations (FAR) Part 77 guidelines.

The Program proposes development standards for parcels within the Planning Area to be consistent with the City's existing R-5 zoning classification. According to Table 15.17.070.F of the Zoning Code, the maximum height for a residential building within 50 feet of property with an R-1 zone classification is one story (20 feet). If a proposed future development is between 50 feet and 100 feet of a property with an R-1 zone classification, then the maximum height limit is two stories (30 feet). If a proposed future development is greater than 100 feet from a property with an R-1 zone classification, then the Zoning Code does not limit the height for proposed structures. As detailed further in Section 4.3, Hazards and Hazardous Materials, the Planning Area's nearest changed parcel would be limited to a building height set forth in the FAR Part 77 guidelines and be consistent with the City's maximum height restrictions for R-5 zones. As such, the Project's proposed rezoning would not facilitate the future development of buildings above the height restrictions necessary for consistency with the AELUP.

Additionally, policies for determining land use compatibility typically apply to areas within 2 miles of an airport runway. According to the AELUP, residential land uses are normally consistent up until 60 CNEL and conditionally consistent at 65 CNEL. Community facilities, such as churches, libraries, schools, hospitals, and other noise-sensitive uses are normally inconsistent starting at 70 CNEL (City of Fullerton 2012b). As detailed further in Section 4.7, Noise, of this Draft PEIR, the Program would facilitate the development and redevelopment of areas within the Fullerton Municipal Airport Influence Area and 65 CNEL noise contour. See Section 4.7, Noise, of this Draft PEIR for more discussion on land use consistency with quantifiable community noise exposure. California Public Utilities Code Section 21676(b) requires that prior to the amendment of a general plan or specific plan (or the adoption or approval of a zoning ordinance or building regulation) within the planning boundary established by the ALUC pursuant to Section 21675, the local agency shall first refer the proposed action to the ALUC. If the ALUC determines that the proposed action is inconsistent with the ALUC's plan, the referring agency shall be notified. The local agency may, after a public hearing, overrule the ALUC by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670. However, no land use changes to residential would occur within a noise contour greater than 70 CNEL. Impacts would be less than significant. No mitigation is required.

Other Land Use Consistency

As detailed above in Section 4.5.2, Relevant Plans, Policies, and Ordinances, there are other land use plans governing the City, including the Bicycle Master Plan, Climate Action Plan, and Local Hazard Mitigation Plan, each of which are consistent with the General Plan. As demonstrated by Table 4.5-2 above, the proposed Program would not conflict with any goals or policies within the City's General Plan adopted for the purpose of avoiding or mitigating an environmental effect. A discussion of potential conflicts with all other applicable goals and policies from the other plans. For discussion on consistency with the City's Bicycle Master Plan, see Section 4.11, Transportation, of this Draft PEIR. For discussion on consistency with the City's Climate Action Plan, see Section 4.2, Greenhouse Gas Emissions, of this Draft PEIR. For discussion on consistency with the City's Local Hazard Mitigation Plan, see Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR.

Zoning Code

The proposed Program would primarily consist of the establishment of a new zoning overlay to allow future residential development on non-residential underlying zoning designations. Chapter 3, Project Description, details the implementation of the proposed Program within the Zoning Code.

Upon adoption of the proposed zoning overlay (i.e., HIOZ), procedures for inclusion would be outlined in the City's Municipal Code. For properties not currently included in the HIOZ, a request for a HIOZ designation may be initiated by an application by a property owner made in accordance with Chapter 15.72 (Amendments) of the Municipal Code. As such, amendments to the proposed HIOZ would require approval by the City's Planning Commission and City Council. Furthermore, application shall be consistent with the objectives of the Zoning Ordinance and General Plan, reasonably compatible with surrounding land uses and promote the general health, safety, and welfare.

Upon adoption of HIOZ, future development projects would be required to comply with a site plan review for implementation. Future development projects proposed on sites with a HIOZ designation would be subject to a site plan review pursuant to Chapter 15.47, Site Plan Review, of the Municipal Code. In the event a future development project complies with the Municipal Code provisions governing HIOZ and does not require a conditional use permit, variance, and/or a minor exception, the future project would require a Minor Site Plan review, as defined in the Municipal Code. Additionally, future development projects would be required to meet the site assumptions on residential density (within 60 du/ac). With these parameters, future development projects would be exempt from further CEQA review and would be approved by-right by the City's Community and Economic Development Director. Although further CEQA review would not be required for these future development projects, these projects would be required to comply with the conditions of approval (as detailed in Section 3.6, Conditions of Approval) and applicable mitigation measures (as identified throughout this PEIR) for implementation.

In the event future development projects require approval for a lot line adjustment, consolidation of lots, or subdivision, then subsequent discretionary approvals pursuant to Title 16, Subdivisions, of the Municipal Code would be required. Moreover, if a future development project seeks approval in compliance with HIOZ, construction is required within two years of approval by the Community and Economic Development Director.

The proposed Program would also revise Citywide Development Standards for multi-family zoning classifications. Specifically, the Program proposes revisions to Chapter 15.17.070 of the City's Municipal Code. Additionally, the Program proposes revisions to Citywide Development Standards for mixed-use

zoning classifications. Such revisions would include amendments to lot standards (i.e., minimum lot area, lot coverage), setbacks, height, and open space requirements. Future residential development associated with the proposed Program would be developed in compliance with applicable development standards of their respective permitted uses (R-5 or C-3 zones), as shown in Chapter 15.17, Residential Zone Classifications, or Chapter 15.30, Commercial Zone Classifications, of the City's Municipal Code.

Creation of this overlay zone allows for the development multi-family housing on parcels with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. As such, the Program would include a provision in the Municipal Code to facilitate a minimum requirement of 10% of the total number of residential units within a development project to include affordable housing for a minimum of 55 years. This provision would be exclusive of the added units facilitated under State Density Bonus law.

4.5.5 Mitigation Measures

As described in Section 4.5.4, Impact Analysis, incorporation of the mitigation measures outlined throughout this Draft PEIR would ensure consistency between the proposed Program and any applicable land use plans, policies, and regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect to the maximum extent feasible.

MM-AQ-1 through MM-AQ-3. See Section 4.1, Air Quality, of this Draft PEIR

MM-HAZ-1 through MM-HAZ-5. See Section 4.3, Hazards and Hazardous Materials, of this Draft PEIR

4.5.6 Significance Conclusion

LU-1. With implementation of the mitigation measures outlined throughout this Draft PEIR, impacts associated with land use and planning would be less than significant.

4.5.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself). The cumulative geographic study area used to assess potential cumulative impacts related to the potential to conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, the cumulative geographic study area is the regional (SCAG's Connect SoCal) and local (the City's General Plan).

LU-1. Given the built-out conditions of the Planning Area and adjacent jurisdictions, development would likely convert existing underutilized properties in the Planning Area to higher-density residential and mixed-use developments to respond to the need for housing, as required under the City's Housing Element. The Program would benefit the surrounding community by adding residential uses to reduce overcrowding and support projected employment growth and improving local and regional access to the regional transportation network. Furthermore, by providing additional housing in close proximity to transit, the Project would assist the City in achieving short- and long-term planning goals and objectives related to reducing urban sprawl, efficiently using existing infrastructure,

reducing regional congestion, and improving air quality through the reduction of vehicle miles traveled. This is consistent with SCAG and other regional policies for promoting more intense land uses adjacent to transit stations and job centers.

Generally, land use conflicts would be related to noise, traffic, air quality, and hazards/human health and safety issues, which are discussed in the relevant sections of the Draft PEIR. Land use conflicts are also typically site-specific and not cumulative in nature; in other words, despite the number of cumulative projects in a given area, they would not necessarily compound to create cumulative land use conflicts. Cumulative incompatibility issues associated with surrounding developments or projects are anticipated to be addressed and mitigated for on a project-by-project basis. In addition, the cumulative environmental effects associated with implementation of the Program have been addressed in the technical sections of this Draft PEIR. Therefore, the Program's incremental contribution to impacts related to land use and planning would be less than significant and not cumulatively considerable.

4.5.8 References Cited

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4.6 Mineral Resources

This section describes the existing mineral resources conditions of the Planning Area, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.6.1 Existing Conditions

Regional Setting

Mineral Resource Potential

As mandated by the Surface Mining and Reclamation Act of 1975 (SMARA), the California State Mining and Geology Board (now California Geological Survey (CGS)) classifies California mineral resources with the Mineral Resource Zones (MRZs) system. These zones were established based on the presence or absence of significant sand and gravel deposits and crushed rock source areas (i.e., products used in the production of cement). The classification system emphasizes Portland Cement Concrete aggregate, which is subject to a series of specifications to ensure the manufacture of strong, durable concrete. The following guidelines are presented in SMARA's mineral land classification for the region (CGS 2023):

- **MRZ-1** – Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- **MRZ-2** – Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that there is a high likelihood for their presence.
- **MRZ-3** – Areas containing mineral deposits, the significance of which cannot be evaluated from available data.
- **MRZ-4** – Areas where available information is inadequate for assignment to any other MRZ zone.

Known Mineral Resources

According to generalized mapping of mineral resources that were identified in the Orange County General Plan, there are only three areas mapped within the county that had mineral resources – Santa Ana River to the south of the City of Fullerton, as well as Trabuco Canyon and San Juan Creek located even further south of the City (County of Orange 2023). However, mapping compiled by the California Division of Mines and Geology (now the California Geological Survey), indicate that the Planning Area includes MRZ-1 and MRZ-3 areas (CDMG 1981).

4.6.2 Relevant Plans, Policies, and Ordinances

Federal

There are no applicable federal regulations related to Mineral Resources.

State

Surface Mining and Reclamation Act (SMARA): California Public Resources Code, Sections 2710 et seq.

SMARA is the primary regulator of onshore surface mining in the state. SMARA delegates specific regulatory authority to local jurisdictions. The act requires the State Geologist (California Geological Survey [CGS]) to identify all mineral deposits within the state and to identify any MRZs (i.e., MRZ-1 through MRZ-4) present. The distinctions between MRZs 1 through 4 are detailed in Section 4.12.1, above. Local jurisdictions are required to enact specific procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans. A particular concern of state legislators in enacting SMARA was the premature loss of minerals and protection of sites threatened by development practices that might preclude future mineral extraction text.

Local

City of Fullerton General Plan

Goal 25 of the Open Space and Natural Resources section of the General Plan includes the "responsible management of natural resources," however does not otherwise include any specific policies pertaining to mineral resources.

4.6.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to mineral resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to mineral resources would occur if the project would:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Based on the results of the Initial Study (Appendix A), the following thresholds are evaluated within this section for the Program:

MIN-1. Would the Program result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

MIN-2. Would the Program result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

4.6.4 Impacts Analysis

MIN-1. Would the Program result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The City of Fullerton is largely developed and urbanized with relatively few open space areas that are not used as for other purposes (e.g., parks). According to generalized mapping of mineral resources within Orange County, there are no mapped areas of known mineral resources within the City (County of Orange 2023). While the Planning Area includes areas that are mapped as MRZ-3 which are areas where the significance of mineral resources present cannot be determined, the proposed Program would only create an overlay zone that would allow development of multi-family housing on parcels with non-residential underlying zoning classification and are mostly already currently developed. As a result, implementation of the proposed Program would not result in any loss of availability of known mineral resources that would be of value to the region or residents of the state and there would be **no impact**.

MIN-2. Would the Program result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Chapter 19 of the City's General Plan adopted in 2012, contains the City's Open Space and Natural Resources Element which covers the flora and fauna, soils, and minerals that are considered vital to the City's environmental health and quality of life (City of Fullerton 2012). While Goal 25 of the Open Space and Natural Resources section of the General Plan includes the "responsible management of natural resources", there are no specific policies pertaining to mineral resources nor any identified mineral resource areas (City of Fullerton 2012). Therefore, considering that implementation of the Program would only involve rezoning of parcels and that the General Plan does not delineate any mapped mineral resource areas within the City, there would be **no impact** related to loss of availability of a locally important mineral resource recovery site on a local, specific, or other land use plan.

4.6.5 Mitigation Measures

There would be no impacts related to Mineral Resources. and thus no mitigation measures required.

4.6.6 Significance Conclusion

The proposed Program would have no impact to mineral resources.

4.6.7 Cumulative Effects

Considering that the proposed Program would have no impact, therefore, it would not contribute to a cumulative impact relative to mineral resources.

4.6.8 References Cited

California Division of Mines and Geology (CDMG). 1981. Generalized Aggregate Resource Classification Map, Orange County – Temescal Valley and Adjacent Production – Consumption Regions, 1981.

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4.7 Noise

This section describes the existing noise conditions of the Program Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.7.1 Existing Conditions

4.7.1.1 Noise Terminology and Characteristics

Sound, Noise, and Acoustics

Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air) to a hearing organ, such as a human ear. Noise is defined as loud, unexpected, or an annoying sound. In the science of acoustics, the fundamental model consists of a sound (or noise) source, a receptor, and the propagation path between the two. The loudness of the noise source and obstructions or atmospheric factors affecting the propagation path to the receptor determine the sound level and characteristics of the noise perceived by the receptor. The field of acoustics deals primarily with the propagation and control of sound.

Frequency

Continuous sound can be described by frequency (pitch) and amplitude (loudness). A low-frequency sound is perceived as low in pitch. Frequency is expressed in terms of cycles per second, or Hertz (Hz) (e.g., a frequency of 250 cycles per second is referred to as 250 Hz). High frequencies are sometimes more conveniently expressed in kilohertz (kHz), or thousands of Hertz. The audible frequency range for humans is generally between 20 Hz and 20,000 Hz.

Sound Pressure Levels and Decibels

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.00000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this huge range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level (SPL) in terms of decibels (dB). The threshold of hearing for young people is about 0 dB, which corresponds to 20 mPa.

Addition of Decibels

Because decibels are logarithmic units, SPL cannot be added or subtracted through ordinary arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dB increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a receptor equidistant to each sound source would be 3 dB higher than one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB—rather, they would combine to produce 73 dB. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dB louder than one source.

A-Weighted Decibels

The decibel scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Although the intensity (energy per unit

area) of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear.

Human hearing is limited in the range of audible frequencies as well as in the way it perceives the SPL in that range. In general, people are most sensitive to the frequency range of 1,000–8,000 Hz and perceive sounds within that range better than sounds of the same amplitude in higher or lower frequencies. To approximate the response of the human ear, sound levels of individual frequency bands are weighted, depending on the human sensitivity to those frequencies. Then, an "A-weighted" sound level (expressed in units of dBA) can be computed based on this information.

The A-weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. When people make judgments of the relative loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Other weighting networks have been devised to address high noise levels or other special problems (e.g., B-, C-, D-, and G-scales), but these scales are rarely used in conjunction with highway traffic noise. Noise levels for traffic noise reports are typically reported in terms of A-weighted decibels (dBA). Table 4.7-1 arranges typical outdoor and indoor noise sources against a decreasing linear scale of A-weighted sound levels.

Table 4.7-1. Typical A-Weighted Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	— 110 —	Rock band
Jet fly-over at 1000 feet		
	— 100 —	
Gas lawn mower at 3 feet		
	— 90 —	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	— 80 —	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawn mower, 100 feet	— 70 —	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	— 60 —	
		Large business office
Quiet urban daytime	— 50 —	Dishwasher next room
Quiet urban nighttime	— 40 —	Theater, large conference room (background)
Quiet suburban nighttime		
	— 30 —	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	— 20 —	
		Broadcast/recording studio
	— 10 —	
Lowest threshold of human hearing	— 0 —	Lowest threshold of human hearing

Source: Caltrans 2013.

Human Response to Changes in Noise Levels

As discussed above, doubling sound energy results in a 3 dB increase in sound. However, given a sound level change measured with precise instrumentation, the subjective human perception of a doubling of loudness will usually be different than what is measured.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dB changes in sound levels, when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000 Hz–8,000 Hz) range (Caltrans 2013). In typical noisy environments, changes in noise of 1 to 2 dB are generally not perceptible. However, it is widely accepted that people can begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dB increase is generally perceived as a distinctly noticeable increase, and a 10 dB increase is generally perceived as a doubling of loudness. Therefore, a doubling of sound energy (e.g., doubling the volume of traffic on a highway) that would result in a 3 dB increase in sound would generally be perceived as barely detectable.

Noise Descriptors

Noise in our daily environment fluctuates over time at varying rates. Various noise descriptors have been developed to describe time-varying noise levels. The following are the noise descriptors are utilized in this analysis.

- **Equivalent Sound Level (Leq):** L_{eq} represents an energy average of the sound level occurring over a specified period. The 1-hour A-weighted equivalent sound level (L_{eq}[h]) is the energy average of A-weighted sound levels occurring during a one-hour period and is the basis for noise abatement criteria used by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA). Note that L_{eq} is not an arithmetic average of varying dB levels over a period of time, it accounts for greater sound energy represented by higher decibel contributions.
- **Percentile-Exceeded Sound Level (Lxx):** L_{xx} represents the sound level exceeded for a given percentage of a specified period (e.g., L_{10} is the sound level exceeded 10% of the time, and L_{90} is the sound level exceeded 90% of the time).
- **Maximum Sound Level (Lmax):** L_{max} is the highest instantaneous sound level measured during a specified period.
- **Day-Night Level (Ldn):** L_{dn} is the energy average of A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during nighttime hours between 10 p.m. and 7 a.m.
- **Community Noise Equivalent Level (CNEL):** Similar to L_{dn}, CNEL is the energy average of the A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during the nighttime hours between 10 p.m. and 7 a.m., and a 5 dB penalty applied to the A-weighted sound levels occurring during evening hours between 7 p.m. and 10 p.m.

Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on the following factors:

- **Geometric Spreading** – Sound from a localized source (i.e., an ideal point source) propagates uniformly outward in a spherical pattern (or hemispherical when near a surface). The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Roadways consist of several

localized noise sources on a defined path, and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

- Ground Absorption – The propagation path of noise from a sound emission source to a receptor is usually horizontal and proximate to the ground. Under these conditions, noise attenuation from ground absorption and reflective-wave canceling can add to the attenuation associated with geometric spreading. For acoustically "hard" paths over which sound may traverse (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or "soft" sites (i.e., those sites with an absorptive ground surface between the source and the receptor, such as fresh-fallen snow, soft dirt, or dense vegetative ground cover), an additional ground-attenuation value of +1.5 dB per doubling of distance is normally assumed. When added to cylindrical spreading for line source sound propagation, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance.
- Atmospheric Absorption – In addition to aforementioned geometric spreading, the fluid medium (i.e., the air) through which sound travels yields frequency-dependent attenuation that increases in magnitude with increasing frequency. The effect is influenced by temperature and relative humidity, and typically negligible over short source-to-receptor distances (e.g., less than 500 feet); but, it helps explain why lower-frequency sound such as a thunderclap appears to "travel farther" over great distances.
- Meteorological Effects – Receptors located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound pressure levels can also be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects when distances between a source and receptor are large.
- Shielding by Natural or Human-Made Features – A large object or barrier in the direct path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Natural terrain features (e.g., hills and ridgelines) and human-made features (e.g., buildings and walls) can substantially reduce noise levels. Walls are often constructed between a source and a receptor specifically to reduce noise. A barrier that breaks the line of sight between a source and a receptor will typically result in at least 5 dB of noise reduction. Taller barriers provide increased noise reduction. While a line of trees may visually occlude the direct line between a source and a receptor, its actual noise-reducing effect is usually negligible because it does not create an acoustically solid barrier. Deep expanses of dense wooded areas, on the other hand, can offer noise reduction under the right conditions.

Vibration Characteristics

Vibration is oscillatory movement of mass (typically a solid) over time. It is described in terms of frequency and amplitude and, unlike sound, can be expressed as displacement, velocity, or acceleration. For environmental studies, vibration is often studied as a velocity that, akin to the discussion of sound pressure levels, can also be expressed in dB as a way to cast a large range of quantities into a more convenient scale. In such cases, the vibration velocity is a root-mean-square (RMS) amplitude (v), and the VdB value is calculated as follows: $Lv = 20*LOG(v/v_{ref})$, where v_{ref} is reference magnitude (one micro-inch per second).

Vibration impacts to buildings are generally discussed in terms of inches per second (ips) peak particle velocity (PPV), which will be used herein to discuss vibration levels for ease of reading and comparison with relevant

standards. Vibration can also be annoying and thereby impact occupants of structures, and vibration of sufficient amplitude can disrupt sensitive equipment and processes (Caltrans 2020), such as those involving the use of electron microscopes and lithography equipment. Common sources of vibration within communities typically include construction activities and railroads. Ground-borne vibration generated by construction projects is usually highest during pile driving, rock blasting, soil compacting, jack hammering, and demolition-related activities where sudden releases of subterranean energy or powerful impacts of tools on hard materials occur. Depending on their distances to a sensitive receptor, operation of large bulldozers, graders, loaded dump trucks, or other heavy construction equipment and vehicles on a construction site also have the potential to cause high vibration amplitudes. The maximum vibration level standard used by Caltrans for the prevention of structural damage to typical older residential buildings is 0.3 ips PPV (Caltrans 2020). For human annoyance, Caltrans guidance indicates that a more stringent threshold of 0.2 ips PPV due to continuous vibration (e.g., nearby roadway traffic) would be "annoying." Vibration velocity limits for transient or single events tend to be less stringent than those for continuous or "steady-state" vibration sources.

Sensitive Receptors

Noise- and vibration-sensitive land uses are typically considered locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, and hospitals are usual examples, with others depending on what the local jurisdiction may have defined or established. Based on context from the City Noise Ordinance and Chapter 7, Noise, of the Built Environment Element, sensitive receptors include residences, schools, hospitals, hotels and motels, places of worship, and open space/recreation uses.

Existing Aircraft Operations

The City is served by the Fullerton Municipal Airport. The Fullerton Municipal Airport (International Air Transport Association [IATA] airport code: FUL), is a general aviation airport located on the southwestern boundary of the City, between Artesia Avenue and West Commonwealth Avenue. With the current level of aircraft activity, the impact of Fullerton Municipal Airport flight operations is considered significant at some existing residential locations in the City. However, as the flight tracks extend over the majority of City, there are few areas that are not affected by these operations.

4.7.2 Relevant Plans, Policies, and Ordinances

Federal

The Federal Noise Control Act of 1972 established programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In 1981, the U.S. Environmental Protection Agency (EPA) administrators determined that subjective issues such as noise would be better addressed at more local levels of government, thereby allowing more individualized control for specific issues by designated Federal, State, and local government agencies. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to specific federal agencies, and state and local governments. However, noise control guidelines and regulations contained in the U.S. EPA rulings in prior years remain in place.

State

The following state regulations and guidance pertaining to noise and vibration assessment would apply to the proposed Project.

California Noise Control Act of 1973

Sections 46000 through 46080 of the California Health and Safety Code, known as the California Noise Control Act of 1973, declares that excessive noise is a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also identifies a continuous and increasing bombardment of noise in the urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the state to provide an environment for all Californians free from noise that jeopardizes their health or welfare.

California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual, Caltrans indicates a groundborne vibration velocity level of 0.2 ips PPV from traffic or similar continuous or intermittent sources would be "annoying" to building occupants. Although this Caltrans guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the local jurisdictional level. Similarly, thresholds to assess building damage risk due to construction vibration vary with the type of structure and its fragility; for example, 0.3 ips PPV is recommended as a limit to minimize damage risk for older residential structures, while 0.5 ips PPV would be applicable to newer homes (Caltrans 2020).

California Code of Regulations, Title 24

Title 24, also known as the California Building Standards Code, establishes building standards applicable to all occupancies throughout the state. The current 2019 code provides acoustical regulations for both exterior-to-interior sound insulation as well as sound and impact isolation between adjacent spaces of various occupied units. Title 24 regulations state that interior noise levels generated by exterior noise sources shall not exceed 45 dBA Ldn, with windows closed, in any habitable room for general residential uses. While these regulations are applicable to the proposed Project, as of January 2019 they are merely informative with respect to CEQA noise impact assessment because the updated Appendix G significance thresholds have eliminated the previous "expose persons to" clause and thus—aside from aviation noise assessment—limits impact significance assessment to the project-attributed noise emission (or indirectly via changes to roadway traffic flows on local roadways) to the surrounding environment.

California Government Code Section 65302(g)

California Government Code Section 65302(g) requires the preparation of a Noise Element in a general plan, which shall identify and appraise the noise problems in the community. The Noise Element shall recognize the guidelines adopted by the Office of Noise Control in the State Department of Health Services and shall quantify, to the extent practicable, current and projected noise levels for the following sources:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight on-line railroad operations and ground rapid transit systems
- Aviation and airport-related operations
- Local industrial plants
- Other ground stationary noise sources contributing to the community noise environment

California General Plan Guidelines

The California General Plan Guidelines, published by the Governor's Office of Planning and Research, provides guidance for the acceptability of specific land use types within areas of specific noise exposure. Table 4.7-2 summarizes these guidelines for determining acceptable and unacceptable community noise exposure limits for the various indicated land use categories.

Table 4.7-2. Land Use Compatibility for Community Noise Environments

Land Use Type	Community Noise Exposure (CNEL)			
	Normally Acceptable[1]	Conditionally Acceptable[2]	Normally Unacceptable[3]	Clearly Unacceptable[4]
Residential-low density, single-family, duplex, mobile homes	50–60	55–70	70–75	75–85
Residential – multiple-family	50–65	60–70	70–75	70–85
Transit lodging – motel, hotels	50–65	60–70	70–80	80–85
Schools, libraries, churches, hospitals, nursing homes	50–70	60–70	70–80	80–85
Auditoriums, concert halls, amphitheaters	NA	50–70	NA	65–85
Sports arenas, outdoor spectators' sports	NA	50–75	NA	70–85
Playgrounds, neighborhood parks	50–70	NA	67.5–77.5	72.5–85
Golf courses, riding stables, water recreation, cemeteries	50–70	NA	70–80	80–85
Office buildings, business commercial and professional	50–70	67.5–77.5	75–85	NA
Industrial, manufacturing, utilities, agriculture	50–75	70–80	75–85	NA

Source: Appendix D, Figure 2 from Office of Planning and Research (OPR) 2017.
Notes:
CNEL = Community Noise Equivalent Level; NA = not applicable
1 Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
2 Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.
3 Normally Unacceptable: New construction or development should be discouraged. If new construction of development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features must be included in the design.
4 Clearly Unacceptable: New construction or development should generally not be undertaken.

The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. The Office of Planning and Research guidelines are advisory in nature. Local jurisdictions, including the City, have the responsibility to set specific noise standards based on local conditions.

Department of Occupational Safety and Health

Within the State of California, the Department of Occupational Safety and Health (DOSH), better known as Cal/OSHA, aims to protect and improve occupational health and safety. Its occupational noise regulations are similar to those of the federal government and while they are intended to apply to occupational health and safety, they can be utilized for purposes of construction noise impacts. Cal/OSHA sets an "Action Level" (AL), of 85 dBA. The AL is defined as the average employee noise exposure for an 8-hour day, which when reached or exceeded requires the implementation of actions to reduce the risk of noise induced hearing loss. Cal/OSHA sets a "Permissible Exposure Level" (PEL) of 90 dBA. The PEL is the average employee noise exposure for an 8-hour day, 40-hour week at which nearly all employees may be exposed without adverse health effects. Note that these levels are conservative because they assume a career-long exposure; in the case of assessing noise level exposures at nearby offsite receptors (e.g., hotel guests at an outdoor pool) due to construction activities, the noise exposure during construction activities would be temporary.

Local

City of Fullerton General Plan (The Fullerton Plan)

The State of California has mandated that local governments prepare a noise element as part of their general plans. The Community Health and Safety Element of the City's General Plan (Fullerton Plan) contains noise guidelines in Section 2.6, "Noise". The Community Health and Safety Element is the guiding document for the City's noise policy and contains various goals with accompanying policies designed to protect residents and businesses from excessive and persistent noise intrusions. Section 2.6 of the Community Health and Safety Element describes the existing noise environment, goals and policies, as well as Federal, State and City noise regulations.

City of Fullerton Municipal Code

The City of Fullerton has established a code of ordinances in regard to noise. Chapter 15.90, "Noise Standards and Regulation", contains thresholds and guidelines for noise within the City.

Section 15.90.010 of the Municipal Code states:

> A. In order to control unnecessary, excessive and annoying sounds emanating from incorporated areas of the city, it shall be the policy of the city to prohibit such sounds generated from all sources as specified in this chapter except that noise regulated by any penal statute or ordinance and those activities that have been preempted by state or federal law.
>
> B. Specified noise levels have been determined to be detrimental to the public health, welfare and safety and contrary to public interest; therefore, creating, maintaining, causing or allowing to create, maintain or cause any noise in a manner prohibited by or not in conformity with the provisions of this chapter is a public nuisance and shall be punishable as such. (Ord. 2982, 2001).

Section 15.90.030 (A) defines the interior and exterior noise level limits for residential land uses; Table 5.6-3, City of Fullerton Sound Level Limits from the Municipal Code is reproduced below as Table 4.7-3. The City does not have specific noise level limits for commercial or industrial zones.

Section 15.90.030 B. further defines the applicability of the noise level limits for a sensitive use. Section 15.90.030 B. defines a sensitive use as private or public school, hospital, residential care facility for the elderly, and religious

institution. According to Section 15.90.030 B., it is unlawful for any person within the incorporated area of the city to create any noise that causes the noise level at any sensitive use to exceed the noise limits as specified for the Residential Noise Zone, notwithstanding the sensitive use may be located outside of the Residential Noise Zone.

Table 4.7-3. City of Fullerton Sound Level Limits

Residential Zones	Sound Level Limits dBA L_{eq} – 1-Hour Average	
	7:00 a.m. to 10:00 p.m. (day and evening)	10:00 p.m. to 7:00 a.m. (night)
Interior Noise Level Limits	55	45
Exterior Noise Level Limits	55	50

Section 15.90.030 C. identifies how the sound level limits identified in Section 15.90.030 A., Table 4.7-3 above, will be enforced. Section 15.90.030 C. states "It shall be unlawful for any person at any location within the incorporated area of the city to create any noise which can be classified as being continuous, reoccurring, predictable, or whose operation of noise-generating capability can be stopped or started at a specified time, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on the property, either incorporated or unincorporated, to exceed:

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

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

Section 15.90.050, activities with special provisions, is the relevant ordinance controlling construction noise. Subsection A states, "the following activities shall be exempt from the noise level standards specified by this chapter provided they take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday.

- Noise sources associated with construction, repair, remodeling, or grading of any real property;
- Mobile noise sources associated with agricultural operations; and
- Noise sources associated with the maintenance of real property, including normal maintenance and repair by city and utility crews.

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

4.7.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts related to noise are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to noise would occur if the project would:

1. Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
2. Result in generation of excessive groundborne vibration or groundborne noise levels.
3. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to the exposure of people residing or working in the Program area to excessive noise levels. As such, the following thresholds are evaluated within this section for the Program:

NOI-1. Would the Program result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Program in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

NOI-2. Would the Program result in generation of excessive groundborne vibration or groundborne noise levels?

4.7.4 Impacts Analysis

NOI-1. Would the Program result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise

The 2012 City of Fullerton General Plan defines the intention of the Focus Areas as community-led planning processes that would need to thoughtfully align change with the general character and form, as well as opportunities, desired by the community for each area. As an implementation tool for the General Plan on a localized basis, the HIOZ will facilitate the development of these Focus Areas with a mix of land uses. The intensity of construction activities and the distance between future construction zones and existing noise-sensitive receivers (i.e., residences, nursing care facilities, hospitals, lodging facilities) under the HIOZ would not be materially different from assumptions regarding construction of future development of the area under the 2012 General Plan.

The City's 2012 General Plan Program EIR (FPEIR) concluded that construction noise is exempt following Section 15.90.050 of the Municipal Code provided the construction activities take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday. Further, Chapter 15.90 of the Municipal Code does not set specific noise level limits on construction-related activity. The Proposed Project would not result in new impacts or a substantial increase in the magnitude of impacts compared to

the 2012 General Plan. Nevertheless, construction-related noise impacts from the Proposed Project would be potentially significant. Adherence to mitigation from the General Plan PEIR would therefore be required to implement construction best management practices (BMPs) in order to reduce short-term construction noise impacts to less than significant levels. In addition to compliance with the City's Noise Ordinance, goals, policies, and actions in the Fullerton Plan, the General Plan 2012 FPEIR mitigation measures N-1 and N-2 regarding short-term construction noise are presented here as conditions of approval (COAs) for the Proposed Program and listed below:

COA-N-1 Project applicants shall ensure through contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- 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 30 minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.
- 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).

COA-N-2 Project applicants 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.

Application of COA-N-1 and COA-N-2 would ensure that construction activity noise would comply with the City's General Plan and Municipal Code policies and thresholds. Therefore, impacts due to construction noise would be considered **less than significant**.

Operational Noise (Stationary)

New commercial, residential, and mixed-use development under the Program is not anticipated to result in significantly greater density than envisioned under the 2012 General Plan. New development may trend toward taller vertical structures than exist today, but with mechanical systems (principally for heating, ventilation, and air conditioning) situated on the roof of such structures, new noise sources would generally be at a further distance to any neighboring noise-sensitive receivers thus reducing noise at the ground level as compared to lower profile buildings with the same roof-mounted equipment. Adaptive re-use of existing structures would likely involve more modern and efficient mechanical systems, with the same or lower noise generation than equipment associated with the original occupancy of such structures. Other stationary noise sources such as delivery trucks, heavy machinery, outdoor speakers, parking areas, and landscaping will likely also involve more modern and efficient systems. Nevertheless, operational noise impacts from the Program would be potentially significant. In addition to compliance with the City's Noise Ordinance, goals, policies, and actions in the Fullerton Plan, the General Plan 2012 FPEIR mitigation measures N-5 and N-6 regarding operational noise are presented here as COAs for the Proposed Program and listed below:

COA-N-5 Residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport shall be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL.

COA-N-6 The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

Application of COA-N-5 would ensure that noise-sensitive receptors within the 65 dB CNEL noise contour for the Fullerton Municipal Airport would not be subjected to interior noise levels greater than or equal to 45 dB CNEL due to aircraft noise. Application of COA-N-6 would ensure that stationary operational noise would comply with the City's General Plan and Noise Ordinance policies and thresholds. Therefore, impacts due to stationary operational noise would be considered **less than significant**.

Traffic Noise

Under the Program, the placement of housing, jobs and amenities in closer proximity to each other and design strategies focused on the pedestrian and a variety of multimodal options will make walking and other forms of active transportation a desirable alternative to driving. The HIOZ Program Area would be served by existing roadway, transit, and pedestrian facilities. New developments would not add new roadways to the network. Based upon the fundamentals of acoustics, a doubling (i.e., a 100 percent increase) of traffic volumes would be needed to result in a 3-dB increase in noise levels, which is the level corresponding to an audible change to the typical human listener. As noted in the Fullerton Plan, traffic noise is already the dominant noise source within the City due to the robust roadway network. New developments would not be expected to double the traffic volume, which means that there would not be an audible difference in the traffic noise level to the typical human listener. Therefore, with adherence to and implementation of The Fullerton Plan goals, policies, and actions, Program-level traffic noise impacts would be **less than significant**.

NOI-2. Would the Program result in generation of excessive groundborne vibration or groundborne noise levels?

Construction Vibration

The 2012 General Plan FPEIR concluded that construction of future development allowed under the 2012 General Plan, including the Program, could generate vibration levels that exceed the FTA's vibration impact threshold of 85 VdB for human annoyance for sensitive uses that are located at or within 25 feet of potential project construction sites and would therefore be potentially significant. Adherence to mitigation from the General Plan FPEIR would therefore be required in order to reduce generation and/or exposure of persons or structures to ground-borne vibration impacts to less than significant levels. In addition to compliance with the City's Noise Ordinance, goals, policies, and actions in the Fullerton Plan, the General Plan 2012 FPEIR mitigation measures N-3 and N-4 regarding short-term construction vibration are presented here as conditions of approval (COAs) for the Program and listed below:

COA-N-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.

COA-N-4 The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels:

- Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers).
- The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.

Application of COA-N-3 and COA-N-4 would ensure that construction activity vibration would comply with the City's General Plan and Municipal Code policies and thresholds. Therefore, impacts due to construction vibration would be considered **less than significant**.

Operational Vibration

Vibration generation associated with commercial facilities is typically only associated with very large/heavy equipment that includes a rotating component or impact function. Commercial operations envisioned within the HIOZ would be expected to generate limited levels of ground vibration, which are unlikely to be perceptible beyond the property line of the facility. Therefore, vibration from future commercial operations developed under the HIOZ would be **less than significant**.

4.7.5 Conditions of Approval and Mitigation Measures

Implementation of the following conditions of approval would ensure that noise and vibration impacts remain less than significant. As such, no mitigation is required.

COA-N-1 Project applicants shall ensure through contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- 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 30 minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.
- 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).

COA-N-2 Project applicants 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.

COA-N-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.

COA-N-4 The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels:

- Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers).
- The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.

COA-N-5 Residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport shall be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL.

COA-N-6 The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

4.7.6 Significance Conclusion

Threshold NOI-1. The Project would have **a less-than-significant impact with mitigation incorporated** related to construction noise. The Project would have **a less-than-significant impact with mitigation incorporated** related to operational noise. The Project would have **a less-than-significant impact** related to offsite traffic noise.

Threshold NOI-2. The Project would have **a less-than-significant impact with mitigation incorporated** related to generation of excessive groundborne vibration or groundborne noise levels related to construction. The Project would have **a less-than-significant impact** with related to generation of excessive groundborne vibration or groundborne noise levels related to operation of the Proposed Program.

4.7.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively

considerable" (and thus significant in and of itself). The cumulative study area used to assess potential cumulative recreational impacts includes the Project area. Specifically, the cumulative analysis considers the City of Fullerton and proximate municipalities for the Project area.

Threshold NOI-1. The proposed Project and related development projects within or adjoining its area would all be subject to applicable noise standards, depending upon the local jurisdiction—the City of Fullerton, for which applicable standards have been summarized in Section 4.7.2. On this basis, and because noise impacts with respect to relevant standards are predicted to be less than significant with mitigation incorporated, the proposed Project would not contribute to cumulative exceedances of noise standards.

Temporary/Periodic Increases in Ambient Noise Levels. The proposed Project would result in temporary noise increases during construction of future developments arising from its implementation, as discussed under Threshold NOI-I in Section 4.7.4. The construction period of future developments under the proposed Project has the potential to overlap with the construction of other projects in the City and proximate municipalities. Due to the decrease in noise levels with distance and the presence of physical barriers (i.e., intervening buildings and topography), noise due to construction of other projects would not meaningfully combine with future development under the proposed Project to produce a cumulative noise effect during construction. By way of illustration, if there are two concurrent construction projects of comparable sound emission intensity, and the activity nearest to the studied noise-sensitive receptor is compliant with the City's applicable noise threshold, the other activity could be no closer than three times the distance of the receptor to the nearest activity and not make a cumulatively measurable contribution to the total and still City-compliant noise exposure level. If two concurrent projects were close to a receptor, the cumulative noise would be one of the following:

- the louder (in dBA) of the two concurrent activities; or,
- a logarithmic sum of the two activity noise levels that, per acoustic principles, cannot be more than 3 dBA greater than the louder of the two individual noise-producing activities.

In sum, cumulative construction noise is likely to be dominated by the closest or loudest activity to the receptor, and the combination will be no more than a barely perceptible difference (i.e., up to a 3 dBA change).

Hence, for the above reasons, cumulative impacts due to cumulative construction noise could be considered significant under certain conditions of multiple project proximity to a common noise-sensitive receiving land use. Mitigation of such cumulative construction noise impact would require each individual project to comply with the City's construction noise standard and involve measures as appearing in COA N-1 and COA N-2. Therefore, cumulative construction noise is considered **significant and unavoidable**.

Permanent Increase in Ambient Noise Levels/Stationary Sources. Long-term operational noise would result from operation of future development facilitated by the proposed Project, such as permanent on-site noise sources (e.g., HVAC equipment), as addressed under Threshold NOI-1. A cumulative impact could result if noise produced resulting from implementation of the proposed Project were to combine with noise produced from the operation of other related projects in the vicinity to create a cumulatively significant permanent increase in ambient noise levels. The operation of future projects implemented under the proposed Project, along with the operation of other related projects, would be subject to applicable requirements from the City's noise ordinance or similar regulations from neighboring municipalities, which would also limit the exterior noise levels at noise-sensitive land uses. However, despite compliance with these noise regulations that are based on fixed standards (or are adjusted upwards to match the pre-existing outdoor ambient sound level if measured to be higher), there is a potential risk of creating a durable increase

in outdoor ambient sound due to the combination of concurrent stationary noise sources in proximity to a common noise-sensitive receptor.

As discussed in the preceding paragraphs with respect to temporary increases in the outdoor ambient sound level due to concurrent construction noise, the combination of two potential nearby operating facilities would generate one of the following outcomes in the absence of a dominant traffic-related acoustical contribution:

- the louder (in dBA) of the two concurrent operating facilities; or,
- a logarithmic sum of the two aggregate stationary source noise levels that, per acoustic principles, cannot be more than 3 dBA greater than the louder of the two individual noise-emitting facilities.

In sum, cumulative stationary operation noise is likely to be dominated by the closest or loudest facility to the receptor, and the combination will be no more than a barely perceptible difference (i.e., up to a 3 dBA change). However, mitigation of such cumulative operational noise impacts would require each individual project to comply with the City's construction noise standard and involve measures as appearing in COA N-5 and COA N-6. Therefore, cumulative impacts to outdoor ambient noise levels resulting from proposed Project stationary sources combining with another unrelated project could result in a **cumulatively considerable** change greater than 3 dBA.

Permanent Increase in Ambient Noise Levels/Off-Site Traffic Noise. Future residential development facilitated by the proposed Project along with other related projects would generate off-site traffic noise, as addressed under Threshold NOI-1. A cumulative impact could result if noise produced from implementation of the proposed Project were to combine with noise produced from the "with project" traffic of other related projects in the vicinity to create a cumulatively significant permanent increase in ambient noise levels. The operation of future projects implemented under the proposed Project, along with the operation of other related projects, would be subject to applicable requirements from the City's noise ordinance or similar regulations from neighboring municipalities, which would also limit the exterior noise levels at noise-sensitive land uses. However, despite compliance with these noise regulations that are based on fixed standards, there is a potential risk of creating a durable increase in outdoor ambient sound due to the combination of concurrent traffic noise sources in proximity to a common noise-sensitive receptor.

Similar to the discussion in previous paragraphs, a doubling of traffic volumes is necessary to achieve a change of 3 dBA. Cumulative traffic noise is likely to be dominated by the closest or loudest roadway to the receptor, and the combination will be no more than a barely perceptible difference (i.e., up to a 3 dBA change). However, mitigation of such cumulative traffic noise impacts would require each individual project to comply with the City's traffic noise standards. Therefore, cumulative impacts to outdoor ambient noise levels resulting from proposed Project traffic noise sources combining with another unrelated project could result in a **cumulatively considerable** change greater than 3 dBA.

Threshold NOI-2. Construction-related vibration from future development under the proposed Project was addressed under Threshold 4.13-2. Other foreseeable projects within the vicinity of the proposed Project area would not be close enough to create a combined excessive generation of groundborne vibration. Like airborne sound, and as previously discussed, groundborne vibration attenuates rapidly with increasing distance from the source. Thus, cumulative impacts associated with excessive groundborne vibration would be less than significant. No mitigation is required.

4.7.8 References Cited

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4.8 Population and Housing

This section describes the existing population and housing conditions of the Planning Area and regional vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.8.1 Existing Conditions

As described in Chapter 3, Project Description, of this Draft PEIR, the Program is proposed within the City of Fullerton (City), a city located in north Orange County, California, as shown in Figure 3-1, Regional Location. The proposed Program would apply to select parcels across the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map.

The following discussion details the existing environmental conditions related to population and housing, focusing on the regional and local existing population, housing, and employment numbers, the existing jobs-housing balance, the City's General Plan buildout projections, regional projections based on SCAG's Connect SoCal, and projected jobs-housing balance.

Regional Overview

Existing Population, Housing, and Employment and Projections

The Southern California Association of Governments (SCAG) is the nation's largest metropolitan planning organization, representing six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura), 191 cities, and approximately 19 million residents. SCAG completes a comprehensive update of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) every four years to update the regional growth forecast, integrate new projects and programs funded by the six county transportation commissions, to confirm alignment with federal and state performance standards and environmental requirements, and to review and refine regional strategies to address gaps in achieving the region's vision for greater mobility, sustainability, and economic prosperity. The RTP/SCS is a "living" document that can be amended and refined in between the four-year cycles, as necessary, to address regionally significant changes in transportation programs and funding. At the time of the issuance of the NOP, the applicable regional growth forecasts were included in SCAG's 2020–2045 RTP/SCS, known as Connect SoCal (SCAG 2020).

A combination of forecasts for population, households, and employment within the SCAG region and Orange County (County), is included in SCAG's Demographics and Growth Forecast Technical Report (SCAG 2020b) and is presented below in Table 4.8-1.

Table 4.8-1. SCAG Regional Population, Households, and Employment Forecasts

	2020	2030	2045	Total Change from 2020 to 2045	Percent Change from 2020 to 2045
SCAG Region					
Population	19,518,000	20,821,000	22,504,000	**+2,986,000**	**+15.3%**
Households	6,333,000	6,903,000	7,633,000	**+1,300,000**	**+20.5%**

Table 4.8-1. SCAG Regional Population, Households, and Employment Forecasts

	2020	2030	2045	Total Change from 2020 to 2045	Percent Change from 2020 to 2045
Employment	8,695,000	9,304,000	10,049,000	**+1,354,000**	**+15.6%**
Orange County					
Population	3,268,000	3,441,000	3,535,000	**+267,000**	**+8.17%**
Households	1,065,000	1,104,000	1,154,000	**+89,000**	**+8.36%**
Employment	1,774,000	1,886,000	1,980,000	**+206,000**	**+11.61%**

Source: SCAG 2020b

According to the Connect SoCal, on a national level, population growth has slowed. However, while growth rates are at a historic low; an increase to the total population is expected. In the SCAG region, a 0.6% annual growth rate corresponds to about 114,000 new residents annually, nearly 3 million new residents between 2020 and 2045. For the County, a total population increase of 8.17% is anticipated between 2020 and 2045 (SCAG 2020b).

Planned Growth

As detailed further below in Section 4.8.2, Relevant Plans, Policies, and Ordinances, the SCAG region is currently within the 6th Regional Housing Needs Allocation (RHNA) Cycle, which spans from October 2021 to October 2029. RHNA is mandated by the State Housing Law as part of a periodic process of updating local housing elements in city and county general plans. RHNA is produced by SCAG and contains a forecast of housing needs within each jurisdiction within the SCAG region for a period of eight years. The RHNA provides an allocation of the existing and future housing needs by jurisdiction that represents the jurisdiction's fair share allocation of the projected regional population growth. The future housing needs allocations are broken down by income level so that each jurisdiction is responsible for the development of affordable housing units to meet future housing needs. The 6th RHNA Cycle is in effect at the time of preparing this Draft PEIR.

The allocation is based on a methodology developed by SCAG to distribute existing and projected housing need, including anticipated vacancies and projected household growth, for each jurisdiction. The regional existing need for additional housing units was determined to be 836,857 units, and the regional projected need is 504,970 units (SCAG 2021; SCAG 2020c). The California Department of Housing and Community Development's (HCD's) regional determination of 1,341,827 exceeds SCAG's 2020–2045 household growth forecast of 1,297,000 by 3.68% (SCAG 2020c). SCAG's 6th Cycle RHNA allocation to local jurisdictions based on the Regional Council-approved Final RHNA Methodology described above includes the allocations shown in Table 4.8-2.

Table 4.8-2. SCAG's 6th Cycle Final RHNA Allocation

Total	Very-Low Income	Low Income	Moderate Income	Above Moderate Income
SCAG Region				
1,341,827	351,796	206,807	223,957	559,267
Orange County				
183,861	46,416	29,242	32,546	75,657
City of Fullerton				
13,209	3,198	1,989	2,271	5,751

Source: SCAG 2021

Local Overview

Given the Citywide nature of the Program, the following discussion is focused on the City's General Plan in addition to the existing conditions of the Planning Area.

Citywide Population

Table 4.8-3 presents historic data, estimates, and projections for population growth in the City and the County between 2016 and 2045 based on data from the U.S. Census Bureau (2020 and 2022 Census data estimates), as well as California Department of Finance (DOF) and SCAG's Connect SoCal estimates.

Table 4.8-3. City and County Population Estimates and Projections 2016–2045

Year	City of Fullerton Total Residents	Orange County Total Residents
2016 [a]	141,900	3,180,000
2020 [b]	143,617	3,186,989
2022 [b]	140,541	3,186,979
2023 [c]	142,873	3,137,164
2030 [a]	—	3,441,000
2035 [a]	—	3,499,000
2045 [a]	158,300	3,535,000
Forecasted Change from 2016 to 2045	**+16,400**	**+355,000**
Total Percentage Change from 2016 to 2045	**+11.6%**	**+11.2%**
Average Annual Percentage Change from 2016 to 2045	**+0.40%**	**+0.38%**

Note: The U.S. Census Bureau and SCAG have not projected the City's population for the years 2030 and 2035. The DOF's 2023 data represents the most-recently available population estimates at the time of preparing this Draft PEIR.
Sources:
[a] SCAG 2020b (Tables 13 and 14)
[b] Census 2023
[c] DOF 2023

According to SCAG and as shown in Table 4.8-3, the City's projected total and average annual percentage of population growth is anticipated to be higher than the County's population growth rate when compared over the same time period. According to Table 4.8-3, a total of 16,400 new residents are anticipated to move to the City between 2016 and 2045. When comparing to the U.S. Census Bureau 2022 American Community Survey estimates, the City's population declined since 2020 to a total of 140,541 in 2022 (an approximate 2.16% decline). However, as shown above, the City's population appears to have rebounded in 2023 according to the DOF.

Citywide Housing

Table 4.8-4 presents historic data, estimates, and projections in the City's and the County's housing stock between 2016 and 2045 based on estimates from the DOF 2023 and SCAG's Connect SoCal.

Table 4.8-4. City and County Housing Estimates and Forecasts 2016–2045

Year	City of Fullerton Total Housing Units	Orange County Total Housing Units
2016 [a]	46,400	1,025,000
2020 [b]	—	1,146,436
2023 [c]	50,620	1,149,943
2030 [a]	—	1,104,000
2035 [a]	—	1,125,000
2045 [a]	52,900	1,154,000
Forecasted Change from 2016 to 2045	**+6,500**	**+129,000**
Total Percentage Change from 2016 to 2045	**+14.0%**	**+12.59%**
Average Annual Percentage Change from 2016 to 2045	**+0.48%**	**+0.43%**

Note: The Census has not released the total number of housing units for the City in 2020. In addition, SCAG's Connect SoCal did not project the City's housing stock for the years 2030 and 2035. The DOF's 2023 data represents the most-recently available housing estimates at the time of preparing this Draft PEIR.

Sources:

[a] SCAG 2020b
[b] Census 2023
[c] DOF 2023

According to SCAG and as shown in Table 4.8-4, the City's projected total and average annual rate of housing growth is estimated to be higher than the County's housing growth rate when compared over the same time period (2016 to 2045).

Citywide Employment

Table 4.8-5 presents historic data, estimates, and forecasts of employment in the City and the County between 2016 and 2045 based SCAG's Connect SoCal and the State Employment Development Department (EDD).

Table 4.8-5. City and County Employment Estimates and Forecasts 2016–2045

Year	City of Fullerton Total Employment	Orange County Total Employment
2016 [a]	63,200	1,710,000
2023 [b]	67,800	1,551,300
2030 [a]	—	1,886,000
2035 [a]	—	1,928,000
2045 [a]	85,400	1,980,000
Forecasted Change from 2016 to 2045	**+22,200**	**+270,000**
Total Percentage Change from 2016 to 2045	**+35.1%**	**+15.8%**
Average Annual Percentage Change from 2016 to 2045	**+1.21%**	**+0.54%**

Note: SCAG has not provided employment forecasts for City for the years 2030 and 2035. The DOF's 2023 data represents the most-recently available employment estimates at the time of preparing this Draft PEIR.

Sources:

[a] SCAG 2020b
[b] EDD 2023

According to the EDD, there are a total of 67,8000 jobs under existing conditions with an unemployment rate of 3.9% (EDD 2023). As shown in Table 4.8-5, the City's projected total and average annual rate of employment growth is higher than the County's employment growth rate when compared over the same time period (2016 to 2045).

Existing Jobs-Housing Balance

A jobs/housing balance is a ratio that indicates the number of available jobs in the City compared to the number of available housing units. The ratio is one potential indicator of a community's ability to reduce commuter traffic and overall vehicle miles traveled (VMT) by maintaining a balance between employment and housing in close proximity (e.g., within the City limits). A general measure of the balance of a community's employment opportunities with the needs of its residents is through a "jobs–housing balance" test. A balanced community would have a match between employment and housing opportunities so that most of the residents could also work in the community. SCAG defines a balanced community as an area extending about 14 miles around an employment center with a ratio of 1.0 to 1.29 jobs per household (SCAG 2001). Using the data presented in Tables 4.8-3 and 4.8-4, above, the City's housing stock is estimated to be 50,620 units compared to 67,800 jobs in 2023. As such, the City maintains a 1.33:1 jobs-to-housing ratio, which is considered to being a slightly jobs-rich community.[1] In addition, assuming a 2045 housing stock of 52,900 and a 2045 employment of 85,400 as estimated by SCAG, the City would continue to be considered a jobs-rich community with a 1.6:1 jobs-to-housing ratio.[2]

City of Fullerton General Plan

General Plan Buildout

The City's 2012 General Plan estimates buildout projections for the City based on anticipated changes to the City's Focus Areas, as further defined in Section 4.8.2, which are informed by DOF estimates and other growth assumptions (City of Fullerton 2012b). Table 4.8-6 demonstrates housing, population, and employment growth within the City from 2010 to the General Plan's buildout year of 2030.

Table 4.8-6. General Plan Buildout

Description	Baseline (2010)	Buildout (2030)	Growth
Residential Uses (Dwelling Units)	45,947	56,130	**+10,183**
Household Size (Persons per Household)	2.945	2.945	**N/A**
Population (Persons)	135,314	165,303	**+29,989**
Non-Residential Development (Square Feet)	45,641,015	56,307,474	**+10,666,459**
Employment (Jobs)	59,851	83,883	**+24,032**

Source: City of Fullerton 2012b
Note: This table is based on Table 3-6, The Fullerton Plan Growth Assumptions.

The General Plan identified Focus Areas of potential change within the City that is anticipated or planned to occur within the buildout projections. Table 4.8-7, below, represents the buildout of residential (including subsequent population change) and non-residential development within each Focus Area.

1 67800 divided by 50620 = 1.33
2 85400 divided by 52900 = 1.61

Table 4.8-7. Focus Areas Buildout

Focus Area	Residential				Non-Residential	
	Dwelling Units		Population		Square Feet	Growth
	Buildout	Growth	Persons	Growth		
A (Airport Industrial)	173	84	509	247	6,192,169	252,019
B (Commonwealth Corridor)	1,269	477	3,737	1,405	1,480,068	323,450
C (Orangethorpe Corridor Nodes)	1,068	719	3,145	2,117	1,894,966	832,689
D (Harbor Gateway)	4,306	2,549	12,681	7,507	3,317,166	1,438,580
E (Downtown)	2,140	926	6,302	2,727	3,303,735	223,114
F (Transportation Center)	1,562	1,560	4,600	4,594	783,402	320,000
G (North Harbor Corridor	337	240	992	707	2,411,298	870,906
H (North Industrial)	1,142	1,142	3,363	3,363	3,900,481	1,354,783
I (Chapman Corridor)	586	292	1,726	860	1,018,283	446,227
J (Education)	7,867	1,234	23,168	3,634	9,153,388	1,880,572
K (Southeast Industrial)	202	1	595	3	17,137,903	2,654,428
L (West Coyote Hills)	760	760	2,238	2,238	205,423	69,697
Total	**21,412**	**+10,183**	**63,058**	**+29,403**	**50,798,275**	**+10,666,459**

Source: City of Fullerton 2012b
Note: The table is a combination of General Plan PEIR Table 3-4, Projected Land Use Change – Focus Areas (Increase Over Existing Conditions), and Table 5.2-9, Forecast Population and Housing – Focus Area.

The Planning Area includes parcels within each of the Focus Areas, with the exception of Focus Area F, Transportation Center. A total of 628 out of 759 parcels are located within the General Plan Focus Areas. A majority of the parcels within Focus Areas are located within Focus Area B, Commonwealth Corridor, followed by Focus Areas C and I, Orangethorpe Corridor Nodes and Chapman Corridor, respectively. The remaining 131 parcels within the Planning Area are not located within Focus Areas.

Planning Area

Under existing conditions, the Planning Area contains a variety of land uses, as detailed in the HIOZ Site Inventory (Appendix B to this Draft PEIR), consisting of commercial (i.e., retail stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office uses as well as vacant land (e.g., parking lots). Moreover, the Planning Area is currently zoned for non-residential uses. However, approximately 121 parcels contain existing non-conforming residential land uses on site. The total number of existing units is unknown; however, it is estimated that approximately 176,441 square feet of building area is occupied by residential land uses. Given that the total number of dwelling units is not known at this time, an existing population cannot be estimated.

Table 4.8-8 details the Planning Area's estimated existing square feet of structures on site and anticipated employment per land use category. As shown, the Planning Area consists of existing structures totaling approximately 6,938,186 square feet (including 197,529 square feet of existing non-conforming residential structures). Utilizing employment generation factors from SCAG, it is anticipated that approximately 11,139 jobs are supported under existing conditions within the Planning Area.

Table 4.8-8. Planning Area Existing Employment

Existing Land Use	Number of Parcels [a]	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee) [b]	Anticipated Employees
Commercial Uses	486	4,637,709	Other Retail/ Services (623 SF/Employee)	7,444
Industrial Uses	99	2,118,566	Light Manufacturing (576 SF/Employee)	3,678
Office Uses	2	5,471	Low-Rise Office (324 SF/Employee)	17
Vacant Land	51	0	—	—
Non-Conforming Residential Uses	121	176,441	—	—
Total	**759**	**6,938,186**	—	**11,139**

Sources:
[a] Appendix B
[b] SCAG 2001
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each land use type; however, the estimates may not sum precisely due to rounding.

4.8.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal programs, policies, or regulations related to population or housing that are applicable to the Program.

State

Housing Element Law

Pursuant to Section 65580 of the Government Code, a Housing Element of a General Plan must contain local commitments to the following:

- Provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's RHNA for each income level. The RHNA is the only population and/or housing requirement that applies to the General Plan Update.
- Assist in the development of adequate housing to meet the needs of lower and moderate-income households.
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability.
- Preserve assisted housing developments for lower income households.

State law requires that jurisdictions provide their fair share of regional housing needs. HCD is mandated to determine the statewide housing need. The HCD, in cooperation with local governments and councils of governments, are charged with making a determination of the existing and projected housing need as a share of the statewide housing need of their city or region. The housing construction need is determined for four broad household income categories: very low (households making less than 50% of median family income), low (50% to 80% of median family income), moderate (80% to 120% of median family income), and above moderate (more than 120% of median family income). The intent of the future needs allocation by income groups is to relieve the undue concentration of very low and low-income households in a single jurisdiction and to help allocate resources in a fair and equitable manner.

The "fair share" allocation process begins with the DOF's projection of statewide housing demand for an eight-year period, which is then apportioned by the HCD among each of the state's official regions, which are represented by councils of government. A local jurisdiction's fair share of regional housing need is the number of additional dwelling units that will need to be constructed during a given eight-year planning period. Once a local government has received its final RHNA, it must revise its Housing Element to show how it plans to accommodate its portion of the region's housing need. See more discussion below.

Regional

Connect SoCal

SCAG is the Metropolitan Planning Organization for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. As the designated Metropolitan Planning Organization, SCAG is mandated to research and develop plans for transportation, growth management, hazardous waste management, and air quality. SCAG is responsible for planning efforts that result in the RTP and the Federal Transportation Improvement Program. SCAG also develops the SCS to reduce greenhouse gas emissions as required by the Sustainable Communities and Climate Protection Act (Senate Bill 375). The RTP is a long-range transportation plan that is developed and updated by SCAG every four years to guide transportation investments throughout the region. The SCS is a required element of the RTP that integrates land use and transportation strategies to achieve California Air Resources Board emissions reduction targets pursuant to Senate Bill 375.

The SCAG Regional Council adopted the Connect SoCal on September 3, 2020. Connect SoCal includes goals to increase mobility and enhance sustainability for the region's residents and visitors and encompasses three principles to improve the region's future: mobility, economy, and sustainability. In addition, Connect SoCal provides a regional investment framework to address the region's transportation and related challenges, while enhancing the existing transportation system and integrating land use into transportation planning. Connect SoCal recommends local jurisdictions accommodate future growth within existing urbanized areas, particularly near existing transit, to reduce VMT, congestion, and greenhouse gas emissions.

As part of Connect SoCal, SCAG develops population and housing forecasts for the SCAG region and for the jurisdictions that make up the SCAG region. SCAG is responsible for developing demographic projections; developing land use, housing, employment, transportation programs and strategies for South Coast Air Quality Management District; ensuring that the RTP and the Federal Transportation Improvement Program conform to the State Implementation Plans for transportation-related criteria pollutants, per the Clean Air Act; preparing the Regional Housing Needs Assessment, including planning for future population, housing, and employment growth throughout the SCAG region; and preparing the Southern California Hazardous Waste Management Plan. SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts

within the SCAG region. SCAG's demographic data is developed to enable the proper planning of infrastructure and facilities to adequately meet the needs of the anticipated growth.

The adopted Connect SoCal was made available for public review in March 2020 (SCAG 2020). On May 7, 2020, the Regional Council adopted Resolution No. 20-621-1 certifying the Connect SoCal and the associated Program Environmental Impact Report (PEIR) and approving Connect SoCal for federal conformity purposes only. On September 3, 2020, the SCAG Regional Council unanimously voted to approve Resolution No. 20-624-1 to: (1) adopt the Connect SoCal PEIR Addendum and Revised Mitigation Monitoring and Reporting Program; (2) approve Connect SoCal in its entirety; and (3) submit Connect SoCal to the California Air Resources Board for confirmation that the Plan meets greenhouse gas reduction targets.

According to SCAG, for the purpose of determining consistency with Connect SoCal under the California Environmental Quality Act (CEQA), lead agencies, such as the City, have the sole discretion in determining a local project's consistency; consistency should be evaluated using the goals and policies of Connect SoCal and its associated PEIR. Connect SoCal does not supersede or otherwise affect a local jurisdiction's authority or decisions on future development, including entitlements and development agreements. There is no obligation by a jurisdiction to change its land use policies, General Plan, or regulations to be consistent with Connect SoCal (SCAG 2020a).

For informational purposes, SCAG released the Connect SoCal 2024, also known as the 2024-2050 RTP/SCS, for public review and comment on November 2, 2023 (SCAG 2023). Given that the Connect SoCal 2024 is still in draft form, the 2020 Connect SoCal is used for the purposes of this Draft PEIR.

Regional Housing Needs Allocation

RHNA is mandated by the State Housing Law as part of a periodic process of updating local housing elements in city and county general plans. RHNA contains a forecast of housing needs within each jurisdiction within the SCAG region for eight-year periods. RHNA provides an allocation that represents the jurisdiction's fair share of the projected regional population growth. The future housing needs allocations are broken down by income level so that each jurisdiction is responsible for the development of affordable housing units to meet future housing needs.

SCAG is required to develop a final RHNA methodology to distribute existing and projected housing need for the 6th Cycle RHNA for each jurisdiction, which will cover the planning period October 2021 through October 2029. Several guiding principles that SCAG staff has developed to use as the basis for developing the distribution mechanism for the RHNA methodology, as detailed below.

1. The housing crisis is a result of housing building not keeping up with growth over the last several decades. The RHNA allocation for all jurisdictions is expected to be higher than the 5th RHNA cycle.
2. Each jurisdiction must receive a fair share of their regional housing need. This includes a fair share of planning for enough housing for all income levels, and consideration of factors that indicate areas that have high and low concentration of access to opportunity.
3. It is important to emphasize the linkage to other regional planning principles to develop more efficient land use patterns, reduce greenhouse gas emissions, and improve overall quality of life.

HCD provided SCAG a final regional determination of 1,341,827 units for the 6th Cycle RHNA on October 15, 2019. Following the formal distribution of draft RHNA allocations based on the Final RHNA methodology and a separate appeals phase described in Government Code 65584.05 et seq., RHNA allocations were adopted on March 4, 2021 by the SCAG Regional Council, and approved by HCD on March 22, 2021, and later modified on July 1, 2021. Based

on SCAG's determination of existing need and projected needs, which considers anticipated vacancies and projected household growth, the regional existing need for additional housing units has been determined to be 836,857 units, and the regional projected need is 504,970 units (SCAG 2020a). In total, HCD's regional determination of 1,341,827 exceeds SCAG's 2020–2045 household growth forecast of 1,297,000 by 3.68% (SCAG 2020b).

Local

The Fullerton Plan

The City's General Plan (or The Fullerton Plan), adopted in May 2012, provides goals and policies to achieve the vision for the City. The General Plan, in accordance with State law and the California's General Plan Guidelines, is organized in four parts: The Fullerton Built Environment, the Fullerton Economy, the Fullerton Community, and the Fullerton Natural Environment (City of Fullerton 2012a). State law requires that general plans address the several topics (or "Elements") of land use, circulation, housing, open space, conservation, safety, noise, and environmental justice, in accordance with California Government Code Section 65302. The Land Use Element or the Fullerton Built Environment provides growth projections for land use patterns within the City.

The City's General Plan identifies 12 Focus Areas that present opportunities where land use and design change can help fully implement the vision of The Fullerton Plan. The Focus Areas are designed to catalyze revitalization efforts along corridors; create more options for travel between Fullerton's major destinations and neighborhoods; guide the enhancement of unique assets; and support the function of business clusters such as medical facilities and industrial areas. For each Focus Area, the General Plan provides objectives to serve as a framework for further community-based planning efforts. (City of Fullerton 2012a). These focus areas were identified as opportunity areas because they generally possess some or all of the following characteristics: (1) Areas that are currently experiencing transition or anticipated transition in the near future, (2) Areas that exhibit special community resources (historic, educational, cultural, etc.), (3) Areas providing a variety of development options or market interest, and (4) Areas exhibiting potential for enhancement or reinvestment through public or private investment. Given the outlined criteria, the General Plan established the following: Focus Area A: Airport Industrial; Focus Area B: Commonwealth Corridor; Focus Area C: Orangethorpe Corridor Nodes; Focus Area D: Harbor Gateway; Focus Area E: Downtown; Focus Area F: Transportation Center; Focus Area G: North Harbor Corridor; Focus Area H: North Industrial; Focus Area I: Chapman Corridor; Focus Area J: Education; Focus Area K: Southeast Industrial; and Focus Area L: West Coyote Hills.

Additionally, the General Plan includes goals and policies for implementation. The following provides a summary of the most applicable goals and policies across applicable General Plan Elements that pertain to the Program (City of Fullerton 2012c):

Goal 1. Resilient and vital neighborhoods.

> Policy 1.3. Small Lot Housing. Amend the Zoning Ordinance to create a floating zone that allows the development of townhomes and single-family homes on small lots within the City's residential neighborhoods. Consider the use of form-based standards to ensure that buildings have a quality design and positive relationship to the public realm.

> Policy 1.4. Focus Area Implementation. Develop and implement community-based master plans, specific plans, form-based codes, or other plans and programs to achieve the objectives for each Focus Area.

Policy 1.5. Accessory Unit Plans. Prepare off-the-shelf plans and construction documents for prototypical accessory units that could be built on a variety of single-family residential properties throughout the City.

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

Housing Element Update

Pursuant to State law, the Housing Element must be updated periodically according to statutory deadlines. The most current Housing Element Update (HEU) covers the planning period of October 15, 2021 to October 15, 2029. The HEU represents the City's effort in fulfilling the requirements under State Housing Element law. The California State Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's major housing goal. Recognizing the important role of local planning and housing programs in the pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of the comprehensive General Plan.

The City's Housing Element was updated in conformance with the 2021-2029 cycle (6th Cycle) as a jurisdiction within the SCAG region. The HEU builds upon the other General Plan elements and is consistent with the policies set forth by the General Plan, as amended. The Housing Incentive Overlay Zone is identified as an implementation program in the 2021 Draft HEU (City of Fullerton 2021).

HCD is required to prepare the RHNA for each council of governments in the State that identifies projected residential dwelling units needed for all economic segments based on DOF population estimates. Each local government must demonstrate that it has planned to accommodate all of its regional housing need allocation in its Housing Element. The City has been allocated 13,209 units, including the following income breakdown: 3,198 very-low income, 1,989 low income, 2,271 moderate income, and 5,751 above-moderate income housing units (SCAG 2021).

The following provides a summary of the most applicable goals and policies across applicable General Plan Elements that pertain to the Program (City of Fullerton 2021):

Policy Action Area #1. Housing Production.

Policy Action 1.1: Provision of Adequate Sites for Housing Development. Fullerton's assigned housing need for the 2021-2029 period is 13,209 units, compared to 1,841 units in the prior planning period. The City's existing land use plans and regulations do not identify sufficient sites with appropriate zoning to accommodate the City's assigned share of regional housing need for the 6th planning period. To address the shortfall of sites, the City has identified the following major strategies:

- **Housing Incentive Opportunity Zone (HIOZ)** – The HIOZ is an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units.
- **Religious Institution Properties** – An amendment to the Fullerton Municipal Code pertaining to development standards and review procedures to allow properties containing religious institutions to also be developed with permanent supportive housing and/or deed restricted affordable housing.

4.8.3 Thresholds of Significance

The significance criteria used to evaluate the Program's impacts to population and housing are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to population and housing would occur if a project would:

1. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to the displacement of a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. As such, the following threshold is evaluated within this section for the proposed Program:

POP-1. Would the Program induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

4.8.4 Impacts Analysis

POP-1. Would the Program induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

As described in Chapter 3, Project Description, of this Draft PEIR, the proposed Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a percentage of deed-restricted affordable housing units. The Program would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone.

Program Buildout

Table 4.8-9 outlines the Program's potential buildout across applicable underlying zoning designations. As shown, implementation of the Program could theoretically result in a potential buildout yielding a change in population and residential units across the City. Although it is estimated that the Planning Area contains existing residential structures on certain parcels, the Program-related growth does not account for these structures in the assumptions due to the structures' non-conforming status. Therefore, given that the Program would apply to non-residential underlying zoning designations, the Program-related growth would be the same as the Program-related buildout.

Table 4.8-9. Program-Related Housing Projections

Underlying Zoning Designations	Total Acreage per Zone	Total Existing Square Feet (SF) to be Demolished	Total Housing-related Growth (du)	Persons per Household	Planned Growth (persons)
C-G (Commercial Greenbelt)	3.62	44,208	217	2.91	631
C-M (Commercial, Manufacturing)	9.04	121,304	542	2.91	1,577
G-C (General Commercial)	290.39	3,215,463	17,423	2.91	50,701
O-P (Office Professional)	53.65	599,940	3,218	2.91	9,364
M-G (Manufacturing, General)	107.01	1,283,046	6,420	2.91	18,682
M-P (Manufacturing Park) (100,000 square-foot minimum lot size)	65.58	890,755	3,934	2.91	11,448
M-P (Manufacturing Park) (200,000 square-foot minimum lot size)	64.24	783,467	3,854	2.91	11,215
Total	**593.52**	**(6,938,186)**	**+35,611**	2.91	**+103,628**

Source: Appendix A; City of Fullerton 2021
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding. Based on data collected for the 2021 HEU, the City's average household size is estimated at 2.91 persons per household (City of Fullerton 2021).

Table 4.8-9 illustrates that the Program would result in an additional 35,611 new residential units and 103,628 new residents within the City by the year 2029. Additionally, the Program would facilitate the development of on-site commercial uses for each future development project. As such, Table 4.8-10, below, details the projected employment per land use type.

Table 4.8-10. Program-Related Employment Projections

Land Use Type	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee) [b]	Employees Generated
Existing Land Uses			
Commercial Uses	4,637,709	Other Retail/ Services (623 SF/Employee)	7,444
Industrial Uses	2,118,566	Light Manufacturing (576 SF/Employee)	3,678
Office Uses	5,471	Low-Rise Office (324 SF/Employee)	17
Vacant Land	0	—	—
Non-Conforming Residential Uses	176,441	—	—
Total Existing Employees	**6,938,186**	—	**11,139**

Table 4.8-10. Program-Related Employment Projections

Land Use Type	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee) [b]	Employees Generated
Proposed Land Uses (New)			
Commercial	**+3,102,449**	Other Retail/ Services (623 SF/Employee)	4,979
		Total Proposed Employment Growth	**+4,979**
		Net Total Employment	*-6,160*

Sources:
[a] Appendix B
[b] SCAG 2001
Note: The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding.

Implementation of the Program would result in approximately 3,102,449 square feet of new on-site commercial uses, which is anticipated to generate approximately 4,979 new employees. Therefore, with a reduction of 6,938,186 square feet of non-residential structures, or a potential loss of 11,139 employees, the Program would result in a net decrease of approximately 6,160 employees across the Planning Area.

Focus Area Comparison

The City's General Plan identifies 12 Focus Areas that present opportunities where land use and design change can help fully implement the General Plan (City of Fullerton 2012a). Section 4.8.1, Existing Conditions, above, notes that the Planning Area includes parcels within each of the Focus Areas, with the exception of Focus Area F, Transportation Center. A total of 628 parcels (82.7%), as well as 80.7% of the Planning Area's total acreage, are located within the General Plan Focus Areas.[3,4] As such, for the purposes of this environmental analysis, an estimated maximum density of 60 dwelling units per acre (du/ac) was applied to the Planning Area's parcels to determine the Program-related growth. This assumption is based on the most commonly used maximum density for four of the eight Focus Areas (see more discussion in Chapter 3, Project Description, of this Draft PEIR).

As detailed above, a majority of the Planning Area parcels are located within Focus Area B, Commonwealth Corridor, followed by Focus Area C, Orangethorpe Corridor Nodes, and Focus Area I, Chapman Corridor. However, when considering the Program-related growth with the anticipated growth per Focus Area as shown in Table 4.8-7, these three areas are not identified as the areas with the greatest potential for growth within the General Plan. Instead, Focus Area D (Harbor Gateway), Focus Area F (Transportation Center), and Focus Area J (Education) are projected to have greater portions of housing growth.

Therefore, although the Draft PEIR assumed an appropriate equivalent of anticipated density, the Program would facilitate future development beyond the areas with the greatest potential for housing growth. Therefore, it is anticipated that the Program would result in unplanned population growth.

[3] 628 parcels within Focus Areas divided by 759 total parcels = 0.827 or 82.7%
[4] 479.39 acres within Focus Areas divided by 593 acres in Planning Area = 0.807 or 80.7%

General Plan Comparison

The following analysis compares the Program-related growth to existing conditions and General Plan projections for the City.

Table 4.8-11. General Plan Buildout and Growth Comparisons

Category	Existing Conditions (2023)	Program-Related Growth (2029)	General Plan (Planned)		Program-Related Growth + Existing Conditions (2029)	Existing Conditions as % of Planned Buildout	Program-Related Buildout as % of Planned Buildout
			General Plan Buildout (2030)	General Plan Growth (2030 – 2010)			
Population	142,873	**+103,619**	165,303	**+29,989**	246,501	86%	63%
Housing (DU)	50,620	**+35,611**	56,130	**+10,183**	86,231	90%	63%
Employment	67,800	**(6,160)**	83,883	**+24,032**	61,640	81%	(7%)

Sources: Table 4.8-3, Table 4.8-4, Table 4.8-5, and Table 4.8-6; Appendix A
Note: DU = dwelling unit. (Number) = Negative number

As shown in Table 4.8-11, the Program-related growth would exceed growth projections when compared to the City's General Plan buildout. Moreover, the Program's implementation would represent an exceedance of projections approximately one year ahead of the General Plan's buildout. Additionally, the Program-related buildout would represent over half of the General Plan buildout for 2030 (with the exception of employment projections) whereas the General Plan is approaching buildout projections under existing conditions without the proposed Program. As such, based on the analysis provided in Table 4.8-11, the Program would result in substantial unplanned population growth on a local scale.

Connect SoCal Comparison

The following analysis compares the Program-related growth to existing conditions and SCAG's Connect SoCal projections for the County.

Table 4.8-12. Connect SoCal Buildout and Growth Comparisons

Category	Existing Conditions (2023)	Program-Related Growth (2029)	Connect SoCal (Planned)		Program-Related Growth + Existing Conditions (2029)	Existing Conditions as % of Planned Buildout	Program-Related Buildout as % of Planned Buildout
			Orange County Buildout (2045)	Orange County Growth (2045 – 2016)			
Population	3,137,164	**+103,619**	3,535,000	**+355,000**	3,240,783	88.7%	2.9%
Housing (DU)	1,149,943	**+35,611**	1,154,000	**+129,000**	1,185,554	99.6%	3.1%
Employment	1,551,300	**(6,160)**	1,980,000	**+270,000**	1,557,460	78.3%	(0.3%)

Source: Table 4.8-3, Table 4.8-4, Table 4.8-5, and Table 4.8-6; Appendix A
Notes: DU = dwelling unit. (Number) = Negative number

As shown in Table 4.8-12, the Program-related growth would be within growth projections when compared to SCAG's Connect SoCal's buildout for the County. The County's existing conditions are approaching growth

projections assumed for Connect SoCal without the proposed Program. However, the Program's buildout would represent a small portion of the County's buildout according to SCAG. Therefore, the Program-related buildout would not represent substantial population growth on a regional scale.

Jobs-Housing Balance

Implementation of the proposed Program would result in 35,611 additional housing units in the City. Table 4.8-11 estimates the City's housing stock would total approximately 86,231 units upon the Program's buildout. In addition, the Program would likely result in a net loss of approximately 6,160 jobs; thus, the City is estimated to result 61,640 jobs by the Program's buildout. As such, the jobs-housing ratio as a result of the Program would be 0.71:1 and considered a housing-rich community.[5] SCAG defines a balanced community with a ratio of 1.0 to 1.29 jobs per household. The Program would reduce the City's existing 1.33:1 ratio (slightly jobs-rich community) to be an imbalanced housing-rich community. Therefore, the Program would facilitate substantial unplanned population growth locally within the City.

Regionally, Table 4.8-12 estimates the County's housing stock would be approximately 1,185,554 housing units as a result of the proposed Program. The County's estimated employment would result in approximately 1,557,460 jobs upon implementation of the Program. As such, the County's jobs-housing ratio would reduce from 1.34:1 to 1.31:1.[6] Therefore, the Program would facilitate positive environmental effects by creating a balance between employment and housing in close proximity within the County.

RHNA Considerations

As detailed above, State Housing Element law mandates the planning for housing need within each jurisdiction. As such, RHNA provides an allocation of the existing and future housing needs by jurisdiction, which represents the jurisdiction's fair share allocation of the projected regional population growth. Based on SCAG's RHNA methodology and HCD's regional determination, a total of 1,341,827 units are required to be planned for between 2021 and 2029 in the SCAG region. HCD's regional determination exceeds SCAG's 2020–2045 household growth forecast of 1,297,000 by 3.68% (SCAG 2020b). While RHNA is statutorily exempt from CEQA (per CEQA Guidelines section 15283, Public Resources Code section 21803, and Government Code section 65584), implementation of RHNA through the Housing Element, as demonstrated throughout this Draft PEIR, is not exempt from CEQA.

One of the Program's objectives, as detailed in Chapter 3 of this Draft PEIR, is to incorporate land use and zoning changes to increase residential capacity within the City to meet RHNA goals, including affordable housing. Consistent with HEU Policy Action 1.1, the City has identified the proposed Program as a major strategy to achieve regional housing goals. The City's total allocation is 13,209 units, compared to 1,841 units in the prior planning period (5th Cycle). The HEU determined that the City's existing land use plans and regulations do not identify sufficient sites with appropriate zoning to accommodate the City's assigned share of regional housing need for the 6th RHNA Cycle. As such, the Program's anticipated growth and buildout would achieve the zoned capacity necessary for RHNA.

However, the Program would result in an additional 35,611 new residential units, which represents 22,402 more units beyond the minimum necessary regional housing goals. This is due to the 60 du/ac maximum density applied to the Planning Area, which was determined based on an analysis of the General Plan's

5 61,640 divided by 86,231 = 0.714
6 1,557,460 divided by 1,185,554 = 1.313

Focus Areas as well as the appropriate equivalent to the City's existing R-5 zone and High Density Residential General Plan land use designation (see Section 3.5.1, Methodology, for more information).

Conclusion

As discussed above, the Program would result in unplanned population growth. Unplanned growth is growth that is not anticipated under local or regional planning documents, such as Connect SoCal or the City's General Plan. Implications of this unplanned growth affect other local and regional plans that rely on SCAG and City projections, such as the region's Air Quality Management Plan (AQMP) and the City's Urban Water Management Plan (UWMP) (see Sections 4.1, Air Quality, and 4.13, Utilities and Service Systems, of this Draft PEIR for more discussion).

Unplanned population growth is most difficult to address when it occurs unexpectedly and over a relatively short period. Given the statutory requirements under State Housing Element law, implementation of the Program is anticipated to occur through the 6th RHNA Cycle ending in October 2029; therefore, the impacts associated with the unplanned growth would be short-term. Regional planning efforts such as SCAG's Connect SoCal are required by law to be updated every four years (e.g., the draft Connect SoCal 2024 is out for public review and has yet to be adopted). As such, it is anticipated that SCAG's projections would be corrected with more accurate and up-to-date information on future conditions, such as State-mandated housing goals, upon the adoption of the Connect SoCal 2024. The AQMP and UWMP are examples of other planning documents that are revised periodically and are anticipated to be updated after the Program's 2029 buildout year. As such, impacts related to the Program's unplanned population growth would be moderated as updated projections are systematically incorporated into regional planning documents applicable to the Planning Area (e.g., Connect SoCal, AQMP, UWMP, etc.).

Nevertheless, the Program would result in substantial unplanned population growth. Specifically, the Program would induce substantial unplanned population growth within the Planning Area as a result of proposed zoning changes to facilitate residential development, which would exceed General Plan growth projections for specified parcels through 2029. Even though the Program's growth would not exceed County-wide projections for population and housing, the Program's growth is unplanned and cannot be assumed to be accommodated through decreased growth elsewhere in the County, as mandated under State Housing Element law. Further, even though the unplanned growth would be a short-term exceedance that could be remedied at the time that the regional plans (e.g., RTP/SCS, UWMP, AQMP) would undergo mandatory updates/revisions, the unplanned growth would still be considered substantial in the short-term.

There are no feasible mitigation measures to reduce the impacts associated with population growth to a less than significant level. Therefore, the Program would have a **significant and unavoidable** impact related to inducing substantial unplanned population growth in the Planning Area.

4.8.5 Mitigation Measures

No feasible mitigation measures pertaining to impacts associated with substantial unplanned population growth are available to mitigate impacts of the Housing Incentive Overlay Zone Program.

4.8.6 Significance Conclusion

POP-1. Potential impacts related to substantial unplanned population growth would be **significant and unavoidable** and, as discussed below, cumulatively considerable.

4.8.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project has any contribution to the cumulative impact, and if so, whether the project's incremental effect is "cumulatively considerable." The cumulative study area used to assess potential cumulative impacts related to population and housing includes the entirety of Orange County and considers the future buildout of applicable local and regional plans.

POP-1. The proposed Program would facilitate population growth as a result of proposed zoning changes to allow for approximately 35,611 new residential units within the Planning Area. As discussed in Chapter 3 of this Draft PEIR, the City is required to accommodate RHNA through zoning and other land use changes, which would facilitate additional housing development and population growth throughout the City. Furthermore, all Orange County jurisdictions (including the unincorporated County communities and incorporated cities) are required to update their housing elements every eight years in accordance with State Housing Element law. The Program is identified in the City's HEU and has a horizon year of 2029; thus, the Program would serve the current 6th Cycle RHNA. The combined effect of this anticipated housing growth, which is likely to result in substantial unplanned population growth, represents a significant cumulative impact.

As discussed in Section 4.8.4, Impact Analysis, under POP-1, the Program would result in substantial unplanned population growth. Although the Program would result in a much smaller share of the overall growth anticipated for Orange County, there are no feasible mitigation measures to reduce the Program-level impacts to a less than significant level. As the Program would not implement any fair-share mitigation, and as impacts at the Program level would be significant, the Program's incremental contribution to impacts related to substantial unplanned population growth would be cumulatively considerable.

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4.9 Public Services

This section of the Draft Program EIR (PEIR) describes the existing public services conditions in the City of Fullerton (City) as it relates to the Fullerton Housing Incentive Overlay Zone (HIOZ) Program (Program), identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. The proposed Program would apply to 759 parcels across the City totaling 593 acres, and would allow for the future development of up to 35,611 new residential units in the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map, of this Draft Program EIR.

4.9.1 Existing Conditions

Fire Protection Services

The Fullerton Fire Department (FFD) serves the City of Fullerton, California with fire and medical services. The Fullerton Fire Department provides a variety of programs designed to protect the lives and property of the inhabitants of the City of Fullerton from the adverse effects of fires, sudden medical emergencies, or exposure to dangerous conditions. The FFD provides services ranging from handling structure fires, to inspecting hazardous materials at our local businesses, performing CPR on a patient in cardiac arrest, presenting the importance of fire safety to an elementary school, and to assisting neighboring communities with a fierce vegetation fire pushed by Santa Ana winds. The Fullerton Fire Department is an all-hazard agency (City of Fullerton 2023a).

The Fullerton Fire Department aims to plan and coordinate the highest quality prehospital and emergency medical care in response to individual needs or community crisis. In 2021, the FFD was recognized by the American Heart Association for following the latest research-based standards for severe heart attacks with the Gold Plus Achievement Award (City of Fullerton 2023a). The location of Fullerton Fire Department stations relative to the Project can be found below in Table 4.9-1, Fullerton Fire Department Stations.

Table 4.9-1. Fullerton Fire Department Stations

Station	Address	Apparatus
Station 1	312 E. Commonwealth Avenue, Fullerton, California 92832	Engine 1-2015 Pierce Saber Type I fire engine, Reserve Pierce Dash Type I fire engine, FB1-2018 Dodge Ram 3500 Pickup, FB1-2020 Dodge Ram 3500 Pickup, 1962 Crown Type I fire engine (historically retired), Mobile EOC Command Trailer-2006 Surrey Trailer
Station 2	1732 W. Valencia Drive, Fullerton, California 92833	Engine 2-2015 Pierce Saber Type I fire engine
Station 3	700 S. Acacia Ave., Fullerton, California 92831	Engine 3-2007 Pierce Dash Type I fire engine, OES 1313 (Office of Emergency Services) 2020 BME Type 3 wildland engine
Station 4	3251 N. Harbor Boulevard, Fullerton, California 92835	Engine 4-2003 Pierce Dash Type I fire engine
Station 5	2555 E. Yorba Linda Boulevard, Fullerton, California 92831	Engine 5-2019 Pierce Velocity Type I fire engine, Reserve Pierce Dash Type I fire engine

Table 4.9-1. Fullerton Fire Department Stations

Station	Address	Apparatus
Station 6	2691 Rosecrans Avenue, Fullerton, California 92833	Truck 6-2022 Pierce Velocity Heavy Duty 107' Tillered Aerial, Reserve Truck-2002 Pierce Dash Heavy Duty 100' Tillered Aerial, Reserve Pierce Dash Type I fire engine, UTV6-2020 Prowler Side-by-Side Utility Terrain Vehicle w/Trailer

Source: City of Fullerton 2023a.

As detailed in Appendix D (Public Service Letters), each fire station is staffed daily and has varying fire apparatus machinery requirements. Each FFD Station is staffed with a 24-hour shift, a 48-hour on-duty shift, and a subsequent 96-hour off-duty shift, rotating between 3 platoons (A, B, and C). Each Station is staffed daily by 4 people, including a Fire Captain, Fire Engineer, and two Firefighters, with at least two crew members being licensed paramedics, except for at Station 6 where there are no licensed paramedics on staff. Additionally, the Fullerton Fire Battalion Chief is deployed from Station 1 to manage multi-unit responses and address the needs of the six on-duty crews to make sure they have the training, tools, and equipment to deliver the service. Fire Station 3 is also responsible for responding to wildland fires throughout the state through a mutual aid agreement with the State Office of Emergency Services (OES). The FFD references National Fire Protection Association (NFPA) 1710 - Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments which requires communities to provide for the arrival of an Advanced Life Support (ALS) unit within an 8-minute response time for at least 90% of the medical aid incidents. NFPA 1710 also requires fire suppression resources shall be deployed to provide for the arrival of an engine company within a 4-minute response time and/or the initial full alarm assignment with an 8-minute response time for 90% of incidents involving a structure fire.

Police Protection Services

The Fullerton Police Department (FPD) is located at 237 W. Commonwealth Avenue, Fullerton, California 92832. The Department is comprised of two divisions, an Operations Division and a Support Services Division, under the supervision of two Captains. The FPD is funded for 131 officers, however, the Department currently employs 115 officers and 8 recruits in the Police Academy. The FPD also employs 52 full-time staff, 11 part-time staff, and 31 volunteers (Appendix D). Officers and civilians within the FPD handle the daily tasks necessary to operate the Department and provide a high level of service to the citizens of Fullerton (City of Fullerton 2023b).

The Fullerton Police Department believes in and utilizes a Community-based policing philosophy, which follows the principle that when communities and law enforcement engage in communication and cooperation, we can better serve the community as a whole. As a result, personnel are involved in all aspects of community, including schools, neighborhoods, and community organizations (City of Fullerton 2023b).

As detailed in Appendix D (Public Service Letters), the FPD's response times vary based on the priority designation of the call. Priority 1 calls have shorter average response time typically around 5 minutes, while the response times for calls with lesser priority levels (such as Priority 2 calls) increase.

School Services

Fullerton School District provides a total of 26 public schools serving most of the City of Fullerton (City of Fullerton 2023c). All of the schools serving the City of Fullerton and the HIOZ Planning Area can be found below in Table 4.9-2,

Fullerton Public Schools. Additionally, Fullerton Joint Union High School District (FJUHSD) serves various cities in the region, including the City of Fullerton.

Table 4.9-2. Fullerton Public Schools

School Name	Address
Elementary Schools	
Acacia Elementary School	1200 N Acacia Ave, Fullerton, California 92831
Beechwood Elementary School	780 Beechwood Ave, Fullerton, California 92835
Commonwealth Elementary School	2200 E Commonwealth Ave, Fullerton, California 92831
Fern Drive Elementary School	1400 W Fern Dr, Fullerton, California 92833
Fisler Elementary School	1350 Starbuck St, Fullerton, California 92833
Golden Hill Elementary School	732 Barris Dr, Fullerton, California 92832
Hermosa Drive Elementary School	400 E Hermosa Dr, Fullerton, California 92835
Laguna Road Elementary School	300 Laguna Rd, Fullerton, California 92835
Maple Elementary School	300 Laguna Rd, Fullerton, California 92832
Orangethorpe Elementary School	1400 S Brookhurst, Fullerton, California 92833
Pacific Drive Elementary School	1501 W Valencia Dr, Fullerton, California 92833
Raymond Elementary School	517 N Raymond Ave, Fullerton, California 92831
Richman Elementary School	700 S Richman Ave, Fullerton, California 92832
Rolling Hills Elementary School	1460 E Rolling Hills Dr, Fullerton, California 92835
Sunset Lane Elementary School	1460 E Rolling Hills Dr, Fullerton, California 92833
Topaz Elementary School	3232 Topaz Ln, Fullerton, California 92831
Valencia Park Elementary School	3441 W Valencia Dr, Fullerton, California 92833
Woodcrest Elementary School	455 W Baker Ave, Fullerton, California 92832
Junior High Schools	
Fisler Elementary School (K-8)	1350 Starbuck St, Fullerton, California 92833
Ladera Vista Junior High School	1700 E Wilshire Ave, Fullerton, California 92831
Nicolas Junior High School	1100 W Olive Ave, Fullerton, California 92833
Parks Junior High School	1710 Rosecrans Ave, Fullerton, California 92833
High Schools	
Fullerton Union High School	201 E Chapman Ave, Fullerton, California 92832
La Sierra High School	951 N State College Blvd, Fullerton, California 92831
La Vista High School	909 N State College Blvd, Fullerton, California 92831
Sunny Hills High School	1801 Warburton Way, Fullerton, California 92833
Troy High School	2200 E Dorothy Ln, Fullerton, California 92831

Source: City of Fullerton 2023c.

There are also a total of 11 private schools within the City of Fullerton serving the Planning Area (City of Fullerton 2023d). The private schools serving the Planning Area are identified below in Table 4.9-3, Fullerton Private Schools.

Table 4.9-3. Fullerton Private Schools

School Name	Address
Annunciation Catholic School	215 S Pine Dr, Fullerton, California 92833
Arborland Montessori Children's Academy (Hughes Campus)	2121 Hughes Drive, Fullerton, California 92833
Arborland Montessori Children's Academy (Valencia Campus)	1700 W Valencia Dr, Fullerton, California 92833
Berkeley School	306 N Pomona Ave, Fullerton, California 92832
East Side Christian Jr/Sr High	1701 W Valencia Dr, Fullerton, California 92833
Eastside Christian Preschool/Elementary	2505 Yorba Linda Blvd, Fullerton, California 92833
Florence Crittenton School	115 E Wilshire Ave, Fullerton, California 92832
Fullerton SDA Elementary School	2353 W Valencia Dr, Fullerton, California 92833
Ivycrest Montessori	2025 E Chapman Ave, Fullerton, California 92831
Rosary High School	1340 N Acacia Ave, Fullerton, California 92831
St Juliana Falconieri School	1320 N Acacia Ave, Fullerton, California 92831

Source: City of Fullerton 2023d.

Parks

The City of Fullerton Parks and Recreation Department maintains and operates approximately 53 parks as well as all trails and recreational facilities within the City (City of Fullerton 2023g). The City Park system includes 683 acres of parkland (Appendix D). These facilities serve the local needs of the City and its various communities. The location of Fullerton parks relative to the Project can be found below in Table 4.9-4, Parks in the City of Fullerton (City of Fullerton 2023h).

Table 4.9-4. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Adlena Park	300 N. Adlena Drive, Fullerton, California 92833	Barbecues, Baseball/Softball, Basketball, Bleacher Seating, Parking, Picnic Shelter, Picnic Tables, Playground, Restrooms, Sports Field Lights, Spray Pool (Summer)	2.8
Amerige Park	300 W. Commonwealth, Fullerton, California 92832	Baseball/Softball, Bleacher Seating, Fullerton Community Center, Parking, Restrooms, Soccer, Sports Field Lights	7.9
Bastanchury Park	1717 West Bastanchury Road, Fullerton, California 92833	Baseball/Softball, Basketball, Playground, Recreation Trail(s), Restrooms, Soccer	10.8
Brea Dam Park	1700 N Harbor Blvd, Fullerton, California 92831	Barbecues, Drinking Fountain, Parking, Picnic Tables, Recreation Trail(s), Restrooms	Unknown
Brea Dam Recreation Area	1700 N Harbor Blvd, Fullerton, California 92835	Barbecues, Fire Ring (requires fire permit), Parking, Picnic Tables, Recreation Trail(s), Restrooms	241.7
Byerrum Park	501 N. Raymond Ave, Fullerton, California 92831	Baseball/Softball, Basketball, Picnic Tables, Playground, Soccer	2.5

Table 4.9-4. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Chapman Park	2515 San Carlos Drive, Fullerton, California 92831	Activity Building, Activity Slab, Baseball/Softball, Basketball, Picnic Shelter, Playground, Restrooms, Soccer	5.39
Craig Regional Park (County of Orange)	3300 State College Blvd., Fullerton, California 92835	Barbecues, Baseball/Softball, Basketball, Bicycling/Bike Trails, Hiking, Horseshoe Pits, Fire Rings, Model Sailing, Parking, Picnic Tables, Playground/Tot lot, Private Party Area, Racquetball Courts, Restrooms, Scenic Overlook, Tables, Volleyball Courts	124
Downtown Plaza	125 E. Wilshire Avenue, Fullerton, California 92832	Bandstand, Interactive Fountain, Museum Center, Parking, Restrooms, Shaded Seating	1.2
Edward H. White II Park	1550 Parks Road, Fullerton, California 92833	Restrooms	4.2
Emery Park	1201 Sunny Ridge Dr, Fullerton, California 92833	Picnic Tables, Playground	8.23
Fern Drive Park	1600 W. Fern Drive, Fullerton, California 92833	Activity Slab, Baseball/Softball, Bleacher Seating, Picnic Tables, Playground	2.9
Ford Park	435 W. Wilshire, Fullerton, California 92832	Barbecues, Baseball/Softball, Parking, Picnic Shelter, Playground, Soccer	3.1
Fullerton Arboretum (Cal State Fullerton)	1900 Associated Rd, Fullerton, California 92831	Plant Nursery	Unknown
Fullerton Creek Greenbelt	1910 Fullerton Creek Dr, Fullerton, California 92831	Par Course, Recreation Trail(s)	7.9
Fullerton Sports Complex	560 E. Silver Pine St., Fullerton, California 92835	Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Recreation Trail(s), Restrooms, Snack Bar, Soccer	17.6
Fullerton Tennis Center	110 E. Valencia Mesa Drive, Fullerton, California 92835	Restrooms, Tennis Court	Unknown
Gilbert Park	2120 W. Orangethorpe Avenue, Fullerton, California 92833	Activity Slab, Barbecues, Baseball/Softball, Basketball, Parking, Picnic Tables, Playground	6.2
Gilman Park	2590 Hartford Ave, Fullerton, California 92835	Parking, Restrooms	13.7
Hermosa School Park	400 E. Hermosa Drive, Fullerton, California 92835	Baseball/Softball, Basketball, Handicap Facility, Picnic Tables, Playground	0.8
Hillcrest Park	1200 N Harbor Blvd, Fullerton, California 92832	Barbecues, Great Lawn with Fountain, Hillcrest Recreation Center, Hillcrest Terrace, Izaak Walton Cabin, Parking, Picnic Tables, Pine Forest Stairs, Playground, Recreation Trail(s), Red Cross Building, Restrooms	37.8

Table 4.9-4. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Hiltscher Park	1002 N Euclid St, Fullerton, California 92833	Creek, Doggie Bag Dispensers, Parking, Recreation Trail(s)	16.0
Independence Park	801 West Valencia Drive, Fullerton, California 92832	Exercise Equipment, Handball Courts, Picnic Areas, and Pool are open. Gymnasium, Playground, and Racquetball Courts are currently closed.	Unknown
Laguna Lake Park	3120 Lakeview Dr, Fullerton, California 92835	Parking, Picnic Tables, Recreation Trail(s), Restrooms	28.5
Lemon Park	701 S. Lemon St, Fullerton, California 92832	Activity Building, Barbecues, Baseball/Softball, Basketball, Parking, Picnic Shelter, Picnic Tables, Playground, Restrooms, Spray Pool (Summer)	5.1
Lions Field	1440 N. Brea Blvd., Fullerton, California 92832	Baseball/Softball, Concession Stand, Football Field, Parking, Recreation Trail(s), Restrooms	6.0
Mountain View Park	2601 N. State College Blvd., Fullerton, California 92835	Parking, Picnic Tables, View Point	2.0
Muckenthaler Cultural Center	1201 W. Malvern Ave, Fullerton, California 92833	Amphitheatre, Art Gallery, Garden	8.5
Nicholas Park	1015 W Hill Ave, Fullerton, California 92833	Baseball/Softball, Bleacher Seating, Parking, Playground, Restrooms	9.0
Olive Park	901 Gilbert Street, Fullerton, California 92833	Benches, Playground	0.5
Orangethorpe Park	1737 W. Roberta Avenue, Fullerton, California 92833	Activity Building, Activity Slab, Barbecues, Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Restrooms	3.5
Pacific Drive Park	222 Pacific Drive, Fullerton, California 92833	Parking, Picnic Tables, Playground, Restrooms, Shaded Seating, Soccer	0.3
Panorama Nature Preserve	2000 E Bastanchury Rd, Fullerton, California 92835	Recreation Trail(s)	8.0
Pearl Park	3001 Pearl Drive, Fullerton, California 92831	Basketball, Picnic Areas, Playground	0.4
Plaza Park	144 E. Wilshire, Fullerton, California 92832	Mural, Picnic Tables, Playground, Shaded Seating	0.6
Pooch Park	201 S. Basque Ave, Fullerton, California 92833	Dog Areas	2.7
Ralph B. Clark Regional Park (County of Orange)	8800 Rosecrans Ave, Buena Park, California 90621	Amphitheater, Ball Fields, Barbeques, Dogs Permitted (on Leashes), Fishing, Hiking Trails, Horseshoe Pits, Interpretive Programs Center, Model Boats, Picnic Areas (Tables, Restrooms), Picnic Shelters, Playgrounds, Tennis Courts, Volleyball Courts, Weddings, Special Events	104

Table 4.9-4. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Richman Park	711 S. Highland, Fullerton, California 92832	Baseball/Softball, Handicap Facility, Parking, Picnic Shelter, Playground, Restrooms, Soccer	2.2
Robert E. Ward Nature Preserve	2245 N Euclid St, Fullerton, California 92835	Nature Preserve	72.0
Roger B. Chaffee Park	1550 W. Rosecrans, Fullerton, California 92833	Recreation Trail(s)	2.6
Rolling Hills Park	1515 E. Bastanchury Rd, Fullerton, California 92835	Picnic Tables, Playground	9.5
Rolling Hills School Park	1470 E. Rolling Hills Dr, Fullerton, California 92835	Parking, Playground	0.3
San Juan Park	2920 San Juan Drive, Fullerton, California 92835	Barbecues, Picnic Tables, Restrooms	1.7
Skate Park (at Independence Park)	801 West Valencia Drive, Fullerton, California 92832	Skate Park	0.2
Trail Rest Park	2345 Brea Blvd, Fullerton, California 92835	Recreation Trail(s)	1.0
Tri-City Regional Park	2301 N Kraemer Blvd, Placentia, California 92870	Barbecues, Fishing, Lake, Picnic Tables, Play Areas, Recreation Trail(s), Restrooms	40.0
Truslow Park	401 E. Truslow Ave., Fullerton, California 92832	Barbecues, Picnic Tables, Playground	0.1
Union Pacific Park (Currently closed)	121 W. Truslow Ave., Fullerton, California 92832	Barbecues, Basketball, Picnic Tables, Playground, Recreation Trail(s), Restrooms	1.7
Valencia Park	2425 W. Valencia Drive, Fullerton, California 92833	Activity Slab, Barbecues, Baseball/Softball, Basketball, Bleacher Seating, Picnic Tables, Playground, Restrooms, Wading Pool	3.9
Virgil “Gus” Grissom Park	1601 W. Rosecrans Ave, Fullerton, California 92833	Parking, Recreation Trail(s)	10.8
Vista Park	2002 E. Bastanchury Rd., Fullerton, California 92835	Parking, Shaded Seating	8.0
West Coyote Hills Park	2100 N. Gilbert St., Fullerton, California 92832	Picnic Tables	3.6
West Coyote Hills Tree Park	2349 Parks Rd., Fullerton, California 92833	Recreation Trail(s)	11.0
Woodcrest Park	440 W. Orangethorpe Ave., Fullerton, California 92832	Barbecues, Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Restrooms	5.3

Source: City of Fullerton 2023h, 2023l, 2023m; Fullerton Arboretum 2023; Muckenthaler Cultural Center 2023; OC Parks 2023a, 2023b.

The City also maintains and operates 28 miles of recreational trails within the City which may also be enjoyed by hikers, equestrians, and mountain bikers, among others (City of Fullerton 2023i). The trails serving the Planning Area are identified below in Table 4.9-5, City of Fullerton Trails.

Table 4.9-5. City of Fullerton Trails

Trail Name	Address	Amenities	Length (Miles)
Featured Trails			
Brea Dam Trail	Rear of St. Jude Medical Center to Fullerton Municipal Golf Course Fullerton, California 92835	Access to: Fullerton Municipal Golf Course. Lost Trail to Trail Rest Park	1.6
Bud Turner Trail	Laguna Lake Park at Hermosa Drive to corner of Euclid Street and Valencia Mesa Drive Fullerton, California 92835	Access to: Fullerton Equestrian Center, Hermosa Trails, Juanita Cookie Trail, Laguna Lake Park	1.8
East Coyote Hills Trail	Brea Blvd. to Craig Regional Park Fullerton, California 92835	Access to: Craig Regional Park, the Summit House, Vista Park	1.8
Hiltscher Park Trail	Corner of Bastanchury Rd. & W. Valley View Dr. to the Juanita Cooke Trail off Valencia Mesa Dr. Fullerton, California 92833	Access to: Bike Trails, Juanita Cookie Trail	1.4
Juanita Cookie Greeenbelt & Trail	Laguna Lake Park at Hermosa Drive & Santa Rosa Place to the SW Corner of Berkeley and Harbor Blvd. Fullerton, California 92835	Access to: Downtown Fullerton, Laguna Lake Park	2.8
Lost Trail	Brea Blvd. to Brea Dam Trail Fullerton, California 92835	Access to: Brea Dam Trail, Brea Dam Recreation Center, Fullerton Municipal Golf Course, Trail Rest Park	0.7
Nora Kuttner Trail	N.E. corner of Castlewood Drive and Parks Rd. to Euclid St. Fullerton, California 92835	Access to: Bud Turner Trail, Laguna Lake Park, West Coyote Hills Nature Preserve, West Coyote Hills Tree Park	0.6
Panorama Trail	Brea Blvd. to Bastanchury Road Fullerton, California 92831	Access to: Coyote Hills Golf Course, East Coyote Hills Trail, Panorama Nature Preserve, Panorama Trail, Summit House	1.5
Parks Road Trail	North end of Grissom Park at Camino Rey to White Park on Parks Road Fullerton, California 92833	Access to: Chaffee Park, Grissom Park, Parks Jr. High School Athletic Fields, Pioneer Trail, White Park	1.3
Rosecrans Trail	Ralph B. Clark Regional Park to West Coyote Hills Tree Park on Parks Road Fullerton, California 92833	Access to: Ralph B. Clark Regional Park, West Coyote Hills Park, West Coyote Hills Tree Park	1.6
Sally Pekarek Trail	N.W. Corner of Gilbert St. & Malvern Ave. to Sunnyridge Dr. Fullerton, California 92833	Access to: Emery Park, Pioneer Trail, Sunny Ridge Community	0.8
Other Trails			
Castlewood Trail		Connector Trail	1.3
Hermosa Trail		Street / Connector Trail	1.1
Horse Alley		Backbone Trail	0.6
Las Palmas Trail		Street / Connector Trail	1.1

Table 4.9-5. City of Fullerton Trails

Trail Name	Address	Amenities	Length (Miles)
Lucy Van Der Hoff Trail		Connector Trail	0.9
Pioneer Trail		Street / Backbone Trail	0.3
Rolling Hills Trail		Street / Backbone Trail	0.9
Valencia Mesa Trail		Street / Connector Trail	1.2

Source: City of Fullerton 2023i.

The City also maintains and operates various recreational facilities within the City, including some facilities operated in partnership with City partners (City of Fullerton 2023j). The facilities serving the Planning Area are identified below in Table 4.9-6, Recreational Facilities in the City of Fullerton.

Table 4.9-6. Recreational Facilities in the City of Fullerton

Facility Name	Address	Amenities
City of Fullerton Facilities		
Fullerton Community Center	340 West Commonwealth Ave., Fullerton, California 92832	Classrooms, Courtyard, Events, Gym, Multipurpose, Office Spaces, Pool
Garnet Neighborhood Center	3012 Garnet Lane Units A & B, Fullerton, California 92831	Recreation Center
Gilbert Neighborhood Center	2120 W. Orangethorpe Avenue, Fullerton, California 92833	Food Pantry, Trauma Informed Trainings, Support Groups, Parenting Resources & Family Support, Teen Mentorship, Community Events & Advocacy
Maple Neighborhood Center at Lemon Park	701 South Lemon Street, Fullerton, California 92832	Community & Youth Services, Lemon Park Pavilion, Spray Pool
Other Facilities		
Gilbert – OC United	418 West Commonwealth Ave, Fullerton, California 92832	Community Center, Community and Family Services
Fullerton Museum Center	301 N. Pomona Ave, Fullerton, California 92832	Museum
Richman Neighborhood Center – CSUF Center for Healthy Neighborhoods	320 West Elm Avenue, Fullerton, California 92832	Adoptive, Foster Care, & Relative Caregiver Family Support Services, Case Management, Children and Youth Programs, Community Engagement Workshops, Counseling (Individual, Family, Couples, and Groups), Health Assessments, Health Management Program, Mental Health Services, Parenting Education (With Free Childcare)

Source: City of Fullerton 2023j, 2023k.

Libraries

The mission of the Fullerton Public Library is to serve the diverse needs of its patrons, foster learning, provide resources, inspire creative thinking, and bring the Fullerton community together. It is a place where information and items of recreational, educational, and leisurely interest are collected, preserved, and made available in print and electronic formats (Fullerton Public Library 2023). The Fullerton Public Library is open to all members of the community and is located at 353 W. Commonwealth Avenue, Fullerton, California 92832. The Public Library is also working to bring back into operation the Hunt Library Branch at 201 S. Basque Avenue, Fullerton, California 92832, as well as a partnership between the Library and the Parks and Recreation Departments.

As detailed in Appendix D (Public Service Letters) and based on the Fullerton Public Library's annual report to the California State Library Survey for 2022-23, the Fullerton Public Library employs 16 full-time and 15 part-time staff members, is open 5 days per week for a total of 36 hours a week and welcomed 203,557 visitors for the 2022-2023 year.

4.9.2 Relevant Plans, Policies, and Ordinances

Federal

National Fire Protection Association

The National Fire Protection Association recommends that fire departments respond to fire calls within 6 minutes of receiving the request for assistance 90% of the time. These time recommendations are based on the demands created by a structural fire. It is crucial to attempt to arrive and intervene at a fire scene prior to the fire spreading beyond the room of origin. Total structural destruction typically starts within 8 to 10 minutes after ignition. Response time is generally defined as 1 minute to receive and dispatch the call, 1 minute to prepare to respond to the fire station or field and 4 minutes (or less) travel time.

State

California Health and Safety Code (Section 13000 et seq.)

State fire regulations are set forth in Section 13000 et seq. of the California Health and Safety Code, which include regulations concerning building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The State Fire Marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

California Code of Regulations Title 24, Part 2 and Part 9

Part 2 of Title 24 of the California Code of Regulations refers to the California Building Code, which contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures and certain equipment.

Part 9 refers to the California Fire Code, which contains regulations consistent with nationally recognized and accepted practices for safeguarding life and property from the hazards of the following: fire and explosion; dangerous conditions arising from the storage, handling, and use of hazardous materials and devices; and hazardous conditions in the use or occupancy of buildings or premises. The Fire Code also contains provisions to assist emergency response personnel. The Fire Code also establishes requirements intended to provide safety and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout the State of California. The Fire Code includes regulations regarding fire-resistance-rate construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, means of egress fire safety during construction and demolition, and wildland-urban interface areas. There are fire-safety-related building standards are referenced in other parts of Title 24. The 2022 California Fire Code is a fully integrated code based on the 2021 International Fire Code.

California Government Code

Section 65995. California Government Code Section 65995 (the Leroy F. Green School Facilities Act of 1998) set provisions for school districts to levy fees to help fund expanded facilities to house new pupils that may be generation by development projects. Sections 65996(a) and (b) state that such fees collected by school districts provide full and complete school facilities mitigation under the California Environmental Quality Act (CEQA). These fees may be adjusted by the district over time as conditions change.

Section 66000. According to California Government Code 66000, a qualified agency, such as a local school district, may impose fees on developers to compensate for the impact that a project will have on existing facilities or services. The State of California legislature passed Senate Bill (SB) 50 in 1998, which inserted new language into the Government Code (Sections 65995.5-65995.7), which authorized school districts to impose fees on developers of new residential construction in excess of mitigation fees authorized by Government Code 66000. School districts must meet a list of specific criteria, including the completion and annual update of a School Facility Needs Analysis, in order to be legally able to impose the additional fees.

Mello-Roos Community Facilities Act of 1982

The Mello-Roos Community Facilities Act provides an alternative method of financing certain public capital facilities and services, especially in developing areas and areas undergoing rehabilitation. This state law empowers local agencies to establish Community Facilities Districts, special districts established by local governments in California, as a means of obtaining community funding.

Local

City of Fullerton General Plan (City of Fullerton 2012a)

The Fullerton Built Environment

Goal 7. Capital Improvement Program. Utilize the Capital Improvement Program to evaluate and prioritize infrastructure maintenance, replacement, and improvement.

P7.1. Balanced Decision-making. Support regional and subregional efforts to focus growth and development within areas that can be adequately served by existing and planned infrastructure systems.

P7.3. Infrastructure Planning. Support projects, programs, policies and regulations to plan for appropriate levels and types of infrastructure based on the desired character of each neighborhood or district.

P7.5. Appropriate Development Scale. Support projects, programs, policies and regulations to ensure that development is appropriate in scale to current and planned infrastructure capabilities.

The Fullerton Economy

Goal 9. Long-term fiscal strength and stability that has a foundation in local economic assets and adapts to dynamic market conditions.

P9.6. Funding for New City Services. Support policies and regulations that require the addition of new City services based on finding that a clear need has been identified and a sustainable funding source is developed.

P9.7. User Fees for Services. Support policies and regulations pertaining to fees charged by the City to both reflect actual costs for providing such services and consider offsets from other funding sources.

P9.10. Attractiveness to Business Investment. Support policies, programs and regulations that sustain the provision of quality municipal services and efficient and responsive business assistance as essential tools to attract and retain businesses and employees.

Goal 11. Revitalization activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.

P11.4. Education-Based Revitalization. Support policies, projects and programs to foster skill development and economic success through education and the creation of a culture of entrepreneurship.

P11.5. Neighborhood Safety. Support policies, projects, programs and regulations that utilize innovative policing and crime prevention techniques to improve the safety of neighborhoods and districts, such as evidence-based policing, community-based policing and Crime Prevention Through Environmental Design (CPTED).

P11.8. Financing. Support policies, programs and regulations that facilitate the use of creative financing tools for revitalization efforts that alleviate blight, stimulate private-sector investment, upgrade public infrastructure and facilities, and provide quality affordable housing.

The Fullerton Community

Goal 12. Proactively addressing public safety concerns.

P12.3. Community Confidence Building. Support policies and programs that bolster productive communication and problem-solving between public safety personnel and the Fullerton community.

P12.4. Balance Safety Needs. Support policies, projects, programs, and regulations that balance the need to reduce vehicle accidents, injuries, and deaths through traffic calming and street design with the need to facilitate emergency response times.

P12.7. Fire Code Amendments. Support policies, programs and regulations that give the Fire Marshall flexibility to approve streets and fire lanes with reduced clearance requirements when other fire safety factors are incorporated into the project (such as street connectivity, traffic safety and the presence of sprinkler systems).

P12.9. Neighborhood Safety Strategy. Support policies, projects, programs and regulations that strengthen partnerships and community-based efforts, such as Neighborhood Watch, to reduce crime through prevention, education and enforcement, and encourage communities to build block-by-block networks to prevent crime, develop social ties and solve common problems.

P12.10. Community Involvement in Crime Prevention. Support policies and programs that involve the community in supporting informal monitoring, participating in legitimate activities and building a sense of ownership and control over neighborhoods.

P12.11. Public Safety in Focus Areas. Support projects, programs, policies and regulations to proactively address public safety concerns as part of community-based planning of Focus Areas.

P12.12. Crime Prevention. Support policies, programs and regulations that implement crime prevention strategies that have demonstrated success, including Crime Prevention Through Environmental Design (CPTED), Crime-Free Multi-Housing, Business Watch; Neighborhood Watch, iWatch and other similar strategies.

P12.13. Safety Through Design. Support policies, projects, programs and regulations that make crime prevention and the maintenance of public safety service levels considerations in design and management of existing and new private and public spaces.

Goal 13. Responsive to public safety needs.

P13.2. Adequate Resources for Emergencies. Support policies and programs that ensure adequate resources are available in all areas of the City to respond to health, fire and police emergencies.

P13.3. Disaster Hazard Reduction. Support policies, projects, programs and regulations that reduce structural and nonstructural hazards to life safety and minimize property damage and resulting social, cultural and economic dislocations resulting from future disasters.

P13.5. Community Emergency Preparedness. Support policies, programs and regulations that ensure the City, its residents, businesses and services are prepared for effective response and recovery in the event of emergencies or disasters, including the provision of information about the current nature and extent of local safety hazards and emergency plans, including evacuation plans and procedures to accommodate special needs populations. Information should be provided in multiple languages to maximize understanding by community members.

P13.7. New Technologies for Fire and Police Services. Support policies, programs and regulations which are based on research and evaluation and that implement new technologies and methods to improve the efficiency and effectiveness of fire and police services.

P13.10. Community Education on Emergency Preparedness. Support policies and programs to involve and educate the Fullerton community in emergency preparedness.

P13.11. Crime Reduction Strategies. Support policies, programs and regulations to create problem-solving strategies and plans for areas with higher crime rates in the City and to reduce crime by implementing these strategies and plans through a range of measures including increased policing activities, neighborhood partnerships and other innovative programs.

Goal 14. An environment with opportunities for community health and wellbeing.

P14.1. Coordination. Support policies, projects, programs and regulations that provide for convenient and safe areas that facilitate opportunities for physical activity such as parks, trails, open space, safe streets for bicycling, safe sidewalks for walking, and recreational facilities for residents of all ages and abilities.

P14.2. Healthy Living. Support policies, projects, programs and regulations that result in changes to the physical environment to improve health, well-being and physical activity.

P14.5. Opportunities for Physical Activity. Support programs to coordinate with state, county and regional agencies to improve public health and well-being through a range of efforts with regional, subregional and local agencies including schools, local medical facilities, senior centers and adjacent jurisdictions.

P14.6. Amenities Within a Walkable Distance. Support policies and regulations involving land use and zoning changes that would provide access to daily retail needs, recreational facilities, and transit stops within a walkable distance (i.e., a quarter- to a half-mile) of established residential uses.

Goal 15. Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.

P15.1. North Orange County Parks and Recreation Collaboration. Support regional and subregional efforts to establish and maintain a collaboration of parks and recreation programs, to share best practices, discuss solutions to common challenges, and explore opportunities for connecting and expanding trails, joint use of parks and recreational facilities, and recreation programming for participating cities.

P15.2. Existing Parks and Recreation Resources. Support policies, projects, programs and regulations that preserve, protect, maintain and enhance Fullerton's existing parks, recreational facilities and trails.

P15.3. Access to Recreation Programs. Support policies, projects, programs and regulations that strengthen access to quality recreation programs which, in turn, promote a sense of community and a higher quality of life for Fullerton residents.

P15.4. Partnerships with Other Agencies. Support policies and programs that bolster appropriate partnerships between the City and agencies, including educational institutions, railroad franchises, utility companies, etc., to secure, co-locate or otherwise share parks, recreational facilities and trails on school campuses, within public easements and in other similar locations.

P15.5. Partnerships with Private Ventures. Support policies, projects, programs and regulations allowing commercial ventures as ancillary uses in Fullerton parks and recreational facilities when determined they are context-appropriate, complementary to the facilities, viewed as a public benefit, and generate revenue that supports parks and recreational programs and facilities.

P15.6. Accessible Citywide Park System. Support policies, programs and regulations that facilitate the planning, design and development of an extensive system of parks (passive and active), recreational facilities, and trails that meets the current needs of Fullerton residents and is accessible and within a 15-minute walking distance (i.e., one-quarter to one-half mile) of every Fullerton resident.

P15.7. Park-to-Population Ratio. Support projects and programs that contribute to a citywide minimum park-to-population ratio of 4 acres per 1,000 people.

P15.8. Recreation Programming. Support programs that promote recreational activities that facilitate healthy and community-oriented lifestyles for Fullerton residents.

P15.9. Community-Based Parks and Recreation Program. Support policies, projects and regulations that reinforce a City commitment to a community-based parks and recreation program that maximizes opportunities to share information, promote two-way communication, and involve the Fullerton community and user groups in integrating a broad and diverse range of interests and concerns pertaining to the planning, development, enhancement and rehabilitation of parks, recreational facilities and trails.

P15.10. Park Dwelling Fee. Support policies and regulations which require new construction of dwelling units in the City to pay a park dwelling fee that provides for the creation and enhancement of open space, parks and recreational facilities accessible to all residents.

P15.16. Relationships to Development Projects. Support projects located adjacent to or near parks and trail facilities that facilitate connections and reinforce a positive relationship between private property and public parks and trails.

Goal 16. Broad community participation in cultural activities and visual and performing arts.

P16.6. Fullerton Library System. Support policies and programs which continuously seek to improve and strengthen the Fullerton Library System as an educational and cultural resource accessible to the entire Fullerton community.

Goal 17. An exceptional variety and quality of educational opportunities that reach community members throughout their lives.

P17.3. Vitality of Educational Resources. Support policies, projects, programs and regulations that contribute to the long-term vitality of higher educational institutions, high schools and elementary schools, and the Fullerton Library system.

P17.5. Access to Life-Long Learning Opportunities. Support policies, projects and programs that ensure residents of all ages, backgrounds and abilities have access to facilities and programs, such as libraries and community education programs, that provide learning experiences for people at every stage in life.

P17.8. Schools as Community Centers. Support policies, projects and programs that recognize and accommodate schools as community centers in which residents participate in programs, assist with education, help improve school facilities, hold community events and use recreational facilities.

P17.10. Housing to Support Educational Facilities. Support policies, projects and programs that facilitate efforts by educational institutions and the private sector to develop an adequate supply of housing for faculty and staff of all schools, as well as adequate housing for college and university students. (See Chapter 2: Housing of The Fullerton Plan for related policy actions.)

P17.16. Project Impact Mitigation. Support programs that foster coordination between the City and local school districts, colleges and universities to assess and mitigate project impacts pertaining to on- and off -campus development.

P17.17. Fullerton Library. Support policies, projects and programs that recognize the Fullerton Library as a central element in Fullerton's citywide educational system.

City of Fullerton Municipal Code (City of Fullerton 2023f)

Code 13.19: Fire Prevention Standards. This code includes measures to protect development in the City from potential fire hazards or fire hazard severity zones. Under this code, property owners within fire hazard severity zones are required to comply with the Fire Department's Fire Prevention Standard on Fuel Modification Plans and Maintenance. Additionally, under this code, the Fire Department may designate specific areas in the City as protection areas.

Code 21.12: Fee for Parks on the Construction of Dwelling Units. This code imposes a fee on dwelling units established in the City in order to provide for the acquisition, development, and improvement of public parks and recreational facilities, as proposed by the City's Five Year Capital improvement Program. The purpose of the park fee is to implement the goals and policies of the Resource Management Element of the City of Fullerton's General Plan, which calls for the creation of open space throughout the community and the provision of a comprehensive and unified system of parks and recreational facilities accessible to all residents.

4.9.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to public services are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to public services would occur if the project would:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
   a. Fire protection.
   b. Police protection.
   c. Schools.
   d. Parks.
   e. Other public facilities.

Based on the results of the Initial Study (Appendix A) the following thresholds are evaluated within this section for the Program:

PUB-1. Would the Program result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
   a. Fire protection?
   b. Police protection?
   c. Schools?
   d. Parks?
   f. Other public facilities?

4.9.4 Impacts Analysis

PUB-1. Would the Program result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a. Fire protection?

As detailed in Section 4.9.1, Existing Conditions, the Planning Area is served by existing FFD services through stations throughout the Fullerton HIOZ Planning Area. The location of fire stations in the City can be found in Table 4.9-1. Moreover, Table 4.9-1 shows six stations that serve the City of Fullerton. The HIOZ Planning Area is located in the City of Fullerton, within an urbanized area of Orange County. According to FFD, all fire stations that serve the Planning Area appear sufficient to continue to adequately meet the minimum requirements for the service population, although, an additional fire engine staffed with a crew of 4 would be necessary at each fire station. According to FFD, all fire stations that serve the Planning Area would continue to adequately meet the minimum requirements for the service population, and there is no planned construction of new or expanded fire protection facilities in the Planning Area.

No specific development is proposed as part of the Program such that direct impacts on fire protection services would occur. However, implementation of the Program would ultimately facilitate future development, which would increase demand on fire protection services by allowing for new residential development projects and, thus, includes the potential for employment and population growth. Future development projects are anticipated to generate a range of fire service calls, typical of residential land uses. Therefore, the Program would increase demand on the fire protection and emergency services.

Existing policies and regulations are intended to minimize impacts to performance objectives of fire protection services (i.e., standard response times). As new development occurs, payments would occur in order to fund the services to maintain acceptable service ratios, response times or other performance objectives, such as the hiring of fire protection services personnel, the construction of new stations, and the funding of certain capital equipment. Operational funding for the FFD is also supported by the City's General Fund. As population growth increases and demand for Fullerton fire's services increases, the City would allocate resources from the City's General Fund, which is funded by tax payer dollars, during the City's annual budgeting process to address staffing and equipment needs to adequately serve communities, including the needs generated by the Program.

Additionally, existing building and fire codes, as outlined in Section 4.9.2, Relevant Plans, Policies, and Ordinances, require fire hydrants, sprinkler systems, smoke detectors, and adequate access for emergency vehicles, which would reduce potential impacts of the future development on fire protection and emergency services. These project design elements would be reviewed and approved by the FFD and Public Works prior to the issuance of building permits for each future development within the Program Area. As such, future development projects under the proposed Program would comply with all applicable provisions of the City's Fire and Building Codes. These existing City permitting procedures for development would minimize potential impacts to fire protection services.

Moreover, implementation of the Program would occur gradually through 2029 as the Program is anticipated to facilitate RHNA housing production within the City for the planning period ending in 2029. The FFD would add staff and equipment to the existing stations on an as-needed basis over time in order to accommodate increased demand. Due to the existing stations serving the Program Area and the anticipated infill development that would be allowed under the Program, the increase in staffing and equipment required to serve the buildout of the Program would be accommodated by the existing fire stations, and no new or physically altered fire protection facilities would be required to serve the buildout of the Program, as confirmed by the Fullerton Fire Department. Although, the number of deployable resources at these existing fire stations would be increased by one additional fire unit and four personnel of which two would be Paramedics (Appendix D). Therefore, the Program would result in a **less than significant** impact regarding new or physically altered fire protection service facilities, and no mitigation would be required.

b. Police protection?

Police protection services for the Planning Area are provided by the City of Fullerton Police Department (FPD), as outlined in Section 4.9.1, above. The FPD has one police station located at 237 W. Commonwealth Avenue, Fullerton, California 92832. The FPD is guided by established standard law enforcement service ratios and performance standards. The FPD's response times vary based on the priority designation of the call. Priority 1 calls have shorter average response time typically around 5 minutes, while the response times for calls with lesser priority levels (such as Priority 2 calls) increase. Under existing conditions, the FPD employs

approximately 180 employees, including 115 sworn personnel, 52 full-time civilian employees, and 31 volunteers, and handles approximately 50,000 service calls annually (City of Fullerton 2023e).

The Project would implement an overlay zone program to accommodate development of up to 35,611 additional dwelling units, which would generate 103,628 new residents across the Planning Area by the year 2029. To maintain acceptable service ratios and response times under the proposed Program, FPD indicated that there would be a need for additional staffing a need for new or expanded police facilities, such a larger jail, substation, or modifications to the current police station (Appendix D).

Implementation of the Program would occur gradually through 2029, and the FPD would add staff and equipment to the existing stations on an as-needed basis over time in order to accommodate increased demand. Since increased law enforcement personnel are required to continue to meet acceptable service ratios under the proposed Program, modifications to law enforcement service contracts and equipment assets may be required.

These requirements, along with City revenues that would be allocated to the FPD through the annual budgeting process, would ensure that acceptable service ratios, response times or other performance objectives for police protection services would be maintained. As noted by FPD, implementation of the Project was identified as resulting in the need for new or expanded facilities (Appendix D). Thus, physical impacts to the environment related to the development of or expansion of police department facilities would occur; however, through compliance with the conditions of approval in the City's General Plan EIR, the construction of new facilities and the provision of expanded services would result in less than significant construction and operational impacts. Therefore, the Program would have a **less than significant** impact related to new or physically altered police services facilities.

c. Schools?

School services within the Planning Area are provided by two school districts: FSD and FJUHSD. The FSD boundary spans the entire City of Fullerton while the FJUHSD boundary extends beyond City limits to serve additional cities, including the cities of Fullerton, La Habra, La Habra Heights, Buena Park, and small sections of the cities of Brea and Whittier. The Fullerton School District offers education to all school-age residents in the City and operates entirely independent of the County government. In the 2023-2024 school year, FSD had a cumulative total of 7,385 students enrolled in elementary schools, 2,203 students enrolled in junior high schools, and 1,818 students enrolled at other TK-8 schools, for a total of 11,406 students between all their school facilities. The district's schools serving the Planning Area currently operate below maximum enrollment capacity and meet statewide and district-wide class size ratio standards. No direct development is proposed as part of the Program. However, land use changes and policies proposed by the Program would facilitate future development, which would generate demand for school services. Per communication with FSD, although the school facilities would require updating and modernization at several sites, the district's facilities would be able to handle increased enrollment at schools as a result of projects associated with the Fullerton HIOZ Project (Appendix D).

The FJUHSD offers high school education to students in the City and surrounding communities and operates entirely independent of the County government. In the 2023-2024 school year, FJUHSD had a cumulative total of 7,396 students enrolled between all of their high school facilities. No direct development is proposed as part of the Program. However, land use changes and policies proposed by the Program would facilitate future development, which would generate demand for school services. Per communication with

FJUHSD, although the high school facilities would require updating and modernization at several sites, the facilities would adequately serve any increased enrollment at schools as a result of projects associated with the Fullerton HIOZ Project (Appendix D).

Implementation of the Project would be gradually implemented through 2029. Moreover, existing funding mechanisms would lessen potential impacts related to an increase in the student population. As detailed in Section 4.9.1, FSD and FJUHSD are, in part, funded through the payment of development fees pursuant to SB 50 (Government Code Section 65995). These fees would be required to be paid by future development prior to issuance of building permits and would be used to offset the impact of an additional student population. According to SB 50, payment of these fees constitutes adequate mitigation related to impacts to school facilities.

Furthermore, a school district and a project applicant/developer have the option of entering into various alternative mitigation agreements to ensure the timely construction of school facilities to house students from new residential development. The primary financing mechanism authorized in these mitigation agreements is the formation of a community facilities district, pursuant to the Mello-Roos Community District Act of 1982. In lieu of an alternative mitigation agreement, state-mandated school facilities fees, which help maintain adequate school facilities and levels of service may also reduce potential impacts. Ultimately, the provision of schools is the responsibility of the school district. SB 50 provides that the statutory fees found in the Government and Education Codes are the exclusive means of considering and mitigating for school impacts. As previously mentioned, imposition of the statutory fees constitutes full and complete mitigation (Government Code Section 65995[b]). Therefore, the Program would have a **less than significant** impact related to school facilities, and no mitigation would be required.

d. Parks?

Parks and recreation services for the Planning Area are provided by the City of Fullerton Parks and Recreation Department, as outlined in Section 4.9.1, above. The City of Fullerton Parks and Recreation Department maintains and operates approximately 53 parks, trails, and recreational facilities within the City for a total of 683 acres of land in the City Park system as of 2012 (City of Fullerton 2023g; Appendix D). Information regarding all Fullerton parks throughout the City can be found in Table 4.9-4, Parks in the City of Fullerton, in Section 4.9.1 above.

The Parks and Recreation Department is governed by a City General Plan performance standard to maintain 4 acres of parkland per every 1,000 residents. Under existing conditions, the City has a population of 140,541 people and maintains 683 acres of parkland. Thus, the ratio of parkland per person in the City is 4.85 acres of parkland per every 1,000 people (Appendix D). As such, the Parks and Recreation department currently meets the City's established performance standard of 4 acres of parkland per every 1,000 residents.

However, as the Project would implement an overlay zone program to accommodate development of up to 35,611 additional dwelling units, which could generate up to 103,628 new residents across the Planning Area by the year 2029, implementation of the Program would significantly increase the City's population and cause the ratio of parkland per 1,000 people to fall to an inadequate level. To maintain performance standards under the proposed Program, the Parks and Recreation Department indicated that there would be a need for additional amenities implemented at existing parks in the City, such as expanding playgrounds, trails, or adding more sport courts. Additionally, developers would be required to make recreational space available to the general public (Appendix D). Therefore, with implementation of the

Program, there is a need for new or physically altered recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios. However, through compliance with the conditions of approval in the City's General Plan EIR, the construction of new facilities and the provision of expanded services would result in less than significant construction and operational impacts. Therefore, the Program would have a **less than significant** impact related to new park facilities.

e. Other public facilities?

Library services in the Planning Area are provided by Fullerton Public Library as discussed in Section 4.9.1, above. The Fullerton Public Library is located at 353 W. Commonwealth Avenue, Fullerton, California 92832. State funding has also been secured to re-open the Hunt Library branch in the City of Fullerton which would support the Fullerton Library in accommodating more members of the public with library services. Under existing conditions, and with the re-opening of the Hunt Library branch, the Fullerton Public Library that serves the Project area would adequately meet the minimum requirements for the service population.

No direct development of library services are proposed as part of the proposed Program. However, land use changes and programs proposed by the HIOZ Program would facilitate future development that could potentially result in impacts on library services. The Project would implement a targeted zoning overlay program to accommodate development of up to approximately 35,611 additional dwelling units, the potential of which could generate up to 103,628 new residents across the City. As such, implementation of the Project would increase demand on library facilities and library services within the City. This demand would be alleviated by the planned re-opening of the Hunt Library branch and the subsequent increase in Fullerton Public Library employees.

Operational funding for the Fullerton Public Library is supported by the City's General Fund. As population growth increases and demand for library services increase, the City would allocate resources from the General Fund during the City's annual budgeting process to address staffing and equipment needs to serve increasing demands for library services. As such, future development as a result of the Project's approximately 35,611 additional dwelling units would be required to provide payment of fees to reduce impacts to library facilities. Therefore, the Program would result in a **less than significant** impact regarding new or physically altered library facilities, and no mitigation would be required.

4.9.5 Conditions of Approval and Mitigation Measures

Standard Conditions of Approval

The following mitigation measure from the City's General Plan Program EIR and will be implemented as COAs for the proposed Program.

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

4.9.6 Significance Conclusion

Impacts related to public services would be less than significant.

4.9.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project has any contribution to the cumulative impact, and if so, whether the project's incremental effect is "cumulatively considerable." Given the City-wide scale of the Fullerton Housing Incentive Overlay Zone Program, the Program would inherently create cumulative effects.

The proposed Program would facilitate population growth by constructing approximately 35,611 new residential units within the Planning Area, increasing the population of the City by up to 103,628 new residents by 2029. The Program's anticipated increase in population throughout the City would cause a need for additional public services resources related to police and parks facilities as new developments under the Program are completed through 2029. As discussed in Section 4.9.4, Impact Analysis, the Program would result in a need for new or physically altered governmental facilities. However, through compliance with the conditions of approval in the City's General Plan EIR, the construction of new facilities and the provision of expanded services would result in less than significant construction and operational impacts. Therefore, the Program would result in less than cumulatively considerable impacts to public services.

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4.10 Recreation

This section of the PEIR describes the existing recreation conditions in the City of Fullerton as it relates to the Fullerton Housing Incentive Overlay Zone (HIOZ) Program (Program), identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. The proposed Program would apply to 759 parcels across the City totaling 593 acres, and would allow for the future development of up to 35,611 new residential units in the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map, of this PEIR.

4.10.1 Existing Conditions

The City of Fullerton Parks and Recreation Department maintains and operates approximately 53 parks as well as all trails and recreational facilities within the City (City of Fullerton 2023a). The City Park system totaled 640.4 acres as of 2012 (City of Fullerton 2012b). These facilities serve the local needs of the City and its various communities. The location of Fullerton parks relative to the Project can be found below in Table 4.10-1, Parks in the City of Fullerton (City of Fullerton 2023b).

Table 4.10-1. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Adlena Park	300 N. Adlena Drive, Fullerton, California 92833	Barbecues, Baseball/Softball, Basketball, Bleacher Seating, Parking, Picnic Shelter, Picnic Tables, Playground, Restrooms, Sports Field Lights, Spray Pool (Summer)	2.8
Amerige Park	300 W. Commonwealth, Fullerton, California 92832	Baseball/Softball, Bleacher Seating, Fullerton Community Center, Parking, Restrooms, Soccer, Sports Field Lights	7.9
Bastanchury Park	1717 West Bastanchury Road, Fullerton, California 92833	Baseball/Softball, Basketball, Playground, Recreation Trail(s), Restrooms, Soccer	10.8
Brea Dam Park	1700 N Harbor Blvd, Fullerton, California 92831	Barbecues, Drinking Fountain, Parking, Picnic Tables, Recreation Trail(s), Restrooms	Unknown
Brea Dam Recreation Area	1700 N Harbor Blvd, Fullerton, California 92835	Barbecues, Fire Ring (requires fire permit), Parking, Picnic Tables, Recreation Trail(s), Restrooms	241.7
Byerrum Park	501 N. Raymond Ave, Fullerton, California 92831	Baseball/Softball, Basketball, Picnic Tables, Playground, Soccer	2.5
Chapman Park	2515 San Carlos Drive, Fullerton, California 92831	Activity Building, Activity Slab, Baseball/Softball, Basketball, Picnic Shelter, Playground, Restrooms, Soccer	5.39
Craig Regional Park (County of Orange)	3300 State College Blvd., Fullerton, California 92835	Barbecues, Baseball/Softball, Basketball, Bicycling/Bike Trails, Hiking, Horseshoe Pits, Fire Rings, Model Sailing, Parking, Picnic Tables,	124

Table 4.10-1. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
		Playground/Tot lot, Private Party Area, Racquetball Courts, Restrooms, Scenic Overlook, Tables, Volleyball Courts	
Downtown Plaza	125 E. Wilshire Avenue, Fullerton, California 92832	Bandstand, Interactive Fountain, Museum Center, Parking, Restrooms, Shaded Seating	1.2
Edward H. White II Park	1550 Parks Road, Fullerton, California 92833	Restrooms	4.2
Emery Park	1201 Sunny Ridge Dr, Fullerton, California 92833	Picnic Tables, Playground	8.23
Fern Drive Park	1600 W. Fern Drive, Fullerton, California 92833	Activity Slab, Baseball/Softball, Bleacher Seating, Picnic Tables, Playground	2.9
Ford Park	435 W. Wilshire, Fullerton, California 92832	Barbecues, Baseball/Softball, Parking, Picnic Shelter, Playground, Soccer	3.1
Fullerton Arboretum (Cal State Fullerton)	1900 Associated Rd, Fullerton, California 92831	Plant Nursery	Unknown
Fullerton Creek Greenbelt	1910 Fullerton Creek Dr, Fullerton, California 92831	Par Course, Recreation Trail(s)	7.9
Fullerton Sports Complex	560 E. Silver Pine St., Fullerton, California 92835	Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Recreation Trail(s), Restrooms, Snack Bar, Soccer	17.6
Fullerton Tennis Center	110 E. Valencia Mesa Drive, Fullerton, California 92835	Restrooms, Tennis Court	Unknown
Gilbert Park	2120 W. Orangethorpe Avenue, Fullerton, California 92833	Activity Slab, Barbecues, Baseball/Softball, Basketball, Parking, Picnic Tables, Playground	6.2
Gilman Park	2590 Hartford Ave, Fullerton, California 92835	Parking, Restrooms	13.7
Hermosa School Park	400 E. Hermosa Drive, Fullerton, California 92835	Baseball/Softball, Basketball, Handicap Facility, Picnic Tables, Playground	0.8
Hillcrest Park	1200 N Harbor Blvd, Fullerton, California 92832	Barbecues, Great Lawn with Fountain, Hillcrest Recreation Center, Hillcrest Terrace, Izaak Walton Cabin, Parking, Picnic Tables, Pine Forest Stairs, Playground, Recreation Trail(s), Red Cross Building, Restrooms	37.8
Hiltscher Park	1002 N Euclid St, Fullerton, California 92833	Creek, Doggie Bag Dispensers, Parking, Recreation Trail(s)	16.0
Independence Park	801 West Valencia Drive, Fullerton, California 92832	Exercise Equipment, Handball Courts, Picnic Areas, and Pool are open. Gymnasium, Playground, and	Unknown

Table 4.10-1. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
		Racquetball Courts are currently closed.	
Laguna Lake Park	3120 Lakeview Dr, Fullerton, California 92835	Parking, Picnic Tables, Recreation Trail(s), Restrooms	28.5
Lemon Park	701 S. Lemon St, Fullerton, California 92832	Activity Building, Barbecues, Baseball/Softball, Basketball, Parking, Picnic Shelter, Picnic Tables, Playground, Restrooms, Spray Pool (Summer)	5.1
Lions Field	1440 N. Brea Blvd., Fullerton, California 92832	Baseball/Softball, Concession Stand, Football Field, Parking, Recreation Trail(s), Restrooms	6.0
Mountain View Park	2601 N. State College Blvd., Fullerton, California 92835	Parking, Picnic Tables, View Point	2.0
Muckenthaler Cultural Center	1201 W. Malvern Ave, Fullerton, CA 92833	Amphitheatre, Art Gallery, Garden	8.5
Nicholas Park	1015 W Hill Ave, Fullerton, California 92833	Baseball/Softball, Bleacher Seating, Parking, Playground, Restrooms	9.0
Olive Park	901 Gilbert Street, Fullerton, California 92833	Benches, Playground	0.5
Orangethorpe Park	1737 W. Roberta Avenue, Fullerton, California 92833	Activity Building, Activity Slab, Barbecues, Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Restrooms	3.5
Pacific Drive Park	222 Pacific Drive, Fullerton, California 92833	Parking, Picnic Tables, Playground, Restrooms, Shaded Seating, Soccer	0.3
Panorama Nature Preserve	2000 E Bastanchury Rd, Fullerton, California 92835	Recreation Trail(s)	8.0
Pearl Park	3001 Pearl Drive, Fullerton, California 92831	Basketball, Picnic Areas, Playground	0.4
Plaza Park	144 E. Wilshire, Fullerton, California 92832	Mural, Picnic Tables, Playground, Shaded Seating	0.6
Pooch Park	201 S. Basque Ave, Fullerton, California 92833	Dog Areas	2.7
Ralph B. Clark Regional Park (County of Orange)	8800 Rosecrans Ave, Buena Park, California 90621	Amphitheater, Ball Fields, Barbeques, Dogs Permitted (on Leashes), Fishing, Hiking Trails, Horseshoe Pits, Interpretive Programs Center, Model Boats, Picnic Areas (Tables, Restrooms), Picnic Shelters, Playgrounds, Tennis Courts, Volleyball Courts, Weddings, Special Events	104
Richman Park	711 S. Highland, Fullerton, California 92832	Baseball/Softball, Handicap Facility, Parking, Picnic Shelter, Playground, Restrooms, Soccer	2.2
Robert E. Ward Nature Preserve	2245 N Euclid St, Fullerton, California 92835	Nature Preserve	72.0

Table 4.10-1. Parks in the City of Fullerton

Park Name	Address	Amenities	Acreage
Roger B. Chaffee Park	1550 W. Rosecrans, Fullerton, California 92833	Recreation Trail(s)	2.6
Rolling Hills Park	1515 E. Bastanchury Rd, Fullerton, California 92835	Picnic Tables, Playground	9.5
Rolling Hills School Park	1470 E. Rolling Hills Dr, Fullerton, California 92835	Parking, Playground	0.3
San Juan Park	2920 San Juan Drive, Fullerton, California 92835	Barbecues, Picnic Tables, Restrooms	1.7
Skate Park (at Independence Park)	801 West Valencia Drive, Fullerton, California 92832	Skate Park	0.2
Trail Rest Park	2345 Brea Blvd, Fullerton, California 92835	Recreation Trail(s)	1.0
Tri-City Regional Park	2301 N Kraemer Blvd, Placentia, California 92870	Barbecues, Fishing, Lake, Picnic Tables, Play Areas, Recreation Trail(s), Restrooms	40.0
Truslow Park	401 E. Truslow Ave., Fullerton, California 92832	Barbecues, Picnic Tables, Playground	0.1
Union Pacific Park (Currently closed)	121 W. Truslow Ave., Fullerton, California 92832	Barbecues, Basketball, Picnic Tables, Playground, Recreation Trail(s), Restrooms	1.7
Valencia Park	2425 W. Valencia Drive, Fullerton, California 92833	Activity Slab, Barbecues, Baseball/Softball, Basketball, Bleacher Seating, Picnic Tables, Playground, Restrooms, Wading Pool	3.9
Virgil “Gus” Grissom Park	1601 W. Rosecrans Ave, Fullerton, California 92833	Parking, Recreation Trail(s)	10.8
Vista Park	2002 E. Bastanchury Rd., Fullerton, California 92835	Parking, Shaded Seating	8.0
West Coyote Hills Park	2100 N. Gilbert St., Fullerton, California 92832	Picnic Tables	3.6
West Coyote Hills Tree Park	2349 Parks Rd., Fullerton, California 92833	Recreation Trail(s)	11.0
Woodcrest Park	440 W. Orangethorpe Ave., Fullerton, California 92832	Barbecues, Baseball/Softball, Bleacher Seating, Parking, Picnic Tables, Playground, Restrooms	5.3

Source: City of Fullerton 2023b, 2023e, 2023i; Fullerton Arboretum 2023; Muckenthaler Cultural Center 2023; OC Parks 2023a, 2023b.

The City also maintains and operates 28 miles of recreational trails within the City which may also be enjoyed by hikers, equestrians, and mountain bikers, among others (City of Fullerton 2023c). The trails serving the Planning Area are identified below in Table 4.10-2, City of Fullerton Trails.

Table 4.10-2. City of Fullerton Trails

Trail Name	Address	Amenities	Length (Miles)
Featured Trails			
Brea Dam Trail	Rear of St. Jude Medical Center to Fullerton Municipal Golf Course Fullerton, California 92835	Access to: Fullerton Municipal Golf Course. Lost Trail to Trail Rest Park	1.6
Bud Turner Trail	Laguna Lake Park at Hermosa Drive to corner of Euclid Street and Valencia Mesa Drive Fullerton, California 92835	Access to: Fullerton Equestrian Center, Hermosa Trails, Juanita Cookie Trail, Laguna Lake Park	1.8
East Coyote Hills Trail	Brea Blvd. to Craig Regional Park Fullerton, California 92835	Access to: Craig Regional Park, the Summit House, Vista Park	1.8
Hiltscher Park Trail	Corner of Bastanchury Rd. & W. Valley View Dr. to the Juanita Cooke Trail off Valencia Mesa Dr. Fullerton, California 92833	Access to: Bike Trails, Juanita Cookie Trail	1.4
Juanita Cookie Greeenbelt & Trail	Laguna Lake Park at Hermosa Drive & Santa Rosa Place to the SW Corner of Berkeley and Harbor Blvd. Fullerton, California 92835	Access to: Downtown Fullerton, Laguna Lake Park	2.8
Lost Trail	Brea Blvd. to Brea Dam Trail Fullerton, California 92835	Access to: Brea Dam Trail, Brea Dam Recreation Center, Fullerton Municipal Golf Course, Trail Rest Park	0.7
Nora Kuttner Trail	N.E. corner of Castlewood Drive and Parks Rd. to Euclid St. Fullerton, California 92835	Access to: Bud Turner Trail, Laguna Lake Park, West Coyote Hills Nature Preserve, West Coyote Hills Tree Park	0.6
Panorama Trail	Brea Blvd. to Bastanchury Road Fullerton, California 92831	Access to: Coyote Hills Golf Course, East Coyote Hills Trail, Panorama Nature Preserve, Panorama Trail, Summit House	1.5
Parks Road Trail	North end of Grissom Park at Camino Rey to White Park on Parks Road Fullerton, California 92833	Access to: Chaffee Park, Grissom Park, Parks Jr. High School Athletic Fields, Pioneer Trail, White Park	1.3
Rosecrans Trail	Ralph B. Clark Regional Park to West Coyote Hills Tree Park on Parks Road Fullerton, California 92833	Access to: Ralph B. Clark Regional Park, West Coyote Hills Park, West Coyote Hills Tree Park	1.6
Sally Pekarek Trail	N.W. Corner of Gilbert St. & Malvern Ave. to Sunnyridge Dr. Fullerton, California 92833	Access to: Emery Park, Pioneer Trail, Sunny Ridge Community	0.8
Other Trails			
Castlewood Trail		Connector Trail	1.3
Hermosa Trail		Street / Connector Trail	1.1
Horse Alley		Backbone Trail	0.6
Las Palmas Trail		Street / Connector Trail	1.1

Table 4.10-2. City of Fullerton Trails

Trail Name	Address	Amenities	Length (Miles)
Lucy Van Der Hoff Trail		Connector Trail	0.9
Pioneer Trail		Street / Backbone Trail	0.3
Rolling Hills Trail		Street / Backbone Trail	0.9
Valencia Mesa Trail		Street / Connector Trail	1.2

Source: City of Fullerton 2023c.

The City also maintains and operates various recreational facilities within the City, including some facilities operated in partnership with City partners (City of Fullerton 2023g). The facilities serving the Planning Area are identified below in Table 4.10-3, Recreational Facilities in the City of Fullerton.

Table 4.10-3. Recreational Facilities in the City of Fullerton

Facility Name	Address	Amenities
City of Fullerton Facilities		
Fullerton Community Center	340 West Commonwealth Ave., Fullerton, California 92832	Classrooms, Courtyard, Events, Gym, Multipurpose, Office Spaces, Pool
Garnet Neighborhood Center	3012 Garnet Lane Units A & B, Fullerton, California 92831	Recreation Center
Gilbert Neighborhood Center	2120 W. Orangethorpe Avenue, Fullerton, California 92833	Food Pantry, Trauma Informed Trainings, Support Groups, Parenting Resources & Family Support, Teen Mentorship, Community Events & Advocacy
Maple Neighborhood Center at Lemon Park	701 South Lemon Street, Fullerton, California 92832	Community & Youth Services, Lemon Park Pavilion, Spray Pool
Other Facilities		
Gilbert – OC United	418 West Commonwealth Ave, Fullerton, California 92832	Community Center, Community and Family Services
Fullerton Museum Center	301 N. Pomona Ave, Fullerton, California 92832	Museum
Richman Neighborhood Center – CSUF Center for Healthy Neighborhoods	320 West Elm Avenue, Fullerton, California 92832	Adoptive, Foster Care, & Relative Caregiver Family Support Services, Case Management, Children and Youth Programs, Community Engagement Workshops, Counseling (Individual, Family, Couples, and Groups), Health Assessments, Health Management Program, Mental Health Services, Parenting Education (With Free Childcare)

Source: City of Fullerton 2023g, 2023h.

4.10.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal policies or regulations applicable to recreation with respect to the Project.

State

California Government Code

Section 66477. The Quimby Act (Government Code Section 66477), enacted in 1975, creates a framework that allows cities and counties to provide parks for growing communities. The Quimby Act authorizes jurisdictions to adopt ordinances that require parkland dedication or payment of in-lieu fees as a condition of approval of residential subdivisions. The Quimby Act also specifies acceptable uses and expenditures of the funds, such as allowing developers to set aside land, donate conservation easements, or pay direct fees for park improvements.

Mello-Roos Community Facilities Act of 1982

The Mello-Roos Community Facilities Act provides an alternative method of financing certain public capital facilities and services, especially in developing areas and areas undergoing rehabilitation. This state law empowers local agencies to establish Community Facilities Districts, special districts established by local governments in California, as a means of obtaining community funding.

Landscaping and Lighting Act of 1972, California Streets and Highway Code

The California Landscaping and Lighting Act of 1972 authorizes local legislative bodies to establish benefit related assessment districts or landscaping and lighting districts. Legislative bodies can levy assessments for the construction, installation, and maintenance of certain public landscaping and lighting improvements, including local public parks.

Local

City of Fullerton General Plan (City of Fullerton 2012a)

The Fullerton Economy

Goal 9. Long-term fiscal strength and stability that has a foundation in local economic assets and adapts to dynamic market conditions.

P9.6. Funding for New City Services. Support policies and regulations that require the addition of new City services based on finding that a clear need has been identified and a sustainable funding source is developed.

The Fullerton Community

Goal 14. An environment with opportunities for community health and wellbeing.

P14.1. Coordination. Support policies, projects, programs and regulations that provide for convenient and safe areas that facilitate opportunities for physical activity such as parks, trails, open space, safe streets for bicycling, safe sidewalks for walking, and recreational facilities for residents of all ages and abilities.

P14.5. Opportunities for Physical Activity. Support programs to coordinate with state, county and regional agencies to improve public health and well-being through a range of efforts with regional, subregional and local agencies including schools, local medical facilities, senior centers and adjacent jurisdictions.

P14.6. Amenities Within a Walkable Distance. Support policies and regulations involving land use and zoning changes that would provide access to daily retail needs, recreational facilities, and transit stops within a walkable distance (i.e., a quarter- to a half-mile) of established residential uses.

Goal 15. Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.

P15.1. North Orange County Parks and Recreation Collaboration. Support regional and subregional efforts to establish and maintain a collaboration of parks and recreation programs, to share best practices, discuss solutions to common challenges, and explore opportunities for connecting and expanding trails, joint use of parks and recreational facilities, and recreation programming for participating cities.

P15.2. Existing Parks and Recreation Resources. Support policies, projects, programs and regulations that preserve, protect, maintain and enhance Fullerton's existing parks, recreational facilities and trails.

P15.3. Access to Recreation Programs. Support policies, projects, programs and regulations that strengthen access to quality recreation programs which, in turn, promote a sense of community and a higher quality of life for Fullerton residents.

P15.4. Partnerships with Other Agencies. Support policies and programs that bolster appropriate partnerships between the City and agencies, including educational institutions, railroad franchises, utility companies, etc., to secure, co-locate or otherwise share parks, recreational facilities and trails on school campuses, within public easements and in other similar locations.

P15.6. Accessible Citywide Park System. Support policies, programs and regulations that facilitate the planning, design and development of an extensive system of parks (passive and active), recreational facilities, and trails that meets the current needs of Fullerton residents and is accessible and within a 15-minute walking distance (i.e., one-quarter to one-half mile) of every Fullerton resident.

P15.7. Park-to-Population Ratio. Support projects and programs that contribute to a citywide minimum park-to-population ratio of 4 acres per 1,000 people.

P15.8. Recreation Programming. Support programs that promote recreational activities that facilitate healthy and community-oriented lifestyles for Fullerton residents.

P15.9. Community-Based Parks and Recreation Program. Support policies, projects and regulations that reinforce a City commitment to a community-based parks and recreation program that maximizes opportunities to share information, promote two-way communication, and involve the Fullerton community and user groups in integrating a broad and diverse range of interests and concerns pertaining to the planning, development, enhancement and rehabilitation of parks, recreational facilities and trails.

P15.10. Park Dwelling Fee. Support policies and regulations which require new construction of dwelling units in the City to pay a park dwelling fee that provides for the creation and enhancement of open space, parks and recreational facilities accessible to all residents.

P15.16. Relationships to Development Projects. Support projects located adjacent to or near parks and trail facilities that facilitate connections and reinforce a positive relationship between private property and public parks and trails.

City of Fullerton Municipal Code (City of Fullerton 2023d)

Code 9.12: Park Regulations. This code establishes various standards to maintain, protect, and safely operate parks within the City and sets standards for the construction of parks. This code also sets standards to protect biking, boating, fishing, and various other opportunities for recreational activity in and around City parks, as well as to protect public health for people and local wildlife.

Code 9.16: Dog Parks. This code establishes various regulations on those bringing dogs to City dog parks to the public to promote public peace, morals, health, and safety. The code also details the penalties of violating these regulations.

Code 21.12: Fee for Parks on the Construction of Dwelling Units. This code imposes a fee on dwelling units established in the City in order to provide for the acquisition, development, and improvement of public parks and recreational facilities, as proposed by the City's Five Year Capital improvement Program. The purpose of the park fee is to implement the goals and policies of the Resource Management Element of the City of Fullerton's General Plan, which calls for the creation of open space throughout the community and the provision of a comprehensive and unified system of parks and recreational facilities accessible to all residents.

4.10.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to recreation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to recreation would occur if the project would:

1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to requiring the construction or new or expanded recreational facilities that might have an adverse physical effect on the environment. As such, the following threshold is evaluated within this section for the Program:

REC-1: Would the Program increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

4.10.4 Impacts Analysis

REC-1. Would the Program increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

As outlined above in Section 4.10.1. above, recreational services within the Planning Area are provided primarily by the City of Fullerton, with limited park service provided by Orange County Parks. Table 4.10-1 lists the City and County parks serving the Planning Area and their locations throughout the City. No direct development is proposed as part of the Program. However, land use changes proposed by the Program would facilitate future residential development, which would increase the City's population and, thus, would result in the potential to increase the use of existing recreational facilities such that physical deterioration could occur and/or be accelerated.

The Program would implement land use and zoning changes to accommodate the future development of up to approximately 35,611 additional dwelling units, the potential of which could generate up to 103,628 new residents across the Planning Area by the year 2029. Future occupants of these development projects would be anticipated to use existing neighborhood and regional parks or other recreational facilities within the City. In addition, housing growth within typically leads to an increase in demand for in parks and recreational facilities. As such, Program implementation would increase the demand for recreational facilities.

The City has identified ongoing and future park improvements that are or are anticipated to be implemented near the Planning Area, including improvements to Amerige Park, Gilbert Park, Emery Park, Independence Park, Chapman Park, Juanita Cookie Trail, and Union Pacific Park (City of Fullerton 2023f). Moreover, the City identified other recreational facilities near the Planning Area, including the Bastanchury Greenbelt (City of Fullerton 2023e). These park improvements would support the increased population in the City as a result of the Program.

The Planning Area is located in a relatively built-out urbanized area within Orange County. As such, the future development of recreational facilities is too speculative at the time of drafting this Draft PEIR. Although implementation of the Program may result in future open space on-site of future developments, and future park and/or recreational facilities may be created with each development project, it is unknown whether future facilities would be adequate to serve the demands generated by new and existing residents. The HIOZ Program would result in an increased population across the Planning Area which would increase the use of existing recreational parks and facilities such that there would be a need for additional recreational amenities. However, as required by the City's Municipal Code Section 21.12, a fee would be imposed on dwelling units established in the City in order to provide for the acquisition, development, and improvement of public parks and recreational facilities, as proposed by the City's Five Year Capital improvement Program. The purpose of the park fee is to implement the goals and policies of the Resource Management Element of the City of Fullerton's General Plan, which calls for the creation of open space

throughout the community and the provision of a comprehensive and unified system of parks and recreational facilities accessible to all residents.

As such, upon implementation of City requirements, including the payment of park mitigation fees or the dedication of land for future parks, as well as Fullerton HIOZ-specific goals, policies, and implementation programs, the Program would have a **less than significant** impact to recreational facilities.

4.10.5 Mitigation Measures

No mitigation measures required.

4.10.6 Significance Conclusion

Impacts associated with the proposed Program would be **less than significant**, and no mitigation would be required.

4.10.7 Cumulative Effects

Where a lead agency concludes that the cumulative effects of past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project has any contribution to the cumulative impact, and if so, whether the project's incremental effect is "cumulatively considerable." Given the City-wide scale of the Fullerton Housing Incentive Overlay Zone Program, the Program would inherently create cumulative effects.

The HIOZ Program would result in an increased population across the Planning Area which would increase the use of existing recreational parks and facilities such that there would be a need for additional recreational amenities. However, as required by the City's Municipal Code Section 21.12, a fee would be imposed on dwelling units established in the City in order to provide for the acquisition, development, and improvement of public parks and recreational facilities, as proposed by the City's Five Year Capital improvement Program. The purpose of the park fee is to implement the goals and policies of the Resource Management Element of the City of Fullerton's General Plan, which calls for the creation of open space throughout the community and the provision of a comprehensive and unified system of parks and recreational facilities accessible to all residents. As such, upon implementation of City requirements, the Program would result in less than significant and less than cumulatively considerable impacts to recreational facilities.

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4.11 Transportation

This section of the Program EIR (PEIR) analyzes the potential impacts from the implementation of the proposed Housing Incentive Overlay Zone (HIOZ) Program (Program) on transportation. Pursuant to Senate Bill (SB) 743, the City of Fullerton adopted Transportation Assessment Policies and Procedures (TAPP) (June 16. 2020) by Resolution No. 2020-49, to include vehicle miles traveled (VMT) as the new metric to evaluate the significance of transportation impacts. These guidelines and thresholds apply to land use and transportation projects in the City that are subject to CEQA and non-CEQA analyses. This section uses VMT as the basis for evaluating transportation impacts of the Project under CEQA. The VMT analysis is based on information provided in the following documents:

Appendix E Vehicle Miles Traveled (VMT) Modeling Assumptions and Outputs for the Housing Incentive Overlay EIR, City of Fullerton, April 03, 2024, prepared by Translutions Inc.

As noted above, this PEIR uses the metric of VMT for analyzing transportation impacts under CEQA. Therefore, non-CEQA analysis which includes, level of service (LOS) based analysis of roadway segments and intersections is not warranted per the scope of this document. The City would use criteria[1] specified in the "LOS Based Analysis Policies and Procedures" to determine if individual projects, as and when those are reviewed, would have a potential effect on transportation. Additionally, per City's General Plan Program EIR, implementation of condition of approval, **COA-TRA-1** would ensure preparation of a detailed multi-modal analysis to ensure consistency of individual projects with the City's current and applicable General Plan Mobility policies.

Comments received in response to the Notice of Preparation (NOP) are summarized in Table 2-1, Notice of Preparation and Comment Letters Summary, included in Chapter 2, Introduction, of this Draft PEIR. A copy of the NOP and the comment letters received in response to the NOP are included in Appendix A of this EIR. Some comments and concerns received were regarding potential for increase in traffic congestion, construction period traffic detours and effects on transit, bike and pedestrian facilities, assessment of the existing mobility conditions in the City, impact on City's bike plan and facilities, availability of a regional park and ride facility at 3000 West Orangethorpe Avenue as a potential mixed-use housing development, various aspects of land development and transportation planning to facilitate the proposed Program, freight movement, delivery and parking and potential impacts to traffic operations.

4.11.1 Existing Conditions

This section describes the existing transportation setting in the City, including the roadway, transit, pedestrian, and bicycle systems.

[1] Page 4, LOS Analysis, TAPP: An LOS analysis shall be required for a proposed project that meets any of the following criteria:
- Either the AM or PM peak hour trip generation is expected to exceed 40 net new vehicle trips;
- Regardless of net new vehicle trips, the combination of the land use and location justify analysis at the City's discretion.

If a project does not meet any of the applicability criteria, no further analysis for LOS is needed.
Page 10, Caltrans, TAPP: An additional analysis utilizing the latest Highway Capacity Manual (HCM) methodology shall be required for a project when either the AM or PM peak hour trip generation is expected meet or exceed 100 net new trips assigned to a State highway facility (facility) operating at any LOS, generate between 50 and 99 net new trips on a facility operating at LOS C or LOS D, or up to 49 net new trips on a facility operating at LOS E or LOS F.

Transportation System in the City

Vehicle Miles Traveled and Traffic Analysis Zone

CEQA Section 15064.3(a), Purpose, established VMT as the most appropriate measure of transportation impacts. The subdivision (a) defines vehicle miles traveled as "the amount and distance of automobile travel attributable to a project." The term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. For land use projects and plans, such as the Project, based on the predominant use, the following VMT efficiency metrics and method of estimation can be used:

- **Total VMT per Service Population:** The total VMT to and from all zones in the geographic area are divided by the total service population to get the efficiency metric of VMT per service population. The total service population is the sum of the number residents and the number of employees.
- **Home-based VMT per capita:** All home-based auto vehicle trips are traced back to the residence of the trip-maker (non-home-based trips are excluded) and then divided by the population within the geographic area to get the efficiency metric of home-based VMT per capita (or per resident).
- **Home-based Work VMT per employee:** All auto vehicle trips between home and work are counted, and then divided by the number of employees within the geographic area to get the efficiency metric of home-based work VMT per employee.

The traffic analysis zones (TAZ) is the spatial unit (or geographical area) within which travel behavior and traffic generation are estimated in a travel demand model. The City of Fullerton uses the Orange County Transportation Analysis Model (OCTAM). Figure 4.11-1 depicts the TAZs from the OCTAM for the City that have been used in the VMT analysis of the Project as discussed under 4.11.3 Methodology.

Roadway System

The City of Fullerton circulation system consists of a network of local streets providing access to the arterial highway system, which in turn provides access to the regional freeway system. This network serves two distinct and equally important functions: it provides access to adjacent land uses, and it facilitates the movement of persons and goods to and from, within and through the City. To define the intended uses of roadways, the City uses a functional classification system. The system provides a logical framework for the design and operation of the roadway system. Some major thoroughfares in the City of Fullerton are also part of the Orange County.

The functional roadway classifications and descriptions are provided in Table 4.11-1.

Table 4.11-1. Functional Roadway Classifications

Classification	Description
Major Arterial	Major Arterials are designed to be six-lane divided facilities within 100 feet of right-of-way. Typical daily traffic volumes accommodated by a Major Arterial would be 30,000 to 49,000 vehicles per day. Major Arterials carry both local and non-local commuter traffic. The Major Arterial cross-section is designed to accommodate automobiles, goods movement (trucks), transit vehicles (buses), bicycles, and pedestrians.
Prime Arterial	Prime Arterials are designed to be four-lane divided facilities within 80 to 84 feet of right-of-way. Typical daily traffic volumes accommodated by a Primary Arterial would be 20,000 to 33,000 vehicles per day. The Primary Arterial has a function similar to the Major Arterial. The difference between the two designations is capacity.

Table 4.11-1. Functional Roadway Classifications

Classification	Description
Secondary Arterial Highway	Secondary Arterials are designed to be four-lane undivided facilities within 80 to 84 feet right-of-way. A Secondary Arterial typically accommodates 16,000 to 22,000 vehicles per day. The Secondary Arterial is designed to carry traffic between local streets and the arterial roadway network. Some Secondary Arterials may serve as through routes, but most provide direct access to local land uses. Secondary arterial can safely accommodate buses, bicycles and pedestrians, but are primarily designed for automobile traffic.
Local Collector Street	Local Collector Streets are designed to be two-lane undivided facilities within 60 to 84 feet of right-of-way. A Local Collector Street typically accommodates 10,000 vehicles per day. Local Collector Streets are intended to provide direct access to individual properties, and to collect and route local traffic to the arterial system, within limited non-local through traffic.
Residential Street	Most residential streets are not included in the basic circulation network contained in the Circulation Element, yet they constitute a large portion of the developed roads in Fullerton. The purpose of residential streets is to access private residential property and provide circulation throughout a neighborhood. The rights-of-way of a residential street is generally between 50 to 60 feet, with sidewalks and curbs. Residential streets under private ownership may differ from normal design standards of the City.

Source: City of Fullerton General Plan Update, Existing and Build-out Conditions Report, September 2011

The City is served by Interstate (I) 5, State Route (SR) 90, SR 91, and SR 57. Major Arterials in the City include Bastanchury Road, Brea Boulevard, Chapman Avenue, Euclid Street, Harbor Boulevard, Orangethorpe Avenue, State College Boulevard, and Yorba Linda Boulevard. Primary Arterial Highways include Brookhurst Street, Chapman Avenue, Commonwealth Avenue, Gilbert Street, Harbor Boulevard, Lemon Street, Magnolia Avenue, Nutwood Avenue, Raymond Avenue, Rosecrans Avenue, and Valencia Drive. Secondary Arterial Highways include Acacia Avenue, Associated Road, Dale Street, Highland Avenue, Parks Road, Pioneer Avenue, and Placentia Avenue.

Figure 4.11-2 City of Fullerton Roadway Classifications illustrates the roadway network in the city.

Public Transportation Services

The Fullerton Transportation Center (FTC) is a hub for all modes of public transportation, located at the southeast edge of the downtown area. Commuter rail service (Metrolink) is provided on a daily basis through the FTC between downtown Los Angeles Union Station to the north, and Riverside and San Diego to the east and south. Public bus transit services are provided within the City of Fullerton by the Orange County Transportation Authority (OCTA). Bus routes link various destinations within the City and throughout the County, including Cal State Fullerton, Fullerton College, the Anaheim Transportation Center, Angel Stadium and Disneyland. The FTC also provides access to private taxi services and secure bicycle storage.

OCTA operates several local fixed routes, community routes BRAVO routes, in and through the City of Fullerton.

OCTA Local Routes

- Route 25 provides service between the cities of Fullerton and Huntington Beach, and operates daily. Service is provided on weekdays from 4:09 a.m. to 10:27 p.m. with 50-minute headways, and on weekends and holidays from 5:54 a.m. to 10:27 p.m. with 60-minute headways.

- **Route 26** provides service between the cities of Fullerton and Yorba Linda, and operates daily. Service is provided on weekdays from 5:15 a.m. to 11:06 p.m. with 30-minute headways, and on weekends and holidays from 5:10 a.m. to 10:10 p.m. with 60-minute headways.
- **Route 30** provides service between the cities of Cerritos and Anaheim with stops in Fullerton, such as at the Park-and-Ride. The route operates daily, with service provided on weekdays from 5:30 a.m. to 10:10 p.m. with 45-minute headways, and on weekends from 6:20 a.m. to 9:00 p.m. with 60-minute headways.
- **Route 33** provides service between the cities of Fullerton and Huntington Beach, primarily via Magnolia Street. The route operates daily, with service provided on weekdays from 4:56 a.m. 9:37 p.m. with 40-minute headways, and on weekends from 7:20 a.m. to 7:30 p.m. with 70-minute headways.
- **Route 35** provides service between Fullerton and Costa Mesa, primarily via Brookhurst Street. The route operates daily, with service provided on weekdays from 4:30 a.m. to 10:00 p.m. with 40-minute headways, on Saturdays from 4:45 a.m. to 8:40 p.m. with 60-minute headways, and on Sundays and Holidays from 5:37 a.m. to 8:11 p.m. with 50-minute headways.
- **Route 37** provides service between the cities of Fullerton and Fountain Valley, primarily via Euclid Street. The route operates daily, with service provided on weekdays from 4:25 a.m. to 11:45 a.m. with 60-minute headways and 11:45 a.m. to 10:45 p.m. with 30-minute headways, on Saturdays from 5:10 a.m. to 9:40 p.m. with 45-minute headways, and on Sundays and holidays from 7:00 a.m. to 8:45 p.m. with 45-minute headways.
- **Route 43** provides service between the cities of Fullerton and Costa Mesa, primarily via Harbor Boulevard. The route operates daily, with service provided on weekdays from 4:00 a.m. to 8:30 p.m. with 20-minute headways and 8:30 p.m. to 1:45 a.m. with 60-minute headways, and on weekends and holidays from 4:30 a.m. to 9:40 p.m. with 15-to-20-minute headways and from 9:40 p.m. to 1:45 a.m. with 60-minute headways.
- **Route 47** provides service between the cities of Fullerton and Costa Mesa, primarily via Harbor Boulevard. The route operates daily, with service provided on weekdays from 4:10 a.m. to 7:45 p.m. with 20-minute headways and 7:45 p.m. to 10:30 p.m. with 30-minute headways, and on weekends and holidays from 5:05 a.m. to 10:55 p.m. with 30-minute headways.
- **Route 53** provides service between the cities of Anaheim and Irvine, primarily via Main Street. The route operates daily, with service provided on weekdays from 4:10 a.m. to 12:30 a.m. with 30-minute headways, and on weekends and holidays from 5:35 a.m. to 12:30 a.m. with 60-minute headways.
- **Route 57** provides service between the cities of Brea and Newport Beach, primarily via State College Boulevard and Bristol Street. The route operates daily, with service provided on weekdays from 4:00 a.m. to 9:30 p.m. with 30-minute headways and 9:30 p.m. to 1:45 a.m. with 60-minute headways, on Saturdays from 4:00 a.m. to 9:40 a.m. with 15-minute headways, 9:40 a.m. to 6:55 p.m. with 40-minute headways and 6:55 p.m. to 2:00 a.m. with 30-minute headways, and on Sundays and holidays from 4:00 a.m. to 2:14 a.m. with 30-minute headways.

OCTA Community Routes

- **Route 123** provides service between the cities of Anaheim and Huntington Beach with stops in Fullerton such as at the Fullerton Transportation Center. The route operates only on weekdays, with service provided from 4:40 a.m. to 10:12 p.m. with 60-minute headways.
- **Route 143** provides service between the cities of La Habra and Brea with stops in Fullerton such as at the Fullerton Transportation Center. The route operates daily, with service provided on weekdays from 4:49 a.m. to 11:12 p.m. with 50-minute headways, on Saturdays from 6:11 a.m. to 8:14 p.m. with 60-minute headways, and on Sundays and holidays from 7:19 a.m. to 7:03 p.m. with 60-minute headways.

OCTA BRAVO Routes

- **Route 529** provides service between the cities of Fullerton and Huntington Beach, primarily along Beach Boulevard. The route operates only on weekdays, with service provided from 6:10 a.m. to 7:59 p.m. with 30-minute headways.
- **Route 543** provides service between the cities of Fullerton and Santa Ana, primarily along Harbor Boulevard. The route operates only on weekdays, with service provided from 5:12 a.m. to 8:00 p.m. with 30-minute headway.

MetroLink

- **Orange County Line** provides daily service between the City of Oceanside and Downtown Los Angeles. The route operates on weekdays with eight trains in the mornings from 4:00 a.m. to 10:15 a.m. with approximately 30-minute headways, and two trains in the evenings at 3:29 p.m. and 5:17 p.m. On weekends, the route operates four trains at 8:30 a.m., 11:30 a.m., 1:30 p.m., and 5:30 p.m.
- **91/Perris Valley Line** provides daily service between the City of Perris and Downtown Los Angeles. The route operates on weekdays with four trains in the mornings from 4:30 a.m. to 6:30 a.m. with approximately 30-minute headways, and one train in the evenings at 2:56 p.m. On weekends, the route operates two trains at 7:10 a.m. and 8:10 a.m.

Amtrak Pacific Surfliner provides service between the cities of San Luis Obispo, Santa Barbara, Los Angeles, and San Diego with multiple stops in Southern California along the way. The route operates ten trains daily as well as multiple thruway bus and connecting services.

Figure 4.11-3 illustrates Orange County Transit System which shows the bus routes that provide service to the City of Fullerton and location of each of these routes.

Active Transportation

The City is well-connected within the Southern California region and aims to continue to promote mobility connections within the city and to the region at large. The City's pedestrian network generally includes sidewalks, shared use paths, and trails. To enhance walkability in the communities, the General Plan aims to promote complete streets and improve upon the multi-modal network. Per the City's Bicycle Master Plan included in the City's General Plan, (City of Fullerton 2012), bicycle facilities in the City are classified as follows:

Class I – Bicycle Path: Bike paths, also called shared-use paths or multi-use paths, are paved right-of-way for exclusive use by bicyclists, pedestrians, and other non-motorized modes of travel. They are physically separated from vehicular traffic and can be constructed in roadway right-of-way or exclusive right-of-way. Most of the City's bicycle paths are located along the creek and river channels, within college campuses, between parks, and along abandoned railroad right of ways.

Class II – Bicycle Lane: Bike lanes are defined by pavement striping and signage used to allocate a portion of a roadway for exclusive bicycle travel. Bike lanes are one-way facilities on either side of a roadway. Bike lanes are located adjacent to a curb where no on-street parking exists. Where on-street parking is present, bike lanes are striped to the left side of the parking lane.

Class III – Bicycle Route: Bike routes provide shared use with motor vehicle traffic within the same travel lane. Designated by signs, bike routes provide continuity to other bike facilities or designate preferred routes through corridors with high demand.

Figure 4.11-4 illustrates the existing and proposed bike facilities in the City.

4.11.2 Relevant Plans, Policies, and Ordinances

Federal

There are no federal policies or regulations applicable to land use and planning with respect to the proposed Project.

State

Senate Bill 743

On September 27, 2013, Governor Brown signed Senate Bill 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline review under the CEQA process for several categories of development projects including the development of infill projects in transit priority areas and to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. SB 743 adds Chapter 2.7: Modernization of Transportation Analysis for Transit Oriented Infill Projects to the CEQA Statute (Public Resources Code Section 21099). Section 21099(d)(1) provides that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. In addition, SB 743 mandates that alternative metric(s) for determining impacts relative to transportation shall be developed to replace the use of level of service (LOS) in CEQA documents.

In the past, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments, which is often measured using LOS. Mitigation for impacts on vehicular delay often involves increasing capacity such as widening a roadway or the size of an intersection, which in turn induces more vehicular travel and greater pollutant emissions. Additionally, improvements to increase vehicular capacity can often discourage alternative modes of transportation such as biking, walking, and transit. SB 743 directed the Office of Planning and Research (OPR) to develop an alternative metric(s) for analyzing transportation impacts in CEQA documents. The alternative shall promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution by promoting the development of multimodal transportation system and providing clean, efficient access to destinations. Under SB 743, it was anticipated that the focus of transportation analysis will shift from vehicle delay (and LOS) to VMT within transit-priority areas (i.e., areas well served by transit).

Pursuant to SB 743, OPR released the draft revised CEQA Guidelines in November 2017, recommending the use of VMT for analyzing transportation impacts. Additionally, OPR released updates to the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018), to provide guidance on VMT analysis. In this Technical Advisory, OPR provides its recommendations to assist lead agencies in screening out projects from VMT analysis and selecting a significance threshold that may be appropriate for their particular jurisdictions. While OPR's Technical Advisory is not binding on public agencies, CEQA allows lead agencies to "consider thresholds of significance … recommended by other public agencies, provided the decision to adopt those thresholds is supported by substantial evidence" (CEQA Guidelines Section 15064.7[c]).

In December 2018, the CEQA Guidelines were updated to add Section 15064.3, Determining the Significance of Transportation Impacts, that describes specific considerations for evaluating a project's transportation impacts using VMT methodology. This new methodology was required to be used for projects starting on July 1, 2020.

CEQA Guidelines Section 15064.3(b) is divided into four subdivisions as follows:

(1) **Land Use Projects.** Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop[2] or a stop along an existing high-quality transit corridor[3] should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) **Transportation Projects.** Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) **Qualitative Analysis.** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.

The CEQA Guidelines Section 15064.3, subdivision (b)1 applies to the Project. The City has adopted screening criteria and impact criteria meant to serve as guidance for projects to determine whether a Transportation Impact Analysis should be performed, and whether a project generates a significant transportation impact. Therefore, the City's adopted Transportation Assessment Policies and Procedures (TAPP) (June 16, 2020) have been used in this section to determine Program's VMT impact.

Sustainable Communities Strategies: Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the state's climate action goals to reduce greenhouse gas emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, the California Air Resources Board sets regional targets for greenhouse gas

[2] OPR's Technical Advisory 2018: Pub. Resources Code, § 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.")

[3] OPR's Technical Advisory 2018: Pub. Resources Code, § 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.")

emissions reductions from passenger vehicle use. In 2010, the California Air Resources Board established these targets for 2020 and 2035 for each region covered by one of the state's Metropolitan Planning Organizations (MPO). The California Air Resources Board will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a Sustainable Communities Strategy (SCS) as an integral part of its Regional Transportation Plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its greenhouse gas emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. California Air Resources Board must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional greenhouse gas targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate alternative planning strategy to meet the targets. The alternative planning strategy is not a part of the RTP.

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the alternative planning strategy. Developers can get relief from certain CEQA requirements if their new residential and mixed-use projects are consistent with a region's SCS (or alternative planning strategy) that meets the targets (see Cal. Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28.).

Statewide Transportation Improvement Program

The California 2010 Statewide Transportation Improvement Program (STIP), approved by the U.S. Department of Transportation in October 2009, is a multi-year, statewide, intermodal program of transportation projects that is consistent with the statewide transportation plan and planning processes, metropolitan plans, and CFR Title 23. The STIP is prepared by the Caltrans in cooperation with the Metropolitan Planning Organizations and the regional transportation planning agencies. The STIP contains all capital and noncapital transportation projects or identified phases of transportation projects for funding under the Federal Transit Act and CFR Title 23, including federally funded projects.

Caltrans

As the owner and operator of the State Highway System, the State of California Department of Transportation (Caltrans) implements established state planning priorities in all functional plans, programs, and activities. Caltrans has the responsibility to coordinate and consult with local jurisdictions when proposed local land use planning and development may impact state highway facilities. Pursuant to Section 21092.4 of the Public Resources Code (PRC), for projects of statewide, regional, or area-wide significance, the lead agency shall consult with transportation planning agencies and public agencies that have transportation facilities which could be affected by the project.

Caltrans Draft Transportation Impact Study Guide (TISG) and Safety Review (February 2020) replaced the Guide for the Preparation of Traffic Impact Studies (Caltrans 2002). Per the 2020 TISG, Caltrans' primary review focus is VMT, replacing LOS as the metric used in CEQA transportation analyses (Caltrans 2020). Caltrans recommends use of OPR's recommended thresholds and guidance on methods of VMT assessment found in OPR's Technical Advisory (OPR 2018) for land use projects. In addition to VMT, the 2020 TISG states that it may request a targeted operational and safety analysis to address a specific geometric or operational issue related to the State Highway System and connections with the State Highway System.

Regional

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) develops the RTP, which presents the transportation vision for Los Angeles, Orange, San Bernardino, Imperial, Riverside, and Ventura Counties. SB 375 was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing and environmental planning. Under the law, SCAG is tasked with developing a Sustainable Communities Strategy (SCS), an element of the RTP that provides a plan for meeting emissions reduction targets set forth by the California Air Resources Board (CARB). The SCS outlines the plan for integrating the transportation network and related strategies with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. The SCS focuses the majority of new housing and job growth in high-quality transit areas and other opportunity areas in existing main streets, downtowns, and commercial corridors, resulting in an improved jobs-housing balance and more opportunity for transit-oriented development. This overall land use development pattern supports and complements the proposed transportation network that emphasizes system preservation, active transportation, and transportation demand management measures.

The 2020–2045 RTP/SCS also known as Connect SoCal Plan is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians (SCAG 2020). The SCAG Regional Council adopted the Connect SoCal (2020-2045 RTP/SCS) on September 3, 2020.

Connect SoCal's "Core Vision" centers on maintaining and better managing the transportation network for moving people and goods, while expanding mobility choices by locating housing, jobs, and transit closer together and increasing investment in transit and complete streets. The Connect SoCal's "Core Vision" centers on maintaining and better managing the transportation network for moving people and goods, while expanding mobility choices by locating housing, jobs, and transit closer together and increasing investment in transit and complete streets.

The RTP/SCS is updated every four years and SCAG's Regional Council will consider the proposed final Connect SoCal 2024 for adoption during an April 4, 2024, meeting. The vision and goals for Connect SoCal 2024 are rooted in the direction set forth by Connect SoCal 2020. The proposed final Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with policies and strategies for achieving the region's shared goals through 2050. Goals and subgoals for year 2050 pertain to building and maintaining an integrated multimodal transportation network; developing, connecting, and sustaining livable and thriving communities; creating a healthy region for the people today and tomorrow; and supporting a sustainable, efficient, and productive regional economic environment that provides opportunities for all people. The Mobility Policies and Strategies in Connect SoCal 2024 include System Preservation and Resilience, Complete Streets, Transit and Multimodal Integration, Transportation Systems Management, and Transportation Demand Management.

Orange County Transportation Authority (OCTA)

The Orange County Transportation Authority (OCTA) is the county transportation planning commission, responsible for funding and implementing transit and capital projects for a balanced and sustainable transportation system (OCTA 2024). The OCTA is responsible for projects, programs and services that includes bus and rail transit, rideshare, environmental programs, active transportation and express lanes and freeways. This achieved by

administering a variety of Measure M[4] funding programs. On September 25, 2017, the Board of Directors approved externally rebranding M2 as OC Go to promote OCTA's Measure M awareness. The 2019 Orange County Congestion Management Program was adopted by OCTA in November 2019. The goals of Orange County's CMP are to support regional mobility objectives by reducing traffic congestion, to provide a mechanism for coordinating land use and development decisions that support the regional economy, and to support gas tax funding eligibility. The City of Fullerton is required to show continued compliance with the CMP in order to obtain Measure M2 funds. As previously discussed, under SB 743, automobile delay, as measured by LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. However, a jurisdiction may still adopt LOS as a performance standard for analyzing traffic conditions and maintaining throughput on its highway system.

Local

The Fullerton Plan – Mobility Element

The City's General Plan (or The Fullerton Plan), adopted in May 2012, provides goals and policies to achieve the vision for the City. Chapter 4 of The Fullerton Plan is the Mobility Element, the purpose of which is to further the attainment of a balanced, multi-modal transportation network that minimizes environmental and neighborhood impacts (Fullerton, 2012). The Mobility Element seeks to link Fullerton's system of roadways, bicycle and pedestrian facilities, bus and rail transit systems, and airport—all of which collectively provide for the movement of person. The primary goal for Mobility Element states:

Goal 5. A balance system prompting transportation alternatives that enable mobility and an enhanced quality of life.

The Mobility Element includes several policies for the circulation system at region/subregion level, city level, neighborhood/district level and project level.

The Fullerton Plan – Bicycle Element

Chapter 5 of The Fullerton Plan is the Bicycle Element The purpose of the Bicycle Element is to provide Fullerton with a plan, as well as goals, policies, and actions, designed to meet the needs of commuter and recreational bicyclists of all abilities and provide safe connectivity to and between activity centers such as schools, transportation centers, open space/parks, residential neighborhoods and commercial areas within the City, and with adjoining jurisdictions – consistent with the Fullerton Vision and the community's values (Fullerton, 2012). The Bicycle Element seeks to broaden transportation choices for residents, employees and visitors in Fullerton. The primary goal for Bicycle Element states:

[4] In 1990, Orange County voters approved Measure M, a 20-year program for transportation improvements funded by a half-cent sales tax. Measure M allocates all sales tax revenues to specific Orange County transportation improvement projects in three major areas: freeways, streets and roads, and transit. Renewed Measure M (or Measure M2) was passed by the voters of Orange County in 2006 and extended the half-cent sales tax from 2011 to 2041 to fund specific transportation projects and programs in the County. The goal of M2 is to relieve congestion, improve street conditions, synchronize signals, expand Metrolink, reduce costs for seniors and persons with disabilities, and reduce transportation related air and water pollution. Revenue generated by Measure M2 is returned to local jurisdictions for use on local and regional transportation improvement and maintenance projects. Significant progress continues with projects completing construction, projects in and advancing towards construction, as well as regular funding allocations to local jurisdictions through local programs.

Goal 6. A bicycle friendly city where bicycling is a safe and convenient alternative to motorized transportation and a recreational opportunity for people of all ages and abilities.

The Bicycle Element includes several policies for the bicycle network at region/subregion level, city level, neighborhood/district level and project level.

4.11.3 Methodology

VMT Analysis

As described in Chapter 3, Project Description, the Program is one policy action to help facilitate housing production in order to meet the City's RHNA goals. The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units. The Program would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone. Implementation of the Program could theoretically result in a buildout potential of 35,611 units. Therefore, the Program does not include or propose any site-specific development that could directly result in construction or operational impacts to the environment. Therefore, this PEIR does not assess the site-specific construction and operation details of each future development. Rather, it assesses the potential VMT impacts associated with changes to existing land uses and the associated overall effects of buildout of the Program, where reasonably foreseeable physical changes to the environment could occur.

A project's VMT analysis follows the process of first using screening criteria, identifying an efficiency metric, identifying the significance threshold and, lastly, determining requirements for modeling and assessment. Per the City's Transportation Guidelines requirements for VMT analysis for land use plans projects, the Orange County Transportation Analysis Model[5] (OCTAM) Version 5.0 with socio-economic data (SED) and efficiency metric of VMT per service population was used. The OCTAM model runs on the TransCAD software platform and is based on a four-step model structure, which includes trip generation, trip distribution, mode choice, and trip assignment. The model is made up of TAZs (see Figure 4.11-1 for OCTAM TAZs) that include the SED (e.g., population, employment, households, workers, and school enrollment) and transportation system network. The SED assumptions and changes for the Program using the OCTAM are described below and provided in Appendix E.

The base and horizon year transportation system network was taken from the OCTAM model years, and no modifications were made. Most TAZs in the project area are within the city boundary. Since this is a planning level analysis, the additive method for project SED was used for the VMT analysis. Under this method, project SED was added to the existing (or future) SED of the TAZs (also referred as the parent zone) to evaluate with project VMT.

- Population Assumptions. Based on data collected for the 2021 HEU, the City's average household size is estimated at 2.91 persons per household (City of Fullerton 2021). An average household size of 2.91 persons per household was used to estimate the population for the proposed Program. Based on the project

[5] OCTAM is a travel demand model developed and maintained by OCTA, designed to provide a greater level of detail and sensitivity in Orange County compared to the regional model developed by the Southern California Association of Governments (SCAG) and the statewide model developed by Caltrans. It is provided to jurisdictions and traffic consultants under a modeling user agreement. Following review by Fehr & Peers of the Technical Advisory on Evaluating Transportation Impacts in CEQA, State of California, Governors Office of Planning and Research, December 2018 as well as CEQA Guidelines, case law, and other relevant national guidance of model applications and forecasting, Fehr & Peers recommends that OCTAM be considered the best available model currently available to Orange County cities for SB 743 implementation.

description and density, an average household size of 2.91 persons per household was applied to estimate the population in the TAZs of the proposed Program.

- Household Income Assumptions. Income characteristics were based on the incomes for the parent zone.
- Employment Assumptions. Employee forecasts and densities were evaluated based on the changes proposed in the Program and based on the current employment density of the parent zone. The change based on the model densities were used to present a conservative analysis. Removal of employment (due to removal of non-residential uses) under the future condition resulted in a decrease in the number of employees[6] for the proposed Program.

The VMT analysis below summarizes the average VMT per Service Population values utilizing OCTAM for the City of Fullerton and the Program. The Program development totals were converted into (SED) and input into OCTAM for each TAZ. The Program's TAZ analysis is based on the combination of the TAZs that include the 759 parcels, and the Service Population in the calculation includes the population and employees. The current OCTAM's base year is 2016 and horizon year is 2045. The analysis for the Program was conducted for those years to correspond to model and City's General Plan Buildout horizon year. The daily total VMT per service population has been compared to the City's General Plan Buildout average total daily VMT per service population to estimate the Program's potential VMT impacts under baseline and cumulative conditions.

- **Project Generated VMT:** The City has selected the Origin/ Destination[7] VMT methodology to provide a more complete capture of all travel (car and truck trips) within the study area, including trips that may begin or end outside of the study area. VMT per service population is utilized to normalize VMT into a standard unit for comparison purposes while accounting for the population and/or employment in a given area. To determine whether or not there is a potentially significant impact, the analysis shall compare the project - generated VMT to the VMT that is forecast to be generated from approved general plan growth and other transportation network modifications (general plan buildout VMT).
- **Project Effect on VMT:** The City has selected the Boundary Method[8] VMT to capture all trips, including those trips that do not begin or end in the City (i.e. cut -through traffic) and/or displaced traffic, on the City's roadway network. VMT per service population is utilized to normalize VMT into a standard unit for comparison purposes while accounting for the population and/or employment in a given area. To determine whether or not there is a significant impact, the City's TAPP compares the citywide VMT with and without

6 As currently proposed, only HIOZ parcels along arterial streets will be required to provide commercial space in mixed-use HIOZ projects. This does not preclude other HIOZ parcels from similarly providing commercial space in addition to residential if they wished to do so. This means that any HIOZ parcel would be capable of developing commercial in addition to residential as part of HIOZ program. In the most conservative scenario, all future HIOZ projects across all HIOZ parcels provide some commercial use in addition to residential. Referencing Table B-9 in the City's Housing Element which studied the 5 most recently completed mixed-use projects in the city, it demonstrates that an average of 12% of ground floor site area is dedicated to commercial uses in a mixed-use project in the city of Fullerton. Therefore, applying this 12% across all 759 HIOZ parcels, approximately 3.1 million square feet of commercial uses could be developed in the HIOZ program. Using the ratio of 623 square feet per employee for retail employees in the Orange County area from Table 6B provided in the SCAG Employment Density Report (2001), this would result in 4,979 employees. However, due to removal of existing non-residential uses, a reduction of 11,139 employees was conservatively estimated (or a reduction of 6,160 employees). Based on the validated model, the employee reduction was estimated at approximately 6,071 employees. The lower reduction was used in the analysis to present a conservative evaluation.

7 Origin Destination Method: The OD methodology is utilized to estimate project-generated VMT. The OD methodology for calculating VMT sums all weekday VMT generated by trips with at least one trip end in the study area (i.e., City boundary or Project boundary) and tracks those trips to their estimated origins/destinations. Origins are all vehicle trips that start in a specific traffic analysis zone (TAZ) and destinations are all trips that end in a specific TAZ. This methodology includes both passenger car and truck trips.

8 Boundary Method: The boundary method is utilized to measure the project's effect on VMT. The boundary method is the sum of all weekday VMT on a roadway network within a designated boundary. Boundary method VMT estimates VMT by multiplying the number of trips on each roadway segment by the length of that segment. This approach includes all trips, including those trips that do not begin or end in the designated boundary. This is the only VMT method that captures the effect of cut-through and/or displaced traffic.

the project. The City has chosen citywide VMT as the basis for this threshold because of its comprehensive geography and appropriateness for a City-wide analysis.

As explained above, the project generated VMT (estimated using Origin-Destination methodology) is a measure of how far an average person would travel and it includes distance traveled within and outside the City. For a plan level analysis, this is calculated by dividing the change in total VMT for TAZs within the City (regardless of where the travel occurs, for example, this would include VMT incurred in other cities and/or counties) by the net change in Service Population.

As explained above, the project effect on VMT (estimated using boundary methodology) is a measure of how VMT within the City changes due to change in land uses and/or circulation pattern. This is calculated by dividing the roadway VMT within the City (includes VMT for cut-through traffic, for example, vehicles driving through the City of Fullerton without a trip end in the City) by the Service Population of the City.

Therefore, project-generated VMT and project effect on VMT describe entirely different scenarios and their numeric values cannot be compared to draw any conclusion. Project-generated VMT is summarized in Table 4.11-2 and Project-effect on VMT is summarized in Table 4.11-3. As explained below, because the Program is a long-range land use project, the Program's VMT impact was determined based on project effect on VMT and project generated VMT estimate is included in this section for informational purposes only.

VMT Impact Threshold for Land Use Project

A land use project would result in a potentially significant project-generated VMT impact if either of the following conditions are satisfied:

1. The project -generated average total daily VMT per service population in the baseline year exceeds the City of Fullerton General Plan Buildout average total daily VMT per service population calculated with Origin/ Destination VMT; or
2. The project -generated average total daily VMT per service population in the horizon year exceeds the City of Fullerton General Plan Buildout average total daily VMT per service population calculated with Origin/ Destination VMT.

Additionally, the land use project's effect on VMT would be considered potentially significant for purposes of determining a cumulative impact if either of the following conditions are satisfied:

1. The addition of the project in the baseline year causes an increase in the citywide average total daily VMT per service population calculated with Boundary Method VMT; or
2. The addition of the project in the horizon year causes an increase in the citywide average total daily VMT per service population calculated with Boundary Method VMT.

The City's guidelines also specify that for a long-range planning land use project such as a general plan, only the cumulative impact analysis of the project's effect on VMT is required. Because the Program is a long-range land use project, the Program's VMT impact was determined based on project effect on VMT as shown in Section 4.11.5. Threshold TRA-2. The Project generated VMT estimate is included in this section for informational purposes only.

Project-Generated VMT:

The modeling outputs of VMT analysis and results are included in Appendix E. The results of the VMT analysis using the OCTAM model for the Program under baseline and cumulative conditions are provided in Table 4.11-2.

- Baseline Project-Generated VMT – Based on the Origin-Destination (OD) VMT methodology, as shown in Table 4.11-2, the Program's average baseline Project generated VMT per Service Population is 17.0.
- Cumulative Project-Generated VMT – Per the City's TAPP, based on the OD methodology, as shown in Table 4.11-2, the Program's average cumulative Project-generated VMT per Service Population is 15.0.

Table 4.11-2. Project Generated VMT – Baseline and Cumulative Conditions

Criteria	Baseline Project Generated VMT	Cumulative Project Generated VMT
Total Origin-Destination VMT	1,662,320	1,466,209
Population	103,630	103,630
Employment	(6,071)	(6,071)
Service Population (Population plus Employment)	97,559	97,559
Origin Destination VMT/Service Population	17.0	15.0

Source: OCTAM Travel Demand Forecast Model, Translutions Inc.; Appendix E.

4.11.4 Thresholds of Significance

The significance criteria used to evaluate the Program's impacts to transportation are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to transportation would occur if the Program would:

1. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
2. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
4. Result in inadequate emergency access.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to substantially increasing hazards due to a geometric design feature or incompatible use and inadequate emergency access. As such, the following thresholds are evaluated within this section for the Program:

TRA-1. Would the Program conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

TRA-2. Would the Program conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact Criteria

The City's impact criteria that were used to determine significance of impact are described below. In summary:

- Regarding the potential to conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities., the applicable programs, plans, ordinance, and policies were analyzed for their applicability to the Project under Threshold 4.17-1.
- Regarding the potential to conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), per the City's TAPP, a project has a potentially significant VMT impact if it meets one or more of the criteria as described under methodology when comparing the Project's effect on VMT to the City's General Plan Buildout average total daily VMT per service population VMT.

4.11.5 Impacts Analysis

TRA-1. Would the Program conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The proposed Program would facilitate housing production in order to meet the City's RHNA goals. As explained in Section 4.11.3, the Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification and would not directly result in the construction of the total buildout potential. Rather, the Program would facilitate the construction of housing units with the adoption of this overlay zone. However, implementation of the Program could theoretically result in a buildout potential of 35,611 units. The construction of those units would occur over a period of time and would be spread out in the City. Based on the location and size of the project, there would be a potential for temporary effects to the existing circulation system, including transit, roadway, bicycle, and pedestrian facilities. For any construction in the public right-of-way, the City would require a traffic control plan be implemented to ensure access for all road users, at all times. Operation of these future projects could result in changes to the existing traffic levels due to the introduction of residential and mixed-use land uses. Pursuant to California Public Resources Code Section 21099(b)(2) and CEQA Guidelines Section 15064.3(a), a project's effect on automobile delay is not considered a significant environmental effect. Therefore, no discussion or analysis of level of service or delay is provided in this document.

Given the well-developed transportation system, a number of parcels in the Program are served by existing transit, bike and pedestrian facilities in the City. Transit services in the City are provided by Metrolink and OCTA. As described in Section 4.11.1, several OCTA bus routes provide transit services within the City. The Metrolink rail lines that service the City include the Orange County line and 91/Perris Valley line. The Fullerton Metrolink station is located at 120 East Santa Fe Avenue, southeast of Commonwealth Avenue and Harbor Boulevard intersection and has a park and ride lot and several bus routes connecting to the station site. There are several existing and proposed bike facilities along Bastanchurry Road, Valencia Drive, Yorba Linda Road, Nutwood Avenue, Wilshire Avenue, Commonweath Avenue, Orangethorpe Avenue, Wilshire Avenue, Rolling Hills Drive, and Rosecrans Avenue. The City's bikeway plan would ensure construction of the proposed network and completion of the gaps and missing bike facilities throughout the City. It should be noted that a detailed inventory or assessment of the existing mobility conditions in the City is not within the scope of analysis of the Program. However, the Program would not conflict with or impede implementation of policies, plans, ordinances, and programs addressing the circulation system,

including transit, roadways, bicycle lanes, and pedestrian paths. The future projects would be required to comply with applicable General Plan Program EIR mitigation measures, which would be implemented as a Condition of Approval (COA). Refer to COA-TR 1 in Section 4.11.6.

The Program's consistency with the Connect SoCal (the SCAG RTP/SCS), and City's General Plan Mobility Element are discussed in detail in Section 4.5 Land use and Planning. As shown therein, the Program is consistent with Connect SoCal. Therefore, the proposed Program would result in a less-than-significant impact related to conflicts with the adopted General Plan addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be **less than significant**.

TRA-2. Would the Program conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3(b) focuses on the metric of VMT adopted pursuant to SB 743 for determining the significance of transportation impacts. As discussed above in Section 4.11.2, Relevant Plans, Policies and Ordinances, pursuant to SB 743, the focus of transportation analyses changed from vehicle delay to VMT. The City has adopted its own VMT analysis guidelines and thresholds (TAPP, City of Fullerton 2020). For the purposes of this PEIR, the recommended VMT analysis methodology and thresholds identified within the City's TAPP have been used. The VMT Modeling Assumptions and Outputs memorandum prepared by Translutions is included in Appendix E.

Per the City's TAPP, for a long- range planning land use project such as a general plan, only the cumulative impact analysis of the project's effect on VMT is required. Because the Program would have at least a nine year (2021-2029) or more timeline and proposes a zoning overlay for several hundred parcels in the City for the implementation of City's Housing Element, the significance of VMT impact has been determined using project-effect on VMT.

Project Effect on VMT

As mentioned above, the metric used for the Program's VMT analysis is VMT per Service Population. Service population is the sum total of population and employment. The base year 2016 and horizon or cumulative year 2045 model runs were conducted with and without the Program, by adjusting the model's land use (i.e., SED) inputs.

- **Baseline Project's Effect on VMT** – Based on the Boundary VMT methodology, as shown in Table 4.11-3, the Plus Project Baseline boundary citywide VMT per Service Population is 8.6 which is below the no Project Baseline boundary citywide VMT per Service Population of 11.1.
- **Cumulative Project's Effect on VMT** –As shown as shown in Table 4.11-3, the Plus Project Cumulative boundary citywide VMT per Service Population is 8.5 which is below the no Project Cumulative boundary citywide VMT per Service Population of 10.7.

Table 4.11-3. Project Effect on VMT – Baseline and Cumulative Conditions

Criteria	Baseline Project Effect on VMT	Cumulative Project Effect on VMT
No Project boundary City-wide VMT	2,490,121	2,819,474
No Project City-wide Service Population (SP)	224,514	263,924
No Project boundary City-wide VMT/SP (Threshold)	11.1	10.7

Table 4.11-3. Project Effect on VMT – Baseline and Cumulative Conditions

Criteria	Baseline Project Effect on VMT	Cumulative Project Effect on VMT
With Project boundary City-wide VMT	2,761,767	3,065,365
With Project City-wide Service Population	322,073	361,483
With Project Boundary VMT/Service Population	8.6	8.5
Project Boundary VMT/SP compared to Threshold	Below	Below
Potentially Significant Impact	**No**	**No**

Source: OCTAM Travel Demand Forecast Model, Translutions Inc.; Appendix E.

Impact Determination

As shown in Table 4.11-3, the proposed Program's effect on VMT would result in a less than significant impact because the citywide VMT per Service Population under with Project conditions is lower than the citywide VMT per Service Population under no Project conditions, under baseline and cumulative conditions. Consistent with the City's TAPP and based on the VMT methodology, criteria, thresholds and results, the proposed Program would not have a significant VMT impact under baseline or cumulative conditions. Therefore, the proposed Program would not conflict with CEQA Guidelines Section 15064.3(b) related to the VMT threshold. Impacts would be **less than significant**.

4.11.6 Mitigation Measures and Conditions of Approval

No mitigation measures are required for transportation. However, the following mitigation measure from the City's General Plan Program EIR will be implemented as a standard Condition of Approval (COA) for the proposed Program.

COA-TR-1 Prior to approval of any General Plan Amendment and/or Zone Change associated with the focused planning efforts for The Fullerton Plan Focus Areas, the City and/or project proponent shall prepare a detailed multi-modal analysis in order to determine specific impacts associated with the proposed General Plan Amendment and/or Zone Change, and where applicable, identify mitigation measures to reduce impacts to less than significant levels based on City adopted multi-modal thresholds. The multi-modal analysis shall specify the timing, funding, construction, and fair share responsibilities for all traffic improvements necessary to maintain satisfactory levels of service within the City of Fullerton and surrounding jurisdictions, in accordance with the significant impact criteria established by the jurisdiction that controls the affected area.

4.11.7 Significance Conclusion

The Program would result in a less than significant impact. No mitigation measures are required.

4.11.8 Cumulative Effects

All development facilitated by implementation of the Program and elsewhere in the City, because of other cumulative projects, would be required to comply with all applicable local provisions related to the circulation system including preparation of a detailed multi-modal analysis per COA-TR-1. Therefore, the Program would result

in a less-than-significant impact related to conflicts with the adopted plans and policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities under cumulative conditions.

As shown in Section 4.11.5 and Table 4.11-3, the VMT analysis of the Program under cumulative conditions for the year 2045 was conducted using the OCTAM. Based on the analysis of the project-effect on VMT under cumulative conditions, the proposed Program would have a less than significant cumulative VMT impact.

4.11.9 References Cited

Caltrans (California Department of Transportation). 2002. Guide for the Preparation of Traffic Impact Studies. December 2002. https://nacto.org/docs/usdg/guide_preparation_traffic_impact_studies_caltrans.pdf.

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SCAG. 2020. The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments (Connect SoCal). https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176.

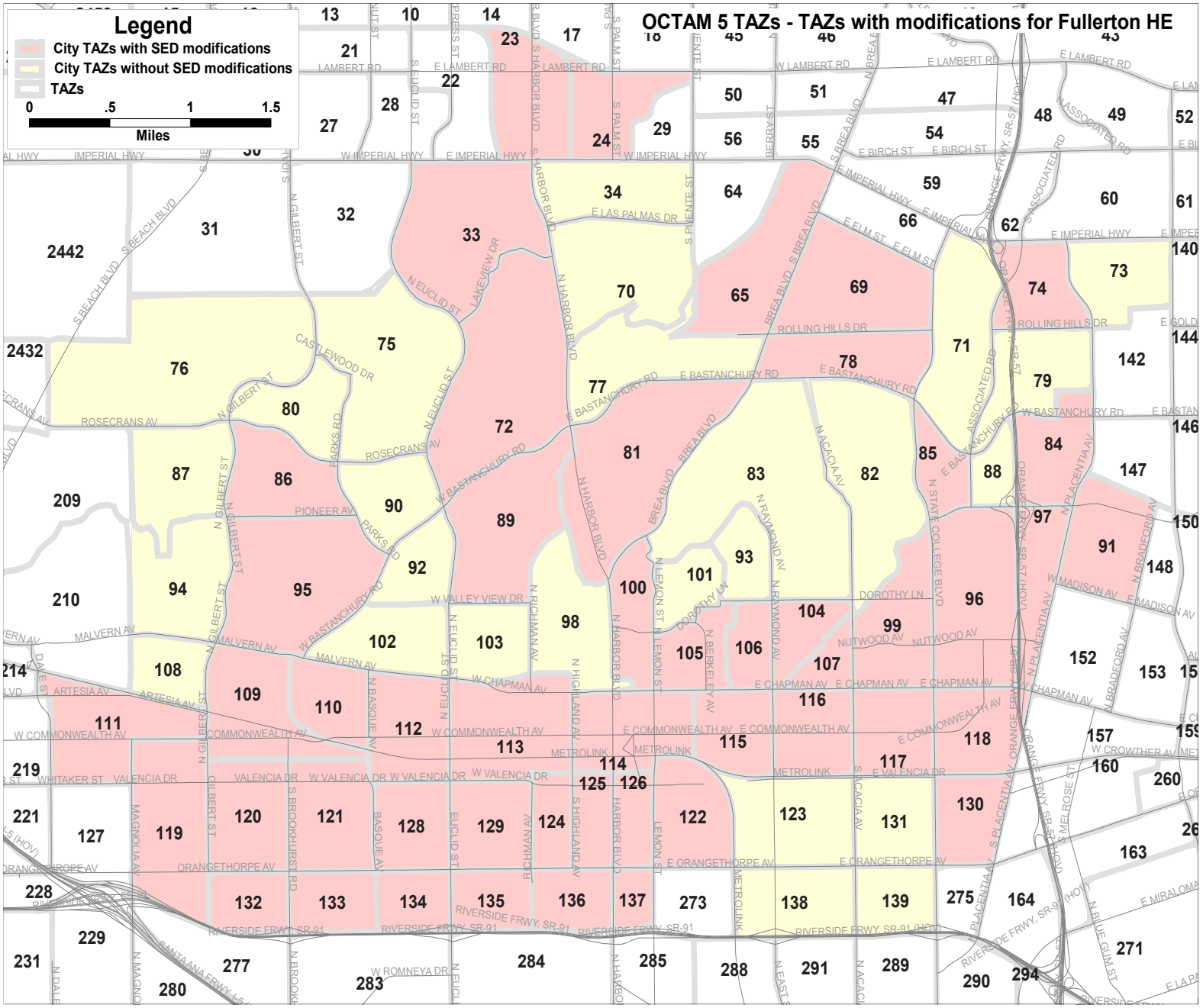

FIGURE 4.11-1

OCTAM TAZ in Project Area

Fullerton Housing Incentive Overlay Zone PEIR

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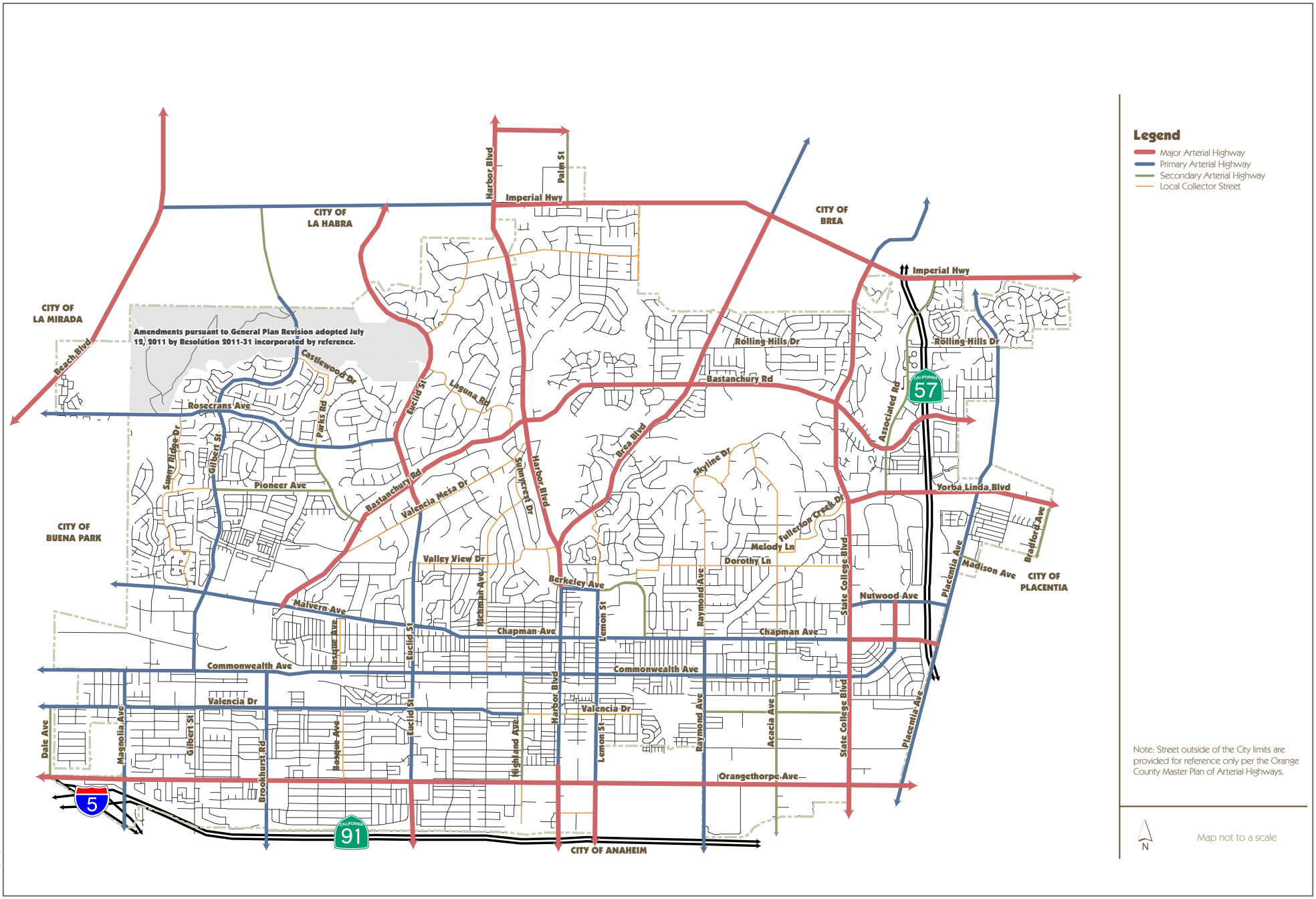

FIGURE 4.11-2

City of Fullerton Roadway Classification

Fullerton Housing Incentive Overlay Zone PEIR

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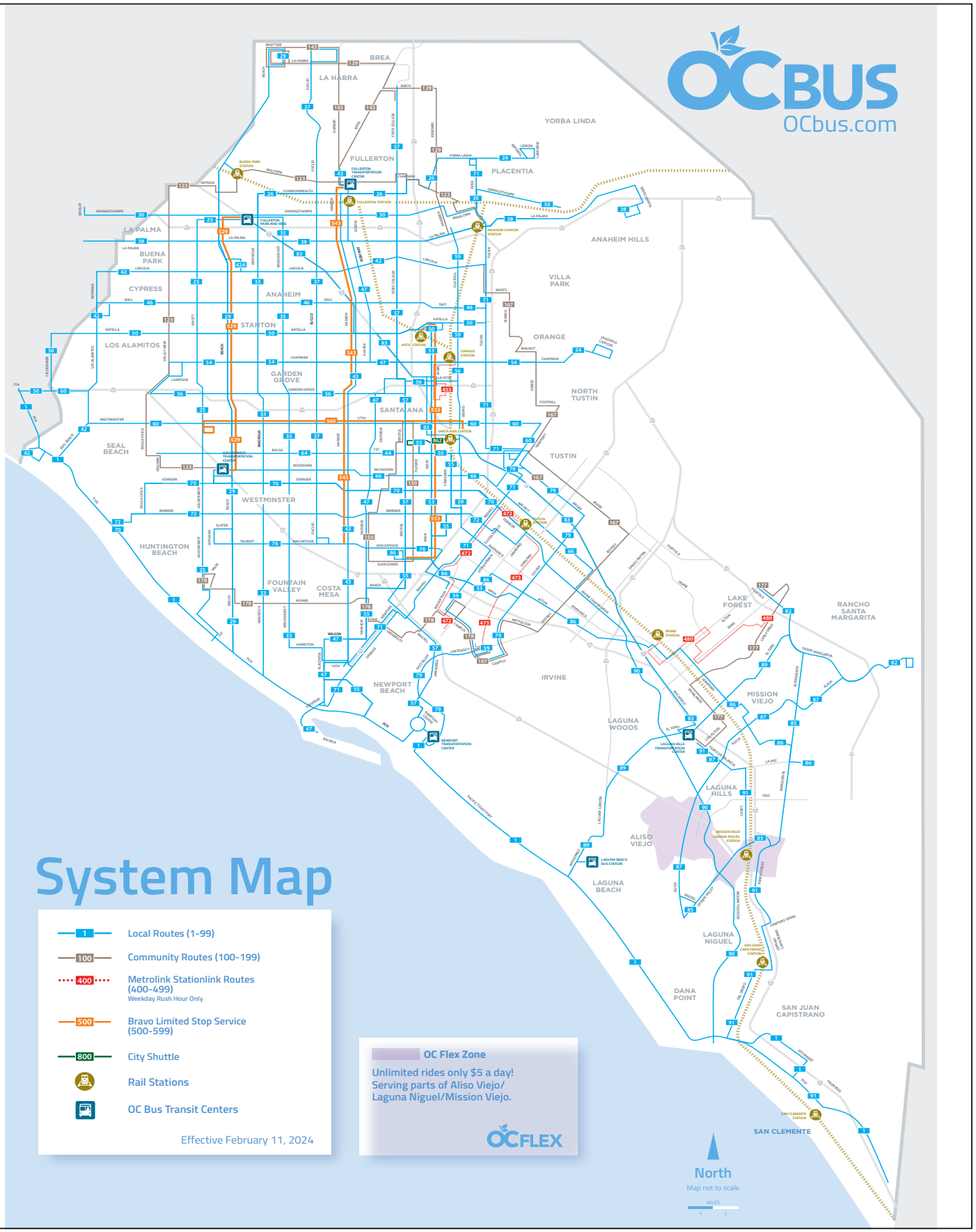

FIGURE 4.11-3

Orange County Transit System Map

Fullerton Housing Incentive Overlay Zone PEIR

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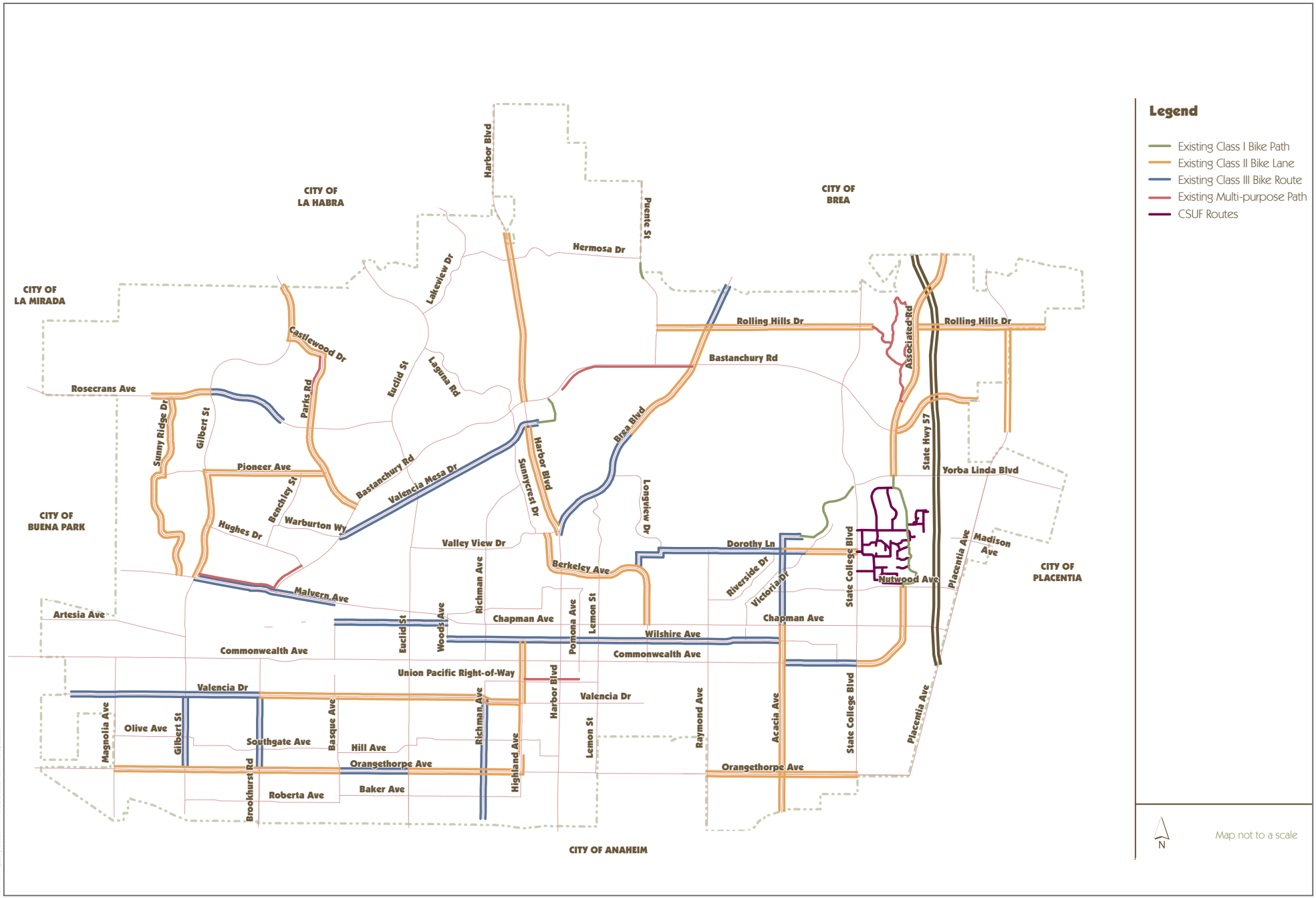

FIGURE 4.11-4

Existing and Proposed Bikeway Facilities

Fullerton Housing Incentive Overlay Zone PEIR

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4.12 Tribal Cultural Resources

This section describes the existing tribal cultural resources (TCRs) conditions of the Planning Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.12.1 Existing Conditions

The Program is proposed within the City of Fullerton (City), a city located in north Orange County, California, as shown in Figure 3-1, Regional Location. The proposed Program would apply to select parcels across the City. Given the Citywide nature of the Program, the location of identified parcels is collectively defined as the "Planning Area" as shown in Figure 3-2, Fullerton HIOZ Map. The Planning Area is comprised of 759 parcels across the City totaling 593 acres. The City is characterized as a predominantly suburban residential community with the most prevalent housing type being single-family detached homes (City of Fullerton 2021). Under existing conditions, the Planning Area contains a variety of commercial (i.e., retail stores, restaurants, shopping centers, etc.), industrial (i.e., warehouse, industrial parks, auto repair, etc.), and office land uses as well as vacant land (e.g., parking lots).

Ethnographic Setting

The Planning Area falls within the ethnographic boundary of the Gabrielino. Based on evidence presented through past archaeological investigations, the Gabrielino appear to have arrived in the Los Angeles Basin around 500 B.C. Surrounding native groups included the Chumash and Tataviam to the northwest, the Serrano and Cahuilla to the northeast, and the Juaneño and Luiseño to the southeast.

The names by which Native Americans identified themselves have, for the most part, been lost and replaced by those derived by the Spanish people administering the local Missions. These names were not necessarily representative of a specific ethnic or tribal group, and traditional tribal names are unknown in the post-Contact period. The name "Gabrielino" was first established by the Spanish from the San Gabriel Mission and included people from the established Gabrielino area as well as other social groups (Bean and Smith 1978; Kroeber 1925). Many modern Native Americans commonly referred to as Gabrielino identify themselves as descendants of the indigenous people living across the plains of the Los Angeles Basin and refer to themselves as the Tongva (King 1994). This term is used here in reference to the pre-Contact inhabitants of the Los Angeles Basin and their descendants.

The Tongva established large, permanent villages along rivers and streams, and lived in sheltered areas along the coast. Tongva lands included the greater Los Angeles Basin and three Channel Islands, San Clemente, San Nicolas, and Santa Catalina and stretched from the foothills of the San Gabriel Mountains to the Pacific Ocean. Tribal population has been estimated to be at least 5,000 (Bean and Smith 1978), but recent ethnohistoric work suggests a much larger population, approaching 10,000 (O'Neil 2002). Archaeological sites composed of villages with various sized structures have been identified through the Los Angeles Basin. Within the permanent village sites, the Tongva constructed large, circular, domed houses made of willow poles thatched with tule, each of which could hold upwards of 50 people (Bean and Smith 1978). Other structures constructed throughout the villages probably served as sweathouses, menstrual huts, ceremonial enclosures, and communal granaries. Cleared fields for races and games, such as lacrosse and pole throwing, were created adjacent to Tongva villages (McCawley 1996).

The largest, and best documented, ethnographic Tongva village in the vicinity was that of Yanga (also known as Yaangna, Janga, and Yabit), which was in the vicinity of the downtown Los Angeles (McCawley 1996:56-57; NEA

and King 2004). This village was reportedly first encountered by the Portola expedition in 1769. In 1771, Mission San Gabriel was established. Yanga provided a large number of the recruitments to this mission; however, following the founding of the Pueblo of Los Angeles in 1781, opportunities for local paid work became increasingly common, which had the result of reducing the number of Native American neophytes from the immediately surrounding area (NEA and King 2004). Mission records indicate that 179 Gabrieleno inhabitants of Yanga were recruited to San Gabriel Mission (King 2000:65; NEA and King 2004: 104). Based on this information, Yanga may have been the most populated village in the Western Gabrieleno territory. Second in size, and less thoroughly documented, the village of Cahuenga was located slightly closer, just north of the Cahuenga Pass

Father Juan Crespi passed through the area near this village on August 2-3, 1769. The pertinent sections from his translated diary are provided here:

> Sage for refreshment is very plentiful at all three rivers and very good here at the Porciúncula [the Los Angeles River]. At once on our reaching here, eight heathens came over from a good sized village encamped at this pleasing spot among some trees. They came bringing two or three large bowls or baskets half-full of very good sage with other sorts of grass seeds that they consume; all brought their bows and arrows but with the strings removed from the bows. In his hands the chief bore strings of shell beads of the sort that they use, and on reaching the camp they threw the handfuls of these beads at each of us. Some of the heathens came up smoking on pipes made of baked clay, and they blew three mouthfuls of smoke into the air toward each one of us. The Captain and myself gave them tobacco, and he gave them our own kind of beads, and accepted the sage from them and gave us a share of it for refreshment; and very delicious sage it is for that purpose.
>
> We set out at a half past six in the morning from this pleasing, lush river and valley of Our Lady of Angeles of La Porciúncula. We crossed the river here where it is carrying a good deal of water almost at ground level, and on crossing it, came into a great vineyard of grapevines and countless rose bushes having a great many open blossoms, all of it very dark friable soil. Keeping upon a westerly course over very grass-grown, entirely level soils with grand grasses, on going about half a league we came upon the village belonging to this place, where they came out to meet and see us, and men, women, and children in good numbers, on approaching they commenced howling at us though they had been wolves, just as before back at the spot called San Francisco Solano. We greeted them and they wished to give us seeds. As we had nothing at hand to carry them in, we refused [Brown 2002:339-341, 343].

The environment surrounding the Tongva included mountains, foothills, valleys, deserts, riparian, estuarine, and open and rocky coastal eco-niches. Like most native Californians, acorns (the processing of which was established by the early Intermediate Period) were the staple food source. Acorns were supplemented by the roots, leaves, seeds, and fruits of a wide variety of flora (e.g., islay, cactus, yucca, sages, and agave). Fresh water and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals, were also consumed (Bean and Smith 1978:546; Kroeber 1925; McCawley 1996).

Tools and implements used by the Tongva to gather and collect food resources included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. Trade between the mainland and the Channel Islands Groups was conducted using plank canoes as well as tule balsa canoes. These canoes were also used for general fishing and travel (McCawley 1996).

The collected food resources were processed food with hammerstones and anvils, mortars and pestles, manos and metates, strainers, leaching baskets and bowls, knives, bone saws, and wooden drying racks. Catalina Island steatite was used to make ollas and cooking vessels (Blackburn 1963; Kroeber 1925; McCawley 1996).

The Chinigchinich cult, centered on the last of a series of heroic mythological figures, was the basis of religious life at the time of Spanish contact. The Chinigchinich cult not only provided laws and institutions, but it also taught people how to dance, which was the primary religious act for this society. The Chinigchinich religion seems to have been relatively new when the Spanish arrived. It was spreading south into the Southern Takic groups even as Christian missions were being built. This cult may be the result of a mixture of native and Christian belief systems and practices (McCawley 1996).

Inhumation of deceased Tongva was the more common method of burial on the Channel Islands while neighboring mainland coast people performed cremation (Harrington 1942; McCawley 1996). Cremation ashes have been found buried within stone bowls and in shell dishes (Ashby and Winterbourne 1966), as well as scattered among broken ground stone implements (Cleland et al. 2007). Supporting this finding in the archaeological record, ethnographic descriptions have provided an elaborate mourning ceremony. Offerings varied with the sex and status of the deceased (Johnston 1962; McCawley 1996; Reid 1926). At the behest of the Spanish missionaries, cremation essentially ceased during the post-Contact period (McCawley 1996).

4.12.2 Background Research

California Historical Research Information System Records Search

A California Historical Research Information System (CHRIS) records search for the Planning Area was completed on November 7, 2023, at the South Central Coastal Information Center (SCCIC). The records search included a review of all recorded cultural resources and previous studies within the Planning Area's records search area. The SCCIC records indicate that 41 previous cultural resources studies have been conducted within or immediately adjacent to the Planning Area between 1990 and 2012 (Appendix F-4 [Confidential]). Table 4.12-1, below, provides a complete list of all 41 previous cultural resources studies within or immediately adjacent to the Planning Area.

Table 4.12-1. Previous Cultural Resource Studies Within or Immediately Adjacent to the Planning Area

Report Number	Year	Title	Author
OR-00474	1977	Description and Evaluation of the Cultural Resources Within Brea, Carbon Canyon, Fullerton and San Antonio Reservoirs, Santa Ana River Basin, Orange, Los Angeles, and San Bernadino Counties	Martz, Patricia
OR-00554	1977	Cultural Resource Survey for 13.7 Acres in the City of Placentia	Cottrell, Marie G.
OR-00985	1989	Cultural Resources Reconnaissance of the 375 Acre East Coyote Hills Unocal Project, Fullerton, California	Brown, Joan C.
OR-01114	1991	An Archaeological Assessment for the Florence Crittenton Services of Orange County Fullerton, California	Cameron, Constance
OR-01523	1996	Report of Archaeological Survey for L.A. Cellular Site #69.1, 34200 N. Harbor Boulevard, La Habra, Orange County	Demcak, Carol R.

Table 4.12-1. Previous Cultural Resource Studies Within or Immediately Adjacent to the Planning Area

Report Number	Year	Title	Author
OR-01556	1997	Cultural Resources Assessment of the Hughes Fullerton Site, City of Fullerton, Orange County, California	Allen, Kathleen C.
OR-01596	1974	Preliminary Report of the Potential Impact on Archaeological Resources of the Proposed Gas Transmission Pipeline From Los Angeles Harbor to Yorba Linda - Southern California Gas Co.: Environmental Analysis	Clewlow, William C. Jr.
OR-01773	1998	Cultural Resources Survey Report for a Pacific Bell Mobile Services Telecommunications Facility: Cm 081-02, Fullerton, Orange County, California	Mason, Roger D.
OR-02122	1980	An Archaeological Survey of the Gilbert Street Alignment, City of Fullerton, County of Orange, California	Jertberg, Patricia R.
OR-02221	2000	Cultural Resource Assessment for At&t Fixed Wireless Services Facility Number Oc_042_a, County of Orange, California	Duke, Curt
OR-02256	1999	Cultural Resources Assessments for Orange County Sanitation Districts	Demcak, Carol R.
OR-02280	2000	Cultural Resource Assessment for At&t Fixed Wireless Services Facility Number Oc_420_a, County of Orange, Ca	Duke, Curt
OR-02281	2000	Cultural Resource Assessment for At&t Fixed Wireless Services Facility Number Oc_741_a, County of Orange, California	Duke, Curt
OR-02359	2001	Cultural Resource Assessment Cingular Wireless Facility No. Sm-056-02, Orange County, California	Duke, Curt
OR-02458	2002	Cultural Resource Assessment At&t Wireless Services Facility No. 13072a Orange County, California	Duke, Curt
OR-02563	2002	Archaeological Assessment for Orangethorpe Avenue Reconstruction Project From Courtney Avenue to Eadington Avenue (#4400), City of Fullerton, California	Demcak, Carol R.
OR-02564	2002	Report of Archaeological Assessment for Paseo Park, City of Fullerton, California	Demcak, Carol R.
OR-02740	2002	Archaeological Assessment for Orangethorpe Avenue Reconstruction Project From Euclid Street to Woods Avenue (#4446), City of Fullerton, California	Demcak, Carol R.
OR-02748	2001	Cultural Resource Assessment Cingular Wireless Facility No. Sm 019-03 Orange County, California	Duke, Curt
OR-02762	2002	Archaeological Assessment for Orangethorpe Avenue Reconstruction Project (#4435), City of Fullerton, California	Demcak, Carol R.
OR-02768	2002	Archaeological Survey and Record Search for Ospc-0038, La/fullerton, Fullerton, Orange County (800-42)	Holson, John
OR-02832	2003	Records Search for Crosswalk Lighting Project, Raymond Ave. at Wilshire Ave., City of Fullerton	Allen, Kathleen C.
OR-02837	2003	Roadway Reconstruction Including Removal and Replacement of Failed Pavement in the City of Fullerton	Demcak, Carol R.

Table 4.12-1. Previous Cultural Resource Studies Within or Immediately Adjacent to the Planning Area

Report Number	Year	Title	Author
OR-02838	2003	Roadway Reconstruction Including Removal and Replacement of Failed Pavement in the City of Fullerton	Demcak, Carol R.
OR-03034	2004	Cultural Resource Assessment for At&t Wireless Facility 950-013-039c 3070 Lakeview Drive City of Fullerton Orange County, California	Kyle, Carolyn E.
OR-03039	2005	Cultural Resources Records Search Results and Site Visit for T-Mobile Candidate LA02865c (Stater Bros. Center) 1000 East Bastanchury Road, Fullerton, Orange County, California	Bonner, Wayne H.
OR-03048	2004	Report of Archaeological Assessment for Laguna Elementary School "Suggested Routes to School Improvement Project", City of Fullerton, California	Demcak, Carol R.
OR-03214	2005	Cultural Resources Records Search and Site Visit Results for Cingular Wireless Candidate Lsanca3039e (Mr. Waterbed), 3121 Yorba Linda Boulevard, Fullerton, Orange County, California	Bonner, Wayne H.
OR-03298	2003	(see LA7871) Historical Resource Evaluation Report Third Main Track and Grade Seperation Project Hobart (mp 148.9) to Basta (mp 163.3), Bnsf/metrolink East-west Main Line Railroad Track, Vernon to Fullerton, Los Angeles and Orange Counties, California	Tang, Bai "Tom" and Teresa Woodard
OR-03383	2007	Cultural Resources Records Search and Site Visit Results for Royal Street Communications, LLC Candidate La0876b (All Purpose Storage), 811 Williamson Avenue, Fullerton, Orange County, California	Bonner, Wayne H. and Bonner, Diane F.
OR-03509	2003	Cultural Resources Survey, Fullerton College, North Orange County Community College District	Secord, Paul R.
OR-03517	2008	Cultural Resources Records Search and Site Visit Results for T-Mobile Candidate LA33407A (OEM Press Systems), 331 South Highland Avenue, Fullerton, Orange County, California	Bonner, Wayne H. and Kathleen A. Crawford
OR-03822	2006	Historic Property Survey Report and Archaeological Survey Report for the State Route 57 Northbound Widening Project 0.3 km (02 mi) South of Orangethorpe Avenue to 0.2 km (0.1 mi) North of Lambert Road in the Cities of Placentia, Fullerton, and Brea, Orange County, CA.	Harper, Caprice
OR-04011	2009	Cultural Resource Assessment, Verizon Wireless Services Bastanchury Facility, City of Fullerton, Orange County, California	Fulton, Phil and Terri Fulton
OR-04051	2009	Cultural Resource Assessment - Verizon Wireless Services Brookdale Facility, City of Fullerton, Orange County, California	Fulton, Phil
OR-04104	2002	Historic Resource Inventory for the City of Placentia: Update 2002	Antram, Marie, Orr, Shannon, Vasquez, Liliana, L. de Graf, and Jertberg, Pat

Table 4.12-1. Previous Cultural Resource Studies Within or Immediately Adjacent to the Planning Area

Report Number	Year	Title	Author
OR-04145	2011	A Cultural Resources Investigation for the College Town @ Cal State Fullerton Specific Plan Project Area in the City of Fullerton, Orange County, California	McKenna, Jeanette A.
OR-04147	2011	LA3039 - Mr. Waterbed, 3121 Yorba Linda Boulevard, Fullerton, CA 92831	Wlodarski, Robert J.
OR-04209	2011	Results of a Phase I Archaeological Study for Proposed AT&T Wireless Telecommunications Site LA03115 (Jaken) located at 2356 East Walnut Avenue, Fullerton, CA 92831	Wlodarski, Robert J.
OR-04227	2012	Addendum Report" A Cultural Resources Investigation for the College Town @ Cal State Fullerton Specific Plan Project Area in the City of Fullerton, Orange County, California	McKenna, Jeanette
OR-04342	1990	Test Phase of a Portion of the East Coyote Hills Unocal Project, Fullerton, California	Brown, Joan C.

Source: Appendix F-4 (Confidential)

Previously Recorded Cultural Resources

The records search results indicate that five cultural resources intersect the Planning Area (Table 4.12-2) and eight cultural resources are located immediately adjacent to the Planning Area. Out of the five cultural resources that intersect the Planning Area, four are historic era built environment resources, and one is a multicomponent resource consisting of a prehistoric flake and core, a historic refuse pit, and railroad ties identified during monitoring (Appendix F-4 [Confidential]).

Table 4.12-2. Previously Recorded Cultural Resources Intersecting the Planning Area

Primary Number	Trinomial	Resource Type and Age	Description	Year Recorded	NRHP/CRHR Status
P-30-001724	CA-ORA-001724/H	Archaeological Site: Multicomponent	Prehistoric flake, core. Historic refuse pit, railroad tries found during monitoring.	2013	Not evaluated
P-30-157281	N/A	Built Environment: Historic	Commercial/industrial building: Sanitary Laundry	1979	Not evaluated
P-30-157282	N/A	Built Environment: Historic	Commercial property: 229 W Santa Fe	1979	Not evaluated
P-30-177118	N/A	Built Environment: Historic	Commercial property: LDS Student Center	2011	Not eligible
P-30-177119	N/A	Built Environment: Historic	Commercial property: Commercial Shopping Center	2011	Not eligible

Source: Appendix F-4 (Confidential)
Notes: NRHP = National Register of Historic Places; CRHR = California Register of Historical Resources.

Historic Aerial Review

In addition to the SCCIC records search, an online review of historic aerial photographs of the Planning Area and general vicinity were reviewed to determine the possible development and land use history of the Planning Area. There were 27 historic aerial photographs of the Planning Area available from 1930 to 2020 (UCSB 2023; NETR 2023). The earliest aerial photograph of Fullerton is dated to 1930. At the time the aerial photograph was taken, developed areas were concentrated north of Orangethorpe Avenue, west of Acacia Avenue, and east of Euclid Street. The remaining areas consist primarily of agricultural fields. By the early 1950s, Fullerton has expanded to the east to Gilbert Street. By the early 1960s, the Riverside Freeway is present, Fullerton has expanded, is largely developed, and appears as it does currently.

Historic topographic (topo) maps of the Planning Area were also reviewed, the earliest of which is from 1896. Fullerton is present on the topo maps as early as 1896, however, most roads are concentrated in the current Downtown Fullerton area. Brea Creek which currently intersects Fullerton, is depicted approximately 200 feet north of Fullerton. The Atchison Topeka and Santa Fe Railroad is present, and there is a waterway running through Brea Canyon to the north. On the 1935 topo map, Fullerton has expanded but largely remains north of Orangethorpe Avenue, east of Euclid Street, and west of Raymond Avenue. By the mid-1960s, the Riverside Freeway is present, Fullerton has expanded and is mostly developed (Appendix F-4 [Confidential]).

Native American Coordination

Native American Heritage Commission Sacred Lands File

A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was requested on November 16, 2023, and results were received on December 11, 2023. Although the search was positive, it is important to note that the results of the SLF provided by the NAHC relate to the general area around the Planning Area and doesn't does not affirm that any resources in the SLF are in the Planning Area itself (Appendix F-1).

The NAHC identified sixteen Native American individuals who would potentially have specific knowledge as to whether or not Native American cultural resources are identified within or near the Planning Area. Note: Sacred Land Files maintained by the NAHC represent a curation of "ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California" (NAHC 2023) provided by Tribal entities and Native American representatives. For various reasons, Tribal entities and Native American representatives do no not always report sacred lands or TCRs to the NAHC; as such, the NAHC's SLF is not necessarily a comprehensive list of known TCRs and searches of the SLF must be considered in concert with other research and not used as a sole source of information regarding the presence of TCRs.

Assembly Bill 52

Assembly Bill (AB) 52 defines TCRs as those archaeological sites identified by tribal individuals that are eligible for or listed in the California Register of Historical Resources, or resources that are accompanied by substantial evidence such that the lead agency designates a resource as a TCR. As such, it is appropriate to review identification of prehistoric archaeological resources that have the potential to be identified by consulting tribes as a TCR, by referring to records searches and cultural resources inventories.

A project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment (PRC Section 21084.2). Under AB 52, a TCR must have tangible,

geographically defined properties that can be impacted by project implementation. The Program is subject to compliance with AB 52.

The City sent notification of the Program to all California Native American tribal representatives that have requested project notifications from the City pursuant to AB 52 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area on August 31, 2023, and again on April 19, 2024. These notification letters included a Planning Area map and description inquiring if the tribe would like to consult to discuss the Program and the potential to impact any TCRs. AB 52 allows tribes 30 days after receiving notification to request consultation. If a response is not received within the allotted 30 days, it is assumed that consultation is declined. To date, one response has been received from the Gabrieleno Band of Mission Indians – Kizh Nation, requesting AB 52 consultation with the City. Table 4.12-3 summarizes the results of the AB 52 process for the Program.

Table 4.12-3. Tribal Outreach Results for AB 52-Listed Contacts

Native American Tribal Representatives	Method and Date of Initial Notification	Response to City Notification Letters	Notes
Andrew Salas, Chairman Gabrieleno Band of Mission Indians – Kizh Nation	August 31, 2023 – Email	August 31, 2023 Response received and consultation was requested.	An additional response was received on February 13, 2024, asked about potential ground disturbance impacts. City sent an additional letter via certified mail on April 19, 2024. A response was received on April 19, 2024, and consultation requested for all future projects within the HIOZ Planning Area. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.
Joyce Stanfield Perry, Tribal Manager Juaneño Band of Mission Indians – Acjachemen Nation	August 31, 2023 – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.
Joseph Ontiveros, Cultural Resources Director Soboba Band of Luiseño Indians	August 31, 2023 – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.

Table 4.12-3. Tribal Outreach Results for AB 52-Listed Contacts

Native American Tribal Representatives	Method and Date of Initial Notification	Response to City Notification Letters	Notes
San Dunlap, Cultural Resources Director Gabrieliño – Tongva Tribe	**August 31, 2023** – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.

Source: Appendix F-2.
Notes: AB = Assembly Bill; City = City of Arcadia.

Senate Bill 18

According to Senate Bill (SB) 18, the City has a responsibility to initiate consultation with tribes/groups listed on the California NAHC's official SB 18 contact list for amendment of a General Plan. SB 18 requires the City to send a letter to each contact on the NAHC's SB 18 list, extending an invitation for consultation. Tribes will have 90 days from receipt of the letter to request consultation. The City must also send a notice to all contacts 45 days prior to adopting the amended General Plan, as well as a third notice 10 days prior to any public hearing regarding the General Plan amendment.

The City sent notification of the Program to all California Native American tribal representatives that have requested notifications pursuant to SB 18 and that are on file with the NAHC as being traditionally or culturally affiliated with the geographic area. Table 4.12-4 summarizes the results of the SB 18 process.

Table 4.12-4. Tribal Outreach Results for SB 18-Listed Contacts

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date and Results
Andrew Salas, Chairman Gabrieleno Band of Mission Indians – Kizh Nation	**August 31, 2023** – Email	**April 19, 2024** Consultation requested for all future projects within the HIOZ Planning Area.	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024.
Joyce Stanfield Perry, Tribal Manager Juaneño Band of Mission Indians – Acjachemen Nation	**August 31, 2023** – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.

Table 4.12-4. Tribal Outreach Results for SB 18-Listed Contacts

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date and Results
Joseph Ontiveros, Cultural Resources Director Soboba Band of Luiseño Indians	**August 31, 2023** – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.
San Dunlap, Cultural Resources Director Gabrieliño – Tongva Tribe	**August 31, 2023** – Email	N/A	City sent an additional letter via certified mail on April 19, 2024, and requested a response by May 3, 2024. City made phone call and voicemail on April 22, 2024, and phone call and voicemail on May 3, 2024. No response.
Robert Dorame, Chairperson Gabrieleno Tongva Indians of California Tribal Council	**May 14, 2024** – Email	N/A	No response at the time of circulating this Draft PEIR.
Sandonne Goad, Chairperson Gabrieleno/Tongva Nation	**May 14, 2024** – Email	N/A	No response at the time of circulating this Draft PEIR.
Anthony Morales, Chairperson Gabrieleno/Tongva San Gabriel Band of Mission Indians	**May 14, 2024** – Email	N/A	No response at the time of circulating this Draft PEIR.
Alexis Wallick, Assistant Tribal Historic Preservation Officer Pala Band of Mission Indians	**May 14, 2024** – Email	N/A	No response at the time of circulating this Draft PEIR.
Lovina Redner, Tribal Chair Santa Rosa Band of Cahuilla Indians	**May 14, 2024** – Email	N/A	No response at the time of circulating this Draft PEIR.

Source: Appendix F-3.
Notes: SB = Senate Bill; City = City of Fullerton.

4.12.3 Relevant Plans, Policies, and Ordinances

State

California Register of Historical Resources

In California, the term "historical resource" includes:

> any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. (California PRC Section 5020.1[j])

In 1992, the California legislature established the CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1[a]). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, enumerated below. According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

The following CEQA statutes (PRC Section 21000 et seq.) and CEQA Guidelines (14 CCR 15000 et seq.) are of relevance to the analysis of archaeological, historic, and TCRs:

- PRC Section 21083.2(g) defines "unique archaeological resource."
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines "historical resources." In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of

an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.

- PRC Section 21074(a) defines "tribal cultural resources."
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b) and 21083.2(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures. Preservation in place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context and may help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (PRC Section 21084.1; 14 CCR 15064.5[b]).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (14 CCR 15064.5[b][1]; PRC Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project does any of the following (14 CCR 15064.5[b][2]):

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any "historical resources," and then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance would be materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Sections 21083.2[a]–[c]).

Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria (PRC Section 21083.2[g]):

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.

California State Assembly Bill 52

AB 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and provided for additional Native American consultation requirements for the lead agency. Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American tribe and that is either:

- On or determined to be eligible for the California Register of Historical Resources or a local historic register; or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with a project site, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Section 1 (a)(9) of AB 52 establishes that "a substantial adverse change to a tribal cultural resource has a significant effect on the environment." Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to TCRs, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

Senate Bill 18

The Local and Tribal Intergovernmental Consultation process, commonly known as SB 18, was signed into law September of 2004 and took effect March 1, 2005. SB 18 refers to PRC Section 5097.9 and 5097.995, which defines cultural places as:

- Native American sanctified cemetery place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9).
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (PRC Section 5097.993).

SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with California Native American tribes that have been identified by the NAHC and if that tribe requests consultation after local government outreach as stipulated in Government Code Section 65352.3. The purpose of this consultation process is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural place in any subsequent project. The consultation is required whenever a general plan, specific plan, or open space designation is proposed for adoption or to be amended. Once local governments have sent notification, tribes are responsible for requesting consultation. Pursuant to Government Code Section 65352.3(a)(2), each tribe has 90 days from the date on which they receive notification to respond and request consultation.

In addition to the requirements stipulated previously, SB 18 amended Government Code Section 65560 to "allow the protection of cultural places in open space element of the general plan" and amended Civil Code Section 815.3 to add "California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places."

California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). In accordance with California Public Resources Code Section 5097.98(a), the NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. Within 48 hours of being granted access to the site, the MLD may recommend means of treatment or disposition, with appropriate dignity, of the human remains and associated grave goods.

Local

Fullerton Municipal Code

Fullerton Municipal Code (FMC) Chapter 15.48 (Fullerton Landmarks, Landmark Districts, Residential Preservation Zones, and Significant Properties) established a Fullerton Register of Landmarks and Landmark Districts as well as procedures for landmark designation. Criteria for designation are:

1. Character, interest or value as part of the heritage of the city.
2. Location as a site of a historic event.
3. Identification with a person or persons or groups who significantly contributed to the culture and development of the city.
4. Exemplification of a particular architectural style or way of life important to the city.
5. Exemplification of the best remaining architectural types in an area.
6. Identification as the work of a person or persons whose work has influenced the heritage of the city, the state of California or the United States.
7. Embodiment of elements of outstanding attention to architectural design, detail, materials, or craftsmanship.
8. Relationship to other landmarks, where the preservation of one has a bearing on the preservation of another.
9. A unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.
10. Integrity as a natural environment that strongly contributes to the well being of the people of the city.

FMC Section 15.48.070 establishes procedures for review of proposals for a designated Historical Landmark or property within a designated Landmark District. In accordance with Section 15.48.070, proposed development, including rehabilitation of existing structures would be reviewed for compliance with established design criteria and standards that serve to conserve, maintain, and protect the special characteristics of the particular Historical Landmark or Landmark District, and therefore prevent those alterations that would detrimentally compromise the historic or aesthetic integrity of said property or its relationship to its natural setting.

The City of Fullerton also maintains a list of Significant Properties, which are defined as "an individual building, structure or feature considered as a historical or cultural resource in the city and which is eligible for 'Historical Landmark' designation." In accordance with Section 15.48.070, a proposal to demolish or relocate a designated Significant Property is subject to the approval of the Landmarks Commission. Further, a proposal to alter, add, reconstruct, rehabilitate, or restore a designated Significant Property would be subject to a review by the Director of Development Services. Routine maintenance of existing improvements and minor alterations or additions that are out of public view (e.g., the re-roofing of a structure, the replacement of damaged or deteriorated exterior architectural features; the construction of an accessory structure at the rear of the property) may be approved by the Director without further review.

4.12.4 Thresholds of Significance

The significance criteria used to evaluate the project impacts to tribal cultural resources are based on Appendix G of the CEQA Guidelines. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Based on the results of the Initial Study (Appendix A), the following thresholds are evaluated within this section for the Program:

TCR-1. Would the Program cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

TCR -2. Would the Program cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource

determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

4.12.5 Impacts Analysis

TCR-1. Would the Program cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

TCR -2. Would the Program cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

The proposed Fullerton Housing Incentive Overlay Zone (HIOZ) Program is intended to guide regional-level growth and development within the City. No direct development is proposed, and the Program would not directly destroy or adversely change the significance of a tribal cultural resource. However, implementation of the HIOZ Program would result in changes to land use designations, which would facilitate additional future development. Some of the future projects that would be facilitated by the Program would involve the earthwork to demolish, renovate, and construct on properties within the Program's Planning Area. Such activities could require grading and/or construction in native soils, such as earthwork for ground preparation, construction of foundations and driveways and installation trenching for utilities and landscaping. It is not expected that all of these activities would occur in engineered fill and/or previously disturbed soils, and this analysis anticipates that native/undisturbed soils would be impacted by future development activities. Therefore, there is a potential to cause a substantial adverse change in the significance of both known and unknown tribal cultural resources that are either listed or eligible for listing in the California Register, or listed in a local register of historical resources, or are determined by City, in its discretion and supported by substantial evidence, to be a significant tribal cultural resource.

In accordance with AB 52 and SB 18 requirements, the City sent the Program notification letters via email and via USPS Certified Mail to the California Native American Tribes, formally inviting Tribes to consult with the City on the proposed Program. The City received a response from one California Native American Tribe, the Gabrieleno Band of Mission Indians – Kizh Nation, via email on August 31, 2023, requesting consultation to discuss the Program. The Kizh Nation responded again on February 13, 2024, asking about potential ground disturbance impacts, and responded again on April 19, 2024, stating that the Kizh Nation is in agreement with the Housing Element (which considers the proposed HIOZ Program). No other Tribes responded to the City's notification letters.

As described in Section 4.12.2, Background Research, archival research revealed five previously recorded cultural resources intersecting the Planning Area, all of these previously recorded resources are either not eligible or are not evaluated. Therefore, future development projects that involve ground-disturbing activities have a potential to cause a substantial adverse change in the significance of unknown TCRs and therefore result in potentially significant impacts.

MM-TCR-1 would require the City to obtain an appropriate records search and comply with all applicable requirements of AB 52 during subsequent project-level environmental review. Pursuant to AB 52, the City must provide formal notification of applicable future development projects to designated contacts of each traditionally and culturally affiliated California Native American tribe that has requested notice. Additionally, the City must begin the consultation process within 30 days after receiving a tribe's request for consultation. If a future project's impacts to TCRs are determined to be potentially significant, the City would require the project to incorporate appropriate measures to avoid or minimize impacts to TCRs. Appropriate measures would be determined in consultation with the California Native American Tribe and consistent with COA-CR-1 through COA-CR-4 described in Chapter 3, Project Description, of this Program EIR. Measures within these COAs include the creation of a Phase I Cultural Resources Study, tribal monitoring, and/or protocols for archaeological/tribal cultural resources discoveries. In addition, COA-CR-3 would require all ground-disturbing activities within 100 feet of the find to cease if any cultural resources, including TCRs, are encountered during construction. The evaluation and treatment of the discovered resources must be completed according to the protocol outlined in COA-CR-2. COA-CR-4 outlines procedures, in compliance with the California Public Resources Code and Health and Safety Code, for future development projects in the event that human remains are found. Furthermore, all applicable requirements set forth in MM-TCR-1 and the COAs must also be performed in coordination and consultation with the local Native American Tribes. The City would consider tribal preferences when deciding on the disposition of Native American TCRs, which may include curation at an accredited or nonaccredited repository; onsite or offsite reburial; and/or donation to a local tribe or public, nonprofit institution with a research interest in the materials, or local school or historical society in the area for educational purposes.

While background research, pedestrian surveys, TCR assessments, evaluations, and avoidance are common mitigation measures for impacts to known TCRs, these measures do not assure that all impacts would be mitigated to a level of less than significant for those tribal cultural resources not yet identified. Future non-discretionary projects that would be implemented under the HIOZ Program would be subject to the federal, state and local regulations mentioned above; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations and MM-TCR-1, impacts to tribal cultural resources could still occur. As such, potential impacts would be significant and unavoidable.

4.12.6 Mitigation Measures

The following mitigation measure will be implemented for the proposed Program.

MM-TCR-1 Tribal Cultural Resources. During subsequent project-level environmental review, the City shall obtain a State of California Native American Heritage Commission (NAHC) Sacred Land Files Search, as appropriate, and comply with all applicable requirements of AB 52. Pursuant to AB 52, the City shall provide formal notification of the project to designated contact of each traditionally and culturally affiliated California Native American Tribe that has requested notice. The City shall

begin the consultation process within 30 days after receiving a Tribe's request for consultation. The City shall consider all relevant information available for the property to identify potential tribal cultural resources in the project area, evaluate the project's potential impacts to tribal cultural resources, and mitigate those potential impacts.

If project impacts to tribal cultural resources are determined to be potentially significant, the City shall require the project to incorporate appropriate measures to avoid or minimize impacts to tribal cultural resources, including but not limited to, the measures recommended in Public Resources Code Section 21084.3, tribal monitoring, or other alternative measures identified in consultation with the California Native American Tribe.

If any cultural resources (archaeological, historical, paleontological) are identified in the preparation of a Phase I Cultural Resources Study (see COA-CR-1) or are inadvertently unearthed during excavation and grading activities (see COA-CR-3), the City shall consult and coordinate with a Native American Tribal monitor who is traditionally or culturally affiliated with the geographic area of the development project that will help analyze the Native American artifacts for identification and to evaluate and mitigate impacts in accordance with the requirements set forth in COA-CR-1 through COA-CR-4.

4.12.7 Significance Conclusion

Threshold TCR-1 and TCR-2. With implementation of existing regulations and MM-TCR-1, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. Program impacts to tribal cultural resources would be less than significant with mitigation.

4.12.8 Cumulative Effects

Where a lead agency concludes that the cumulative effects of a project, taken together with the impacts of other closely related past, present, and reasonably foreseeable future projects are significant, the lead agency then must determine whether the project's incremental contribution to such significant cumulative impact is "cumulatively considerable" (and thus significant in and of itself). The cumulative study area used to assess potential cumulative tribal cultural resources impacts includes the entire City of Fullerton and considers the future buildout of applicable local and regional plans.

Threshold TCR-1 and TCR-2. The development of cumulative projects has the potential to cumulatively affect known and unknown tribal cultural resources. Development of related projects can affect tribal cultural resources if such projects adversely alter or destroy tribal cultural resources, such as tribal cultural resources that could contribute to understanding of an overall tribal cultural landscape. Over time, population growth and its accompanying development throughout the City has resulted in the destruction of tribal cultural resources during the early settlement days of the region and continuing to this day. Because all tribal cultural resources are unique and nonrenewable members of finite classes of resources that represent time periods, cultural landscapes, projects that destroy or alter certain tribal cultural resources have the potential to limit or eliminate an opportunity for a comprehensive understanding of the time periods and cultural landscapes a tribal cultural resource belongs and could result in a cumulatively significant effect on tribal cultural resources. Therefore, implementation of potential

projects under the HIOZ Program could result in a cumulatively significant effect on tribal cultural resources. Even with existing state, and local regulations in place designed to protect tribal cultural resources, individual tribal cultural resources would still have the potential to be impacted or degraded from destruction, relocation, or alteration as a result of new private or public development or redevelopment allowable under cumulative projects.

Therefore, impacts to tribal cultural resources as a result of Program implementation, in combination with other development that would occur in the region, would have the potential to result in a significant cumulative impact to tribal cultural resources. Even with implementation of MM-TCR-1, impacts to tribal cultural resources could still occur, and the Program's incremental contribution would be cumulatively considerable.

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4.13 Utilities and Service Systems

This section describes the existing utilities conditions of the Program Area and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Program.

4.13.1 Existing Conditions

Regional Utilities and Service Systems

The following is a summary of the regional utilities and service systems setting common to the Program Area.

Water Supply

Water supply in the Program Area is supplied by the City's water utility that meets all of its demands with a combination of imported water and local groundwater (City of Fullerton 2021). The City works together with two primary agencies, Metropolitan Water District of Southern California (MWD) and Orange County Water District (OCWD). The sources of imported water supplies include water from the Colorado River and the State Water Project (SWP) provided by MWD. The City's main source of water supply is groundwater from the Orange County Groundwater Basin. Imported water makes up the rest of the City's water supply portfolio. In fiscal year 2019-2020, the City relied on 79% groundwater and 21% imported water (City of Fullerton 2021).

The City's water service area covers 22.3 square miles, in north Orange County bounded to the north by the Cities of La Habra and Brea, Placentia to the east, Buena Park to the west, and Anaheim to the south. The City's Water Utility operates 15 reservoirs with a capacity of 67.5 million gallons (MG), 12 booster pumping stations, 8 active groundwater wells and manages about 424-mile water mains system with approximately 31,936 service connections (City of Fullerton 2021).

Water use within the City's service area has been trending downward in the past decade with an annual average of 26,098 acre-feet (AF) for potable use (City of Fullerton 2021). In fiscal year 2019-20, the City's water use was 23,799 AF of potable water (groundwater and imported). There is currently no recycled water use within the City's service area. In fiscal year 2019-20, the City's water use profile was comprised of 63.2% residential use, 26.6% commercial, industrial, and institutional (CII), 4.8% landscape/irrigation, with non-revenue water and other uses comprising about 5.4% (City of Fullerton 2021). While the City is almost completely built-out; the population is projected to increase at a rate of 1.4% per year with minimum land use increase (City of Fullerton 2021). Water demand is likely to increase 7.8% over the next 5 years. In the longer term, water demand is projected to increase 8.5% from 2025 through 2045. The projected potable water use for 2045 is 27,850 AF.

Stormwater Service

Drainage facilities in the Program Area are primarily provided and maintained by the City's Public Works Department and then several of the drains and drainage channels in the City are maintained by Orange County's Public Works Department.

Wastewater Collection and Treatment

Wastewater from within the Program Area is collected by the City's wastewater collection system which is sent to the Orange County Sanitation District (OCSD). OCSD's service area encompasses approximately 479 square miles and its system includes approximately 580 miles of sewer lines. Ultimately, the wastewater is treated at OCSD treatment plants

located in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2). Plant No. 1 has a total rated primary capacity of 108 million gallons per day (mgd) and a secondary treatment capacity of 80 mgd. OCSD operates under a 5-year National Pollution Discharge Elimination System (NPDES) ocean discharge permit issued by the California Regional Water Quality Control Board and the U.S. Environmental Protection Agency. On a daily basis, OCSD treats approximately 180 million gallons of wastewater at the two aforementioned treatment plants.

Solid Waste

The City contracts with Republic Services to provide the collection of solid waste for residents and businesses in the Program Area. The Olinda Alpha Landfill in Brea and the Prima Deshecha Landfill in San Juan Capistrano offer commercial and public disposal of solid waste, while the Frank R. Bowerman Landfill in Irvine is for commercial disposal only (County of Orange 2023). The Olinda Alpha Landfill has a remaining capacity of 17,500,000 cubic yards with an estimated date of reaching that capacity by December 31, 2036 (CalRecycle 2023a). The permitted daily throughput for the landfill is 5,000 tons per day. The Prima Deshecha Landfill has a remaining capacity of 134,300,000 cubic yards with an estimated date of reaching that capacity by December 31, 2102 (CalRecycle 2023b). As one of the largest landfills in the state, the Frank R. Bowerman Landfill has a remaining capacity of 205,000,000 cubic yards with an estimated date of reaching that capacity by December 31, 2053 (CalRecycle 2023c).

Electrical Service

Electricity in the Program Area is provided by Southern California Edison (SCE), a private franchise utility company and subsidiary of Sempra Energy. All standards, development requirements, and improvement strategies are set directly by SCE, with oversight by the CPUC. Electricity is transmitted by a network of aboveground and underground power lines to supply sufficient power to all locations, including streetlights and traffic signals.

Natural Gas

Natural gas currently serving the Program Area is provided by SoCalGas, which owns and operates two natural gas storage fields in southern California. These storage fields help meet peak seasonal demand and allow southern California customers to secure natural gas supplies more efficiently. SoCalGas also owns and operates four underground storage facilities located around Southern California. In addition, SoCalGas owns and operates all transmission mains, distribution pipelines, and service laterals in the Planning Area.

Telecommunication Service

Telecommunication facilities are installed in the Program Area by a variety of private utility companies, including AT&T, Cox, Crown Castle, MCI Verizon and Frontier.

4.13.2 Relevant Plans, Policies, and Ordinances

Federal

Safe Drinking Water Act

The United States Environmental Protection Agency (EPA) administers the Safe Drinking Water Act, which is the primary federal law that regulates the quality of drinking water and establishes standards to protect public health

and safety. The Department of Health Services (DHS) implements the requirements of the Act and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminates that could threaten public health.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Section 268, Subpart D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs that include federal landfill criteria. The federal regulations address the location, operation, design, and closure of landfills, as well as groundwater monitoring requirements.

National Pollutant Discharge Elimination System Permit Program

The NPDES permit program was established as part of the Clean Water Act to regulate municipal and industrial discharges to surface waters of the United States. A discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

State

Porter-Cologne Water Quality Control Act

In California, the State Water Resources Control Board and nine Regional Water Quality Control Boards (RWQCBs) are responsible for implementing the Clean Water Act and the California Porter-Cologne Water Quality Control Act (Porter-Cologne Act). The Porter-Cologne Act authorizes the State Water Resources Control Board to implement programs to control polluted discharges into state waters. In compliance with the Porter-Cologne Act, the nine RWQCBs establish the wastewater concentration limits of a number of specific hazardous substances in treated wastewater discharge.

California Urban Water Management Planning Act of 1983

The California Urban Water Management Planning Act (Assembly Bill [AB] 797, Water Code Division 6, Part 2.6, Section 10610-10656) requires that every urban water supplier that annually serves 3,000 or more customers, or provides more than 3,000 acre-feet (AF) of water, must prepare and adopt an Urban Water Management Plan (UWMP). UWMPs provide a description and evaluation of water supplies, reclamation programs, and conservation activities. Based on land use plans provided by local governments, population projections or other inputs, the UWMP calculates the projected water demand for the district and compares this demand against current and anticipated water supplies. These UWMPs, which must be updated every five years, are provided to local governments to help inform decisions on development proposals. UWMPs serve as building blocks for Integrated Regional Water Management Plans, which define a clear vision and strategy for the sustainable management of water resources within a specific region delineated by one or more watersheds.

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package—AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley)—collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, sustainability should be achieved by 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through SGMA, the California Department of Water Resources provides ongoing support to local agencies through guidance, financial assistance, and technical assistance. SGMA empowers local agencies to form Groundwater Sustainability Agencies to manage basins sustainably, and requires those Groundwater Sustainability Agencies to adopt Groundwater Sustainability Plans for crucial groundwater basins in California.

Model Water Efficient Landscape Ordinance

The Model Water Efficient Landscape Ordinance (California Code of Regulations [CCR] Title 23, Division 2, Chapter 2.7, Section 490) adopts water efficiency standards for new and retrofitted landscapes and encourages the use of more efficient irrigation systems, graywater usage, and on-site storm water capture, and limits the portion of landscapes that can be covered in turf. Encourages local agencies to designate the necessary authority that implements and enforces the provisions of the ordinance or its local landscape ordinance.

California Water Resources Control Board Low Impact Development Policy

The State Water Resources Control Board (SWRCB) adopted the Low Impact Development (LID) Policy which, at its core, promotes the idea of "sustainability" as a key parameter to be prioritized during the design and planning process for future development. The SWRCB has directed its staff to consider sustainability in all future policies, guidelines, and regulatory actions. LID is a proven approach to manage stormwater. The RWQCBs are advancing LID in California in various ways, including provisions for LID requirements in renewed Phase I municipal stormwater NPDES permits.

Executive Order B-40-17

On April 7, 2017, the Governor issued Executive Order B-40-17, which lifted the January 17, 2014 drought emergency except in the counties of Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects continue to address diminished groundwater supplies, and retains prohibitions on wasteful practices. Executive Order B-40-17 builds on actions taken in Executive Order B-37-16—which remains in effect—to continue making water conservation a way of life in California. Under this executive order, permanent restrictions shall prohibit wasteful practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in a fountain or other decorative water feature; watering lawns in a manner that causes runoff or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians. The Department of Water Resources will continue to work with the California Water Board to develop standards that urban water suppliers will use to set new urban water use efficiency targets, as directed by Executive Order B-37-16. The Water Board will also adopt urban water use efficiency standards that include indoor use, outdoor use, and leaks, as well as performance measurements for commercial, industrial, and institutional water use. The order also rescinds two emergency proclamations from January and April 2014 and four drought-related executive orders issued in 2014 and 2015.

Sanitary Sewer General Waste Discharge Requirements

On May 2, 2006, the State Water Resources Control Board adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than 1 mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharged into the system in order to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan. The General Waste Discharge Requirements also requires that storm sewer overflows be reported to the State Water Resources Control Board using an online reporting system.

California Green Building Standards Code

Effective January 1, 2023, Section 5.408 of the 2022 California Green Building Standards Code (Part 11 of California Code of Regulations Title 24) requires that at least 65% of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse, or that the conditions of a local construction and demolition waste management ordinance are met, whichever is more stringent.

California Public Utilities Commission

California Public Utilities Commission (CPUC) General Order 112E, which is based upon the Federal Department of Transportation Guidelines contained in Part 192 of the Federal Code of Regulations, specifies a variety of design, construction, inspection, and notification requirements. The CPUC conducts annual audits of pipeline operations to ensure compliance with these safety standards. In addition, the Southern California Gas Company (SoCalGas) has a safety program which has reduced the risk of gas distribution fires by improving welds on the larger diameter (24- to 30-inch) pipelines and by replacing old distribution pipes with flexible plastic pipes. According to SoCalGas staff, high-pressure gas mains are common in developed areas throughout the country, and SoCalGas lines are inspected regularly and must comply with CPUC mandated safety requirements.

Assembly Bill 1890 (1996)

The CPUC regulates investor-owned electric power and natural gas utility companies in the State of California. Assembly Bill 1890, enacted in 1996, deregulated the power generation industry, allowing customers to purchase electricity on the open market. Under deregulation, the production and distribution of power that was under the control of investor-owned utilities (e.g., Southern California Edison) was decoupled. All new construction in the State of California is subject to the energy conservation standards set forth in Title 24, Part 6, Article 2 of the California Administrative Code. These are prescriptive standards that establish maximum energy consumption levels for the heating and cooling of new buildings. The utilization of alternative energy applications in development projects (including the Project), while encouraged, is not required as a development condition. Such applications may include installation of photovoltaic solar panels, active solar water heating systems, or integrated pool deck water heating systems, all of which serve to displace consumption of conventional energy sources (i.e., electricity and natural gas). Incentives, primarily in the form of state and federal tax credits, as well as reduced energy bills, provide a favorable basis.

California Energy Commission

The California Energy Commission (CEC) was created as the state's principal energy planning organization in 1974, in order to meet the energy challenges facing the state in response to the 1973 oil embargo. The CEC is charged with six basic responsibilities when designing state energy policy:

- Forecasting statewide electricity needs;
- Licensing power plants to meet those needs;
- Promoting energy conservation and efficiency measures;
- Developing renewable energy resources and alternative energy technologies;
- Promoting research, development, and demonstration; and
- Planning for and directing state response to energy emergencies.

California Integrated Waste Management Act and Solid Waste Diversion Mandates

The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) was enacted to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible. Specifically, the act required city and county jurisdictions to identify an implementation schedule to divert 50% of the total waste stream from landfill disposal by the year 2000. The act also required each city and county to promote source reduction, recycling, and safe disposal or transformation. AB 939 further required each city to conduct a Solid Waste Generation Study and to prepare a Source Reduction and Recycling Element to describe how it would reach the goals. The Source Reduction and Recycling Element contains programs and policies for fulfillment of the goals of the act, including the above-noted diversion goals, and must be updated annually to account for changing market and infrastructure conditions. As projects and programs are implemented, the characteristic of the waste stream, the capacities of the current solid waste disposal facilities, and the operational status of those facilities are upgraded, as appropriate. California cities and counties are required to submit annual reports to the CalRecycle (formerly the County Integrated Waste Management Board) to provide an update on their progress toward the AB 939 goals.

AB 939, as amended, requires that the 50% solid waste diversion goal continue be achieved by jurisdictions annually. Subsequent legislation establishing solid waste diversion mandates applicable to the Project is discussed below.

- **Mandatory Commercial Recycling (AB 341):** Under commercial recycling law (Chapter 476, Statutes of 2011), AB) 341 directed the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning October 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB 341 declared a policy goal of the state that no less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020. The 75% diversion rate applies to all businesses that generate four cubic yards or more of commercial solid waste per week or any multifamily unit dwelling that consists of five or more dwelling units. Other applicable diversion mandates include the following:
- **Mandatory Commercial Organics Recycling (AB 1826):** AB 1826 (2014) requires certain businesses to set up recycling services for recyclables and organic waste. The laws also require the County to implement a commercial solid waste recycling program and an organic waste recycling program that is designed specifically to divert commercial solid waste and organic waste generated by businesses. Failure to comply may subject the city or county to fines of up to $10,000 per day.

- **Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions (SB 1383):** SB 1383 (2016) requires the County to provide and enforce mandatory organic waste recycling services to all waste generators, including residents, businesses, and County facilities. Failure to comply will subject Los Angeles County to fines up to $10,000 per day.

California Solid Waste Reuse and Recycling Act

The California Solid Waste Reuse and Recycling Act of 1991 (AB 2176) was enacted to assist local jurisdictions with accomplishing the goals of AB 939. In accordance with AB 2176, any application submitted for a building permit must include adequate, accessible areas for the collection and loading of recyclable materials. Furthermore, the areas to be used must be demonstrated as adequate in capacity, number, and distribution to serve the proposed program. Moreover, the collection areas are to be situated as close as possible to existing exterior refuse collection areas.

Public Resources Code Sections 41813 and 41850(a)

CalRecycle has statutory requirements under Public Resources Code Sections 41813 and 41850(a) to enforce the provisions of AB 939 if a local jurisdiction fails to submit an adequate element or plan or if a local jurisdiction fails to implement its Source Reduction and Recycling Element or Household Hazardous Waste Element. Administrative civil penalties of up to $10,000 per day may be imposed on local jurisdictions until the element or plan is submitted to CalRecycle and is deemed adequate or until the element or plan is implemented.

Local

City of Fullerton Municipal Code

Fullerton Municipal Code (FMC) includes regulations for water, water supply conservation, sewer connections, and collection of solid waste. Chapter 12.04 provides the water regulations for the City and includes groundwater well requirements, use of fire hydrants, bypass connections, shut-off valves. Chapter 12.06 (Water Supply Shortage Conservation Plan) provides procedures, rules, and regulations for mandatory water conservation to minimize the effect of a water supply shortage emergency on the City's water customers. Section 12.06.060 (Prohibitions against waste) identifies prohibited uses of water waste and permanent water conservation requirements. Section 12.06.070 (Levels of declared Water Supply Shortage) allows the City to mandate or impose reductions in the use of water consistent with the City's Water Supply Conservation Plan (Chapter 12.060).

FMC Chapter 15.50 (Landscaping and Irrigation Requirements) establishes standards for the provision of landscaping within the City of Fullerton while promoting conservation and the efficient use of water, prevention of erosion, protection from fire, and restoration of natural systems. Landscape Documentation Packages are required to contain water efficient landscape calculations for review and approval prior to the issuance of building permits.

FMC Chapter 12.08 (Sewer Connections) identifies regulations for sewer system connections, improvements, and maintenance. Any person wishing to construct or reconstruct a lateral sewer service or to make connection to the public sewer system shall obtain a public works permit, conform to construction standards as set forth in Title Subdivisions, of the FMC, and obtain approval by the City Engineer. All new connections shall be tested for infiltration per the standards set forth in the latest edition of the Standard Specifications for Public Works Contracts (Green Book). Additionally, the City imposes a sewer maintenance fee on all improved properties to connect to the City's sewer system.

Title 5, Health and Sanitation of the FMC includes a chapter for the collection of solid waste, Chapter 5.14. This chapter covers mandatory requirements to subscribe to collection service, container specifications, use of containers for solid waste generated during construction and demolition, and removal of unauthorized containers.

FMC Chapter 16.05, Section 16.05.060 (Underground utilities and service lines), requires all new or proposed electrical, telephone, community antenna television and similar wires, cables, service and appurtenances which provide direct service to the property being subdivided, divided or developed, be installed underground, and all existing facilities providing direct service to the building, structure, or development being added to or rebuilt be undergrounded.

City of Fullerton General Plan

The current City of Fullerton General Plan includes Master Element D: The Fullerton Natural Environment to address topics related to maintaining the Fullerton community's quality of life. The following goals and policies pertain to utilities and service systems:

Goal 19. An adequate, safe, and reliable water supply.

Policy P19.2. Conservation Efforts. Support regional and subregional efforts to promote water efficiency and conservation.

Policy P19.5.1. Water-saving Infrastructure. Support projects, programs, policies, and regulations that will lead to the capture, storage, and re-use of rainwater in the city so as to reduce Fullerton's dependence on external sources of water.

Policy P19.7. Sustainable Water Practices in New Development. Support projects, programs, policies and regulations to encourage water efficient practices in site and building design for private and public projects.

Goal 20. A healthy watershed and clean urban runoff

Policy P20.6. Construction Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by private and public construction projects.

Policy P20.7. Development Impacts. Support projects, programs, policies and regulations to reduce impacts to watersheds and urban runoff caused by the design or operation of a site or use.

Policy P20.7.1. Incorporate Natural Water Systems in Design Standards. Support projects, programs, policies and regulations that encourage the preservation of natural creeks and waterways into new projects and developments in Fullerton.

Goal 23. Safe and efficient management of waste.

Policy P23.3. Waste Reduction and Diversion Support projects, programs, policies and regulations to promote practices to reduce the amount of waste disposed in landfills.

4.13.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to utilities and service systems would occur if the project would:

1. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
3. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Based on the results of the Initial Study (Appendix A), the Program would result in less than significant impacts related to compliance with federal, state, and local management and reduction statues and regulations related to solid waste. As such, the following thresholds are evaluated within this section for the Program:

UTL-1. Would the Program require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

UTL-2. Would the Program have sufficient water supplies available to serve the Program and reasonably foreseeable future development during normal, dry, and multiple dry years?

UTL-3. Would the Program result in a determination by the wastewater treatment provider, which serves or may serve the Program that it has adequate capacity to serve the Program's projected demand in addition to the provider's existing commitments?

UTL-4. Would the Program generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

4.13.4 Impacts Analysis

UTL-1. Would the Program require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water Supply Infrastructure

Water would be supplied by the City's water utility that includes over 420 miles of transmission and distribution mains, 15 reservoirs, 12 booster pumping stations, and 8 active wells (City of Fullerton 2021).

For receiving imported water from MWD, the City has six imported water connections to MWD and six emergency interconnections.

The City's 10 wells (including two inactive wells) are located in the southern sector of the City. Five of these active wells pump into a forebay before pumping the water into the distribution system (City of Fullerton 2012). manages about 424-mile water mains system with approximately 31,936 service connections (City of Fullerton 2021) Water pumped from these wells has been naturally filtered as it passes through underlying aquifers of sand, gravel, and soil. This well water delivered into the City's water system requires only disinfectant treatment.

The City invests in its infrastructure through its five-year Capital Improvement Program (CIP) that uses various funding sources to acquire, repair, or replace the major assets needed to deliver its services to the City's residents and businesses including water infrastructure.

Development associated with the Program would occur as a result of the rezoning of parcels to help facilitate housing production and would largely be completed on parcels with existing development that includes water service connections. The Program does not include any specific development and future development may receive separate environmental review, however, as determined through modeling conducted for the analysis in Section 4.2 Air Quality, the net water demands associated with the Program would be reduced from existing conditions, making the likelihood of requiring new or expanded water service infrastructure unlikely. As such, the potential impacts would be les than significant, and no mitigation is required.

Wastewater Treatment

The wastewater flow from the Planning Area would be conveyed to OCSD's treatment plants, located in Fountain Valley and Huntington Beach. OCSD operates under a 5-year NPDES ocean discharge permit issued by the California Regional Water Quality Control Board and the U.S. Environmental Protection Agency. On a daily basis, OCSD treats approximately 210 million gallons of wastewater at the two aforementioned treatment plants. Treated water is either treated for recycled use or discharged into the Pacific Ocean. In January 2023, the most recent expansion of the Groundwater Replenishment System increased production capacity from 100 up to 130 million gallons of water a day, which is used to increase water supplies through infiltration via recharge basins.

The proposed Program would allow for the rezoning of existing parcels to help facilitate housing production in order to meet the City's RHNA goals. While the Program does not include any specific developments on the identified 759 parcels, future redevelopment projects could result in increased wastewater flows requiring treatment. Condition of Approval COA-WW2 requires that any project applicant demonstrate that OCSD has sufficient treatment plant capacity to accommodate the project (see below). As such, considering the relatively recent expansion of the OCSD system and COA-WW2, there would be an assurance of ample capacity to treat any additional flows of wastewater associated with the proposed Program, and no new wastewater treatment facilities would be required. Impacts associated with wastewater treatment would be less than significant, and no mitigation is required.

COA-WW-1 Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for

review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project. For any sewer projects/studies that have the potential to impact adjacent jurisdictions' sewer systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.

COA-WW-2 Prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the OCSD has sufficient transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested.

Stormwater Drainage Facilities

While no specific development is included as part of the proposed Program, the rezoning would allow for redevelopment of any number of the 759 identified parcels which would likely alter drainage patterns and could require new storm drainage facilities, connections, and potential resizing of city drainage lines.

Any drainage improvements would be designed and constructed consistent with drainage control requirements, which include low-impact development features to infiltrate runoff on site to the extent feasible. In addition, Condition of Approval COA-HYD-3 (below) would require adherence to City of Fullerton Public Works to ensure that impacts are reduced. Therefore, the potential impact related to the new construction of drainage facilities is less than significant, and no mitigation is required.

COA-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.

Electric Power, Natural Gas, and Telecommunication Facilities

The Planning Area is within the service areas of SCE for electric and SoCalGas for natural gas with various providers of telecommunications including AT&T, Cox, Verizon, T-Mobile, Comcast, and others. Any extensions of existing infrastructure onto any of the Program parcels would likely be obtained from existing lines and connections within the area. Electrical service would be provided by existing SCE electrical transmission lines located throughout the City and coordinated through the City's building permit processes. Similarly, natural gas and telecommunication services would also tie into existing infrastructure consistent with City requirements. Construction activities associated with electrical, natural gas, and telecommunication facilities would be addressed throughout this environmental impact report as part of the Program and would not result in any additional impacts. As a result of complying with current regulations, impacts associated with electrical, natural gas, and telecommunication infrastructure would be less than significant, and no mitigation is required.

UTL-2. Would the Program have sufficient water supplies available to serve the Program and reasonably foreseeable future development during normal, dry, and multiple dry years?

Water supply for the proposed Program would be provided by the City, which meets all of its demands with a combination of imported water and local groundwater (City of Fullerton 2021). The primary source of water supply is groundwater (79% for 2019–2020) and supplemented with imported water from the Colorado River and State Water Project. The 2020 UWMP reports that water demands in the city are projected to increase by 7.8% from 2020 to 2005 and 8.5% from 2025 through 2045, even though water use within the City's service area has been trending downward in the past decade with an annual average of 26,098 AF for potable use (City of Fullerton 2021). The City depends on a combination of imported and local supplies to meet its water demands and has taken numerous steps to ensure it has adequate supplies. For example, the City has a purchase agreement with MET that allows the City to purchase significantly more imported water, should the need arise. Even the Met's 2020 UWMP concludes that they can meet full-service demands of their member agencies through 2045 during normal years, single-dry years, and multiple-dry years. Consequently, the City is projected to meet full-service demands through 2045 for all scenarios, due to diversified supply and conservation measures (City of Fullerton 2021). Also, if necessary, the City can implement its Water Shortage Contingency Plan as described in the 2020 UWMP.

The projections of water supplies and demands in the UWMP are based in part on growth projections that are consistent with the City's General Plan. Therefore, based on the total projected water supplies available to the City over the 30-year projection, there would be sufficient water supplies during normal, single-dry, and multiple-dry year (5-year drought) periods. The assessment made in the 2020 UWMP includes the projected growth for the region and as a result would include the demands of the proposed project, in addition to existing and other planned future uses. The 2020 UWMP also incorporates water conservation measures and water demand management measures that remain part of long-term water supply planning and strategy. However, as noted above, according to modeling that was conducted as part of Section 4.2 Air Quality, the water demands are projected to be less than they are under existing conditions, and as a result, the potential impacts of the proposed Program related to sufficient availability of water supplies would be less than significant, and no mitigation is required.

UTL-3. Would the Program result in a determination by the waste water treatment provider, which serves or may serve the Program that it has adequate capacity to serve the Program's projected demand in addition to the provider's existing commitments?

Wastewater from the Planning Area is treated by OC San, which operates both the Fountain Valley and Huntington Beach wastewater treatment plants. Reclamation Plant No. 1 (Fountain Valley) and Treatment Plant No. 2 (Huntington Beach) treat an average of approximately 180 million gallons per day (mgd) of wastewater (120 mgd from Plant No. 1 and 60 mgd from Plant No. 2) from residential, commercial, and industrial sources. The treated wastewater is either sent to OCWD for recycling or released out the end of a 5-mile-long ocean outfall pipeline into the Pacific Ocean off the coast of Huntington Beach. Combined, the two treatment plants have a primary treatment capacity of 376 mgd and a secondary treatment capacity of 332 mgd (OC San 2023). As discussed in Section 4.2, Air Quality, project operational emissions were derived in part on projected water demand and wastewater generation. Based on these data, the projected wastewater demand for the Program would be reduced from existing conditions. As such, the wastewater treatment plant has adequate capacity to serve the proposed project in addition to existing commitments. Impacts would be less than significant, and no mitigation is required.

UTL-4. Would the Program generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Although, there are no specific development plans associated with the Program, the rezoning could result in demolition of existing structures that would generate common construction waste materials (e.g., concrete rubble, asphalt rubble, wood, drywall) causing an increased demand for solid waste collection and disposal capacity. It is unknown how much waste would be generated and over what time frame, however, some of this waste would be recycled in accordance with regulatory requirements. CALGreen requires all newly constructed buildings and demolitions to develop a Construction Waste Management Plan and divert a minimum of 65% non-hazardous construction debris. SB 1374 and the California Code of Regulations Title 24 require developers to help divert waste from landfills and comply with statewide mandates. Construction and demolition materials include, but are not limited to, asphalt, concrete, brick, dirt, rock, lumber, cardboard, metals, and any vegetative or other land clearing/landscaping materials.

The Olinda Alpha Landfill, the nearest landfill to the Planning Area, has a remaining capacity of 17,500,000 cubic yards while the Frank R. Bowerman Landfill has a remaining capacity of 205,000,000 cubic yards and the Prima Deschecha Landfill 134,300,000 cubic yards of capacity. Therefore, even without any recycling of construction materials, the proposed project would contribute a relatively small percentage of the remaining capacity of these three available facilities. As a result, with compliance with CALGreen standards and City requirements, impacts would be less than significant, and no mitigation is required.

Operations

Solid waste associated with the construction associated with the proposed zone changes would likely include typical residential waste streams including paper, cardboard, food, bio/hazardous wastes, and green waste. Estimated solid waste generations for the proposed project were based on solid waste generation rates provided by results of the modeling done for calculation of air emissions as described in Section 4.2 Air Quality. The generation rates were estimated to bed notably reduced compared to existing conditions (from 7,637 tons per year to 5,267 tons per year).

As stated above, the remaining capacity at the Olinda Alpha Landfill is 17,500,000 cubic yards with an estimated date of reaching that capacity by December 31, 2036 (CalRecycle 2023a). The permitted daily throughput for the landfill is 5,000 tons per day. The Prima Deshecha Landfill has a remaining capacity of 134,300,000 cubic yards with an estimated date of reaching that capacity by December 31, 2102 (CalRecycle 2023b). As one of the largest landfills in the state, the Frank R. Bowerman Landfill has a remaining capacity of 205,000,000 cubic yards with an estimated date of reaching that capacity by December 31, 2053 (CalRecycle 2023c). Therefore, on an annual basis, the proposed project would not contribute to encroaching on the remaining capacity; and with several different landfill options, the proposed Program would not exceed the capacities currently available.

In addition, all non-hazardous solid waste generated from development associated with the proposed Program (e.g., plastic and glass bottles and jars, paper, newspaper, metal containers, cardboard) would be recycled per local and state regulations previously mentioned, with a goal of 75%, in compliance with the Integrated Waste Management Act. Remaining non-hazardous solid waste would be disposed of at one of the nearby landfills (hazardous waste is managed and disposed of in compliance with all applicable federal, state, and local laws and is discussed in greater detail in Section 4.7, Hazards and Hazardous Materials, of this environmental impact report). As such, impacts would be less than significant, and no mitigation is required.

4.13.5 Mitigation Measures

No mitigation measures required.

4.13.6 Significance Conclusion

Impacts associated with the proposed Program would be less than significant with no mitigation required.

4.13.7 Cumulative Effects

The geographic extent for the analysis of cumulative impacts associated with utilities and service systems consists of the City because local jurisdictions or districts provide utilities and plan based on their service areas and existing commitments. Cumulative projects would each incrementally result in temporary construction and long-term operational increases in demand for public utilities. However, cumulative projects would also be required to adhere to local municipal code requirements, other applicable utility provider requirements, and their own CEQA review. As discussed above for the proposed project, with implementation of regulatory requirements and utility agency requirements, the proposed project would not result in significant impacts related to the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, telecommunications facilities, or expansion of existing facilities. Similar to the project, all required infrastructure of cumulative projects would be completed concurrently with project development and would be subject to review and approval by applicable agencies which requires adherence to specific code requirements and utility provider requirements that are specific to each individual project. As a result, the construction of new utilities tends not to be cumulatively considerable because of the individual review of the projects and the differing timetables of construction.

Because of the cumulative nature of potable water impacts, the proposed Program's potential increase in demand on potable water, even if individually minor, could be cumulatively considerable, particularly in the context of climate change, existing drought conditions, and the trend toward increased reliance on local supplies. Although water demand could increase with development associated with the proposed Program, water supplies are available to provide a reliable local water source to the City during normal, dry, and multiple-dry years even considering projected growth out to 2045. All cumulative projects would be subject to applicable water conservation measures and the any applicable water shortage contingency planning efforts that may be in place. In addition, adequate wastewater treatment capacity would be available to projected growth in the City. Based on current capacities and treatment flows, OC San has approximately 40% remaining capacity to serve cumulative development. Lastly, solid waste generated under the project would not exceed state or local standards, or capacity of local infrastructure. Cumulative projects would be required to perform similar analyses of potential utilities demands, in accordance with CEQA and development review, to ensure projects would have sufficient utilities. Therefore, cumulative impacts to utilities and service systems would be less than significant.

4.13.8 References Cited

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5.0 Other CEQA Considerations

This Chapter of the Draft Program Environmental Impact Report (PEIR) for the Fullerton Housing Incentive Overlay Zone (HIOZ) Program (Program) has been prepared for the City of Fullerton (City) and in furtherance of the content requirements set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15126.2. As such, this Chapter discusses:

- Significant and Unavoidable Environmental Impacts (Section 5.1)
- Significant and Irreversible Environmental Effects (Section 5.2)
- Growth Inducement (Section 5.3)
- Potential Secondary Effects of Mitigation Measures (Section 5.4)
- Effects Found Not to Be Significant (Section 5.5)

5.1 Significant and Unavoidable Environmental Impacts

Section 15126.2(c) of the CEQA Guidelines requires that a PEIR describe any significant impacts which cannot be avoided. Specifically, Section 15126.2(c) states:

> Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications, and the reasons why the project is being proposed, notwithstanding their effect, should be described.

Implementation of the mitigation measures from the City of Fullerton's (City) General Plan PEIR identified in Chapter 4, Environmental Analysis, of this Draft PEIR would reduce the environmental impacts associated with implementation of the Fullerton HIOZ Program. These mitigation measures are included under the proposed Program as standard conditions of approval (COAs) from the City's General Plan PEIR. Mitigation set forth in this Draft PEIR would apply to those discretionary projects that would be developed under the HIOZ Program. Future non-discretionary projects that would be implemented under the HIOZ Program would be subject to the federal, state, and local regulations; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable HIOZ goals and policies, and mitigation measures included under the Program as COAs, not all development projects would be subject to these requirements and potential impacts for some topics would be significant and unavoidable.

The environmental impacts that would result from anticipated future development under the Program would be significant and unavoidable for the topics of Air Quality and Population and Housing. The specific significant and unavoidable impacts are detailed below.

- **Air Quality:** Under Threshold 4.1(a), even with implementation of mitigation measures MM-AQ-1, MM-AQ-2, and MM-AQ-3, the Program could conflict with or obstruct implementation of the applicable air quality plan, and impacts would be significant and unavoidable. Under Threshold 4.1(b), even with implementation of MM-AQ-1 and MM-AQ-2, the Program could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air

quality standard), and impacts would be significant and unavoidable. Under Threshold 4.1(c), even with implementation of MM-AQ-1 and MM-AQ-2, the Program could expose sensitive receptors to substantial pollutant concentrations, and impacts would be significant and unavoidable.

- **Population and Housing:** Under Threshold 4.9(a), the Program's potential impacts related to substantial unplanned population growth would be significant and unavoidable, and cumulatively considerable. No feasible mitigation measures pertaining to the impacts associated with substantial unplanned population growth are available to mitigate impacts of the Fullerton HIOZ Program.

5.2 Significant and Irreversible Environmental Effects

Section 15126.2(d) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by the Program. Specifically, Section 15126.2(d) states:

> *Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- Irreversible damage from environmental accidents associated with the project;
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

Determining whether the Program could result in significant and irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them.

5.2.1 Large Commitment of Non-Renewable Resources

Resources that would be consumed because of residential or commercial development indirectly facilitated as a result of the Fullerton HIOZ Program implementation include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in significant environmental impacts related to the unnecessary, inefficient, or wasteful use of resources (see Section 4.13, Utilities and Service Systems, of this Draft PEIR). As concluded in Section 4.4, Hydrology and Water Quality, water use during Program construction would be limited to minor amounts of water required for various uses, such as concrete mixing and dust suppression. Water use would be minor to negligible when compared to the operational demands of the Program, as well as the operational demands of the surrounding land uses. With regard to building materials, the Program would be constructed with durable materials with a significant lifespan, such as cast in place concrete and precast

concrete, which would improve building longevity. As such, even though construction would result in the commitment of building materials, the materials are not expected to require replacement during the Program's estimated operational lifespan. Furthermore, per California Green Building Standards Code (CALGreen) 65% of all demolition and construction materials must be recycled. This regulation would ensure that portions of the existing materials on site are reused. In the event that the Program were to be demolished at a future time, this regulation would ensure that a majority of the materials are recycled. In addition, construction activities related to the reasonably expected development would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobile and construction equipment. However, use of such resources would not be unusual as compared to other construction projects and would not substantially affect the availability of such resources.

With respect to operational activities, compliance with applicable building codes would ensure that natural resources are conserved or recycled to the maximum extent feasible. It is also likely that in response to greenhouse gas (GHG) emissions reduction plans (including the City's Climate Action Plan, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, and the California Air Resources Board Scoping Plan) new technologies or systems will emerge, or will become more cost-effective or user-friendly, that will further reduce the reliance of facilitated HIOZ development upon nonrenewable natural resources (refer to Section 4.2, Greenhouse Gas Emissions, for further discussion of applicable plans and specific GHG reduction mandates). However, even with implementation of conservation measures, consumption of natural resources would generally increase with implementation of the HIOZ due to population and activity increases. Although the Program would see an increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in VMT over time.

In addition to the above considerations, State and local laws and regulations would further reduce the Program's use of nonrenewable resources over time. Specifically, electricity consumed at the Program site would be increasingly sourced from renewable energy, pursuant to Senate Bill (SB) 100. SB 100, which passed in 2018, states that 44% of the total electricity sold to retail customers in California per year must be secured from qualifying renewable energy sources by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. SB 100 also sets forth a state policy that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California and requires that achieving 100% zero-carbon electricity does not increase carbon emissions elsewhere in the western grid or is not fulfilled through resource shuffling. As such, the Program's consumption of nonrenewable energy is anticipated to significantly decrease over time, as SB 100 is implemented statewide and overall nonrenewable energy consumption decreases.

Similarly, the vehicles that would travel to and from the Program would be subject to increasingly stringent emissions standards over time, which would reduce the amount of fossil fuel consumed per vehicle. Furthermore, the City, County, and State have policies in place to support decreased use of personal vehicles. As such policies are carried out, the number of vehicles traveling to and from the site may decrease over time.

In summary, implementation of the Program would involve irreversible environmental changes to existing natural resources, such as the commitment of energy and water resources as a result of the operation and maintenance of future development. However, the implementation of the Fullerton HIOZ Program would not involve wasteful or unjustifiable use of energy or other resources, and energy conservation efforts would occur with new construction. New development indirectly facilitated as a result of HIOZ implementation would be constructed and operated in accordance with specifications contained in Title 24 of the California Code of Regulations and local green building requirements. Therefore, the use of energy related to the Program would occur in an efficient manner.

5.2.2 Commitment of Non-Renewable Resources

The Program is intended to guide regional level growth and development within the City of Fullerton, specifically, within the Fullerton HIOZ Planning Area. While no direct development is proposed as part of the Program, the implementation of HIOZ Program land use changes, programs, and policies would accommodate future development (and redevelopment of previously developed areas). The Program would implement a target rezoning program to accommodate the development of 35,611 additional dwelling units, which are required to meet the City's 6th Cycle RHNA allocation. Candidate parcels identified for rezoning were selected using the following criteria: parcels that are likely to be redeveloped given their current underutilization (economic vitality); areas within California Tax Credit Allocation Committee (TCAC)/Housing and Community Development (HCD) Opportunity Areas, areas outside of local hazard zones; and parcels with local access to community amenities.

As the Program would rezone and redesignate existing residential, industrial, and office land uses as well as vacant land (e.g. parking lots) to accommodate potential development of additional residential or mixed-use uses within zones generally already zoned for these uses, the Program would not appreciably change the uses of the site such that would commit future generations. For example, the target rezoning program would accommodate additional dwelling units in areas that already contain residential uses. Furthermore, because the Program would be implemented in areas that are developed and urbanized portion, it would not commit future generations to new urban land uses. The development or redevelopment of underutilized parcels would result in changes to the current land uses in a manner that is consistent with the City's General Plan goals and policies (see Section 4.5, Land Use and Planning, of this Draft PEIR) and with the City's CAP (see Section 4.2, Greenhouse Gas Emissions). Such development is commonplace and encouraged in areas near urban centers and transit nodes and would not result in primary and secondary impacts that would generally commit future generations of people to similar uses.

5.2.3 Irreversible Damage from Environmental Actions

The land uses that would be developed under the Program include new/expanded residences through the implementation of the Housing Element Update and new commercial uses within corner lots in existing residentially zoned parcels. As discussed in Section 4.3, Hazards and Hazardous Materials, short-term construction activities associated with implementation of these land uses would temporarily increase the regional transport, use, storage, and disposal of hazardous materials and petroleum products commonly used in construction (e.g. diesel fuel, paints, lubricants, solvents, and cement products containing strong basic or acidic chemicals). Demolition and construction activities associated with future development facilitated by the Program could result in the disturbance of hazardous materials. Numerous federal, State, and local regulations exist that require strict adherence to specific guidelines regarding the use, transportation, and disposal of hazardous materials. Regulations that would be required of those transporting, using or disposing of hazardous materials include the Resource Conservation and Recovery Act (RCRA), which provides the 'cradle to grave' regulation of hazardous wastes; Comprehensive Environmental Response, Compensation, and Liability Act, which regulates closed and abandoned hazardous waste sites; the Hazardous Materials Transportation Act, which governs hazardous materials transportation on U.S. roadways; International Fire Code, which creates procedures and mechanisms to ensure the safe handling and storage of hazardous materials; California Code of Regulations Title 22, which regulates the generation, transportation, treatment, storage and disposal of hazardous waste; and California Code of Regulations Title 27, which regulates the treatment, storage and disposal of solid wastes. For development within the State of California, Government Code Section 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500 through 25520.

Businesses are required to strictly adhere to the federal, state, and local rules and regulations regarding the transport, use and disposal of hazardous materials, which would minimize the risk of potential damage from environmental accidents.

Long-term operations of these land uses would be generally associated with sustained, expanded use of household and commercial materials (e.g., paints, solvents, cleaning supplies, refrigerants, landscaping products, and petroleum products). Hazardous materials in various forms can cause death, serious injury, long-lasting health effects, and damage to buildings, homes, and other property. Varying quantities of hazardous materials are manufactured, used, or stored at facilities in the Program Area, from manufacturing facilities to local dry-cleaning establishments or gardening supply stores. Hazardous materials come in the form of explosives, corrosives, flammable and combustible substances, poisons, and radioactive materials.

Prior to the issuance of a demolition or building permit, all project applicants must obtain the proper clearance through the Fullerton Department of Public Works, Division of Building and Facilities, which is responsible for the review of permit applications and determination of compliance with all applicable regulations and the Building Code. Hazardous material assessment of asbestos and lead-based paint and, if necessary, abatement is required under local regulations, specifically OSHA, Cal/OSHA, California Department of Public Health, and SCAQMD Rule 1403. Certain universal wastes (batteries, lamps and light ballasts, and mercury-containing equipment) are required to be managed and disposed of under California Code of Regulations Title 22, Section 66273.33 and Title 40 CFR. Hazardous wastes in major appliances, including PCBs, refrigerants, oils, and circuit boards, must be removed before major appliances are recycled or disposed of in accordance with California Health and Safety Code Section 25212. Lastly, PCBs in building materials are regulated under the Toxic Substances Control Act. Adherence to these rules prior to and during demolition of existing buildings and structures would ensure proper handling and disposal of hazardous building materials and appliances. Adherence to the City's permitting process and compliance with applicable laws related to asbestos-containing materials, lead-based paint, and/or PCBs rules prior to and during demolition of existing buildings and structures would limit public exposure to hazardous materials and would ensure that no significant hazards due to reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment would occur.

However, unknown contamination may be present within soils and/or groundwater beneath currently developed properties. Given the age of some developed properties within the Program area, information about the details of historic property uses, potential leaks from historic underground storage tanks, soil contamination from spills or leaking pipelines, improper disposal of hazardous materials, and/or accidental spills, may not be able to be known for certain. The potential to encounter unknown soil contamination from petroleum hydrocarbons (e.g. oil and gas), agricultural chemicals (e.g. pesticides, herbicides, insecticides), solvents, heavy metals (e.g. lead, arsenic, cadmium, chromium, mercury) and/or soil vapor from volatile organic compounds (VOCs) or other unknown contaminants, could pose a hazard to construction workers or other nearby sensitive uses if construction activities were to expose contaminated conditions. Because the implementation of the HIOZ Program would almost exclusively result in redevelopment of existing previously developed properties, including properties that contain industrial land uses, the potential for encountering unknown soil contamination and/or soil vapor conditions during construction activities may occur and could result in significant hazards to the public or the environment through reasonably foreseeable upset conditions involving the release of hazardous materials or waste into the environment through future site development under the HIOZ Program. Therefore, site investigations to identify potential areas of contamination are critical to ensuring that the City's permitting process is effective in avoiding hazards associated with upset or accident conditions. In order to reduce potential hazards associated with construction activities on properties with known or unknown contamination, COA-HAZ-1, Environmental Site Assessment (ESA), is required.

COA-HAZ-1 requires that the City consider all potential impacts related to hazardous conditions at a future project site and if necessary, require preparation of a Phase I ESA and potentially additional site investigations to the City for review and approval prior to the issuance of a permit. Any required site investigations and remediation shall be conducted to the satisfaction of the overseeing environmental agency(ies) in compliance with all applicable state and local regulations. Prior to the issuance of a grading or building permit, the Applicant shall provide the City Department of Public Works, Building and Facilities with written documentation from the overseeing environmental agency that states the proposed site development is safe.

While investigations into potential contamination and subsequent site remediation are common requirements for infill development and redevelopment of industrial properties, these measures do not ensure that all impacts from future projects would be mitigated to a level of less than significant. Future non-discretionary projects that would be implemented under the HIOZ Program would be subject to the federal, state and local regulations mentioned above; however, these non-discretionary projects would not necessarily be subject to CEQA review, additional environmental assessments, or mitigation measures. As such, even with implementation of existing regulations, applicable HIOZ goals and policies, and COA-HAZ-1, potential impacts related to the creation of a significant hazard to the public or the environment due to hazards associated with contaminated sites would be significant and unavoidable because it is not possible to ensure the successful avoidance of all hazards associated with upset or accidental conditions where new development may occur.

5.2.4 Consumption of Resources Justified

While the Program would increase resource consumption during construction and operation, the Program would also result in benefits related to long-term resource consumption in the region. According to the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy, Orange County will continue to experience growth in population, jobs, and housing. The Fullerton HIOZ Program aims to build off the character and existing assets of the City by identifying opportunities for equitable and sustainable investment while addressing issues and concerns voiced by community members. The Program would implement zoning recommendations from the recently approved Housing Element Update and would consider equity to set forth land uses and policies that address topics such as: the need for affordable housing; strategies to reduce vehicle miles traveled and improve air quality; economic development, mitigation of industrial-related environmental hazards; preservation of culturally significant landmarks and community practices, and strategies to facilitate and support community-serving green spaces in urban areas. The Program would facilitate the development of future housing to be in closer proximity to existing jobs, thereby facilitating a more balanced jobs-housing profile. The Program would help accommodate growth within existing developed areas, as opposed to accommodating growth through development in previously undeveloped areas. The latter development pattern generally results in permanent loss of naturalized lands and open space, as well as increased fossil fuel consumption attributable to longer commuting distances and lack of transit options. While the Program would result in some irretrievable commitment of nonrenewable resources, it would also help accommodate growth in a manner that would reduce irreversible environmental changes in the region. For these reasons, the irretrievable commitment of resources attributable to the Program would not be significant.

5.3 Growth Inducement

CEQA requires a discussion of ways in which the Program could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it fosters economic or population growth or results in the construction of additional housing, either directly or indirectly, in the surrounding environment (14 CCR 15126.2(e)). New employees from commercial or industrial development and new population from residential development represent direct forms of

growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. A project could indirectly induce growth by reducing or removing barriers to growth or by creating a condition that attracts additional population or new economic activity. However, a project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors.

Direct growth-inducing impacts are commonly associated with the extension of new public services, utilities, and roads into areas that have previously been undeveloped. The extension of such infrastructure into a non-serviced area can represent the elimination of a growth-limiting factor, thereby inducing growth. Increases in the population may tax existing community service facilities, requiring construction of new facilities and ultimately resulting in an increase in the pace of development or the density of the existing surrounding development. Indirect growth inducing impacts include an increased demand for housing, commodities, and services that new development causes or attracts by increasing the population or job growth in an area.

As discussed in Section 4.8, Population and Housing, the purpose of the Program is to guide rezoning and redevelopment in the HIOZ Planning Area — specifically, regarding residential growth. The Program is anticipated to indirectly induce growth through the removal of obstacle to additional growth and development, such as allowing increased density to occur in residential areas. However, the Program does not propose any specific infrastructure improvements that would result in growth. The Program does not approve the construction of specific development projects and would largely accommodate growth based on market conditions. However, it would allow increased development intensity and/or a more inclusive mix of land uses compared to existing conditions. Therefore, the Program removes regulatory obstacles to growth and is considered to be growth-inducing.

The Program would increase the number of dwelling units that could occur under buildout conditions and accommodate a greater population than was envisioned for the General Plan. This population growth could potentially lead to employees moving into the Program area to be proximate to their jobs, therefore increasing the population. Therefore, the Fullerton HIOZ Program would have indirect growth-inducing effects, as analyzed throughout this Draft PEIR.

As discussed in Section 4.9, Public Services, as the Program area continues to develop, it would require further commitment of public services that could include fire protection, law enforcement, public schools, public recreation, and other services as appropriate. Future development in the Program area would require an increased commitment to public services that would be considered a long-term commitment in order to maintain a desired level of service. This is considered a growth-inducing impact.

As the population grows and occupies new dwelling units, these residents would seek shopping, entertainment, employment, home improvement, vehicle maintenance, and other economic opportunities in the surrounding area. This would facilitate the purchase of economic goods and services and could, therefore, encourage the creation of new businesses and/or the expansion of existing businesses. This is considered a growth-inducing impact.

However, approval of the Program would not set a precedent that could encourage and facilitate other activities that could significantly affect the environment. Cities and counties in California periodically update their general plans pursuant to California Government Code Sections 65300 et seq. As discussed in Chapter 3, Program Description, the Program is intended to guide City growth and development within the HIOZ Planning Area. The Program would consolidate regulations that currently exist across multiple plans to simplify and streamline land use and zoning regulations. While no direct development is proposed as part of the Program, the implementation

of HIOZ land use changes, programs, and policies would accommodate future development (and redevelopment of previously developed areas).

Pressures to develop in the surrounding cities may derive from regional economic conditions and market demands for housing that may be directly or indirectly influenced by the Program. Although the Program does not include approval of physical development, it creates additional development capacity in the Program area compared to existing conditions. Much of this development capacity is either available under existing conditions or is limited to targeted areas. Furthermore, development projects would be induced more by market demands than by new development capacity created by land use changes included in the rezoning program. However, because approval of the Program would ultimately result in subsequent projects that would have their own environmental impacts—including potentially significant impacts—the Program is a growth-inducing action.

5.4 Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines states that "if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but, in less detail, than the significant effects of the project as proposed." With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the Program was reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the proposed mitigation measures, listed by environmental issue area.

5.4.1 Air Quality

COA-AQ-1 requires that prior to issuance of any Grading Permit, the Community Development Director shall confirm that the Grading Plan, Building Plans, and specifications stipulate that excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures. COA-AQ-1 includes measures to mandate watering of active portions of the construction site twice a day, apply non-toxic soil stabilizers to inactive construction areas, stop excavation and grading when wind gusts exceed 25 miles per hour (MPH), limit on-site vehicle speed to 15 MPH, on-site roads be paved as soon as possible and watered twice daily, in addition to numerous other measures and COA-AQ-3 requires measures to be implemented to reduce VOC emissions resulting from application of architectural coatings. COA-AQ-3 includes measures to require contactors to use high-pressure-low-volume (HPLV) paint applicators, use required coatings and solvents with a VOC content lower than required under Rule 1113, build with materials that do not require painting, and to use pre-painted construction materials. COA-AQ-9 requires that developments within the City include measures to require all residential and commercial structures to incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters. COA-AQ-14 mandates that new sensitive land uses shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week. COA-AQ-14 states that if new sensitive land uses cannot meet this setback, they shall be designed and conditioned to include mechanical ventilation systems with fresh air filtration. These mitigation measures require use of cleaner equipment or dust suppression measures that would not result in physical changes in the environment that could result in significant secondary impacts. Implementation of these measures would have beneficial impacts on reducing air quality impacts and would not result in adverse secondary impacts.

5.4.2 Hazards and Hazardous Materials

COA-HAZ-1 requires that prior to issuance of a Grading Permit for properties considered by the City to involve the potential for site contamination, a Phase I Environmental Site Assessment shall be prepared in accordance with ASTM Standards and Standards and Practices for AAI, in order to investigate the potential existence of site contamination. The Phase I Environmental Site Assessment shall identify Specific Recognized Environmental Conditions (RECs), which may require remedial activities prior to construction. This measure would not result in environmental impacts or in physical changes in the environment because it would require identification of hazards and addressing any recognized environmental conditions in accordance with all applicable agency requirements and oversight. Additional investigations or restrictions to site development may be required to ensure the site is appropriate for redevelopment. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HAZ-2 mandates that prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials, construction materials, miscellaneous stockpiled debris, above ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. This measure would not result in environmental impacts or in physical changes in the environment because it would require identification of hazards and addressing any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HAZ-4 requires that areas of exposed soils within Caltrans right-of-way that would be disturbed during excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is present). This measure would not result in environmental impacts or in physical changes in the environment because it would require identification of hazards and addressing any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HAZ-5 includes the requirement that prior to construction, future developers shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer, and includes provisions that: at least one unobstructed lane shall be maintained in both directions on surrounding roadways, the developer shall provide a temporary traffic signal or other appropriate traffic control to allow travel in both directions, and the developer shall provide appropriate signage indicating detours/alternative routes if construction activities require the complete closure of a roadway segment. This measure would not result in environmental impacts or in physical changes in the environment because it would require identification of hazards and addressing any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HAZ-6 mandates that the City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures. This measure would not result in environmental impacts or in physical changes in the environment because it would require identification of hazards and addressing any recognized environmental conditions in accordance with all

applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

5.4.3 Hydrology and Water Quality

COA-HYD-1 requires that prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana RWQCB providing notification and intent to comply with the State of California General Construction Permit. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on-site and all recommendations in the Plan shall be implemented during area preparation, grading, and construction. This measure would not result in environmental impacts or in physical changes in the environment because it would require protection of water quality and resources and would address any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HYD-2 includes the requirement that 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. This measure would not result in environmental impacts or in physical changes in the environment because it would require protection of water quality and resources and would address any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

COA-HYD-3 requires that 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. This measure would not result in environmental impacts or in physical changes in the environment because it would require protection of water quality and resources and would address any recognized environmental conditions in accordance with all applicable agency requirements and oversight. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts.

5.4.4 Noise

COA-N-1 would help limit construction noise at surrounding sensitive receptors through the implementation of construction best management practices (BMPs). This measure would not result in environmental impacts or in physical changes in the environment. As such, implementation of this mitigation measure would not result in adverse long-term secondary impacts. Similarly, COA-N-2 would help reduce construction noise and vibration by requiring heavily loaded trucks to be routed away from residential streets to the extent feasible. COA-N-3 would ensure that construction staging areas and the operation of earth-moving equipment would be located as far away from vibration- and noise-sensitive sites as possible. COA-N-4 lists specific mitigation measures that future developments under the Program would be required to implement to reduce the potential for human annoyance and architectural/structural

damage resulting from elevated ground borne noise and vibration levels. COA-N-5 would require residential projects located within the 65 dB CNEL noise contour for the Fullerton Municipal Airport to be subject to review by the Orange County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL. COA-N-6 mandates that mechanical equipment from future developments be placed as far as practical from sensitive receptors. These requirements to reduce potential impacts related to the noise during construction or operation and are short-term in nature. The equipment required for these mitigation measures, such as noise barriers and distancing construction equipment from sensitive receptors, would not result in environmental impacts or in physical changes in the environment and measures could require use of alternative equipment or engine covers/shrouds that would avoid significant noise impacts. As such, implementation of these mitigation measures would not result in adverse long-term secondary impacts.

5.4.5 Utilities and Service Systems

COA-WW-1 would require that prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for review and approval. COA-WW-2 would require that prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the OCSD has sufficient transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested. These measures would not result in environmental impacts or in physical changes in the environment because it would require identification of specific impacts and addressing them in accordance with all applicable agency requirements and oversight. As such, implementation of these mitigation measures would not result in adverse long-term secondary impacts.

5.5 Effects Found Not to Be Significant

State CEQA Guidelines Section 15128 requires that a PEIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the Draft PEIR. Based on the analysis contained in the Draft PEIR and as listed in Table ES-1 in the Executive Summary of this Draft PEIR, the following environmental effects were found to be less than significant: Aesthetics, Agriculture and Forestry, Biological Resources, Cultural Resources, Geology and Soils, Energy, and Wildfire.

5.5.1 Aesthetics

The City is located within an urbanized portion of north Orange County that is 90% built-out (City of Fullerton 2012a). The northern portion of the City provides long range views and broad vistas from the rolling hills and the southern portion of the City is relatively flat with existing buildings and adjacent roadways as the dominant visual elements (City of Fullerton 2012a). The Program would facilitate future development of housing throughout the City which would primarily consist of infill and redevelopment. East and West Coyote Hills are scenic resources within the City, both of which are viewable from the southern portion of the City (City of Fullerton 2012a). However, parcels identified on the southern portion of the City would likely have their views obscured by existing conditions due to topography, intervening development, and landscaping. As such, long-range views of East and West Coyote Hills would be not readily available from these public vantage points. Additionally, future development associated with the proposed Program would be required to be consistent with established regulations, guidelines, and development review processes set forth in the City's Municipal Code and General Plan. These regulations and

guidelines would reduce conflicts between future development and visual resources through an individualized assessment during the plan check and permitting process. As such, similar to the General Plan, the proposed Program would not directly result in substantial adverse effects on the City's scenic vistas. Less than significant impacts would occur.

A significant impact would occur in the event future development associated with the proposed Program would substantially damage scenic resources to State Route (SR) 91, located relatively between the SR-55 interchange and Imperial Highway approximately 3.4 miles southeast of the nearest HIOZ-identified parcel (Caltrans 2023). Given the distance, the overall Planning Area is not within the viewshed of this scenic highway. As such, future development associated with the proposed Program would not substantially damage scenic resources within the viewshed of SR-91. No impact would occur.

Overall, the construction of new residential land uses would change the current character of the City. However, consistent with the compatible development intensities identified in the General Plan's Focus Areas, the proposed Program would introduce a maximum density of 60 du/ac. Implementation of future development within the Planning Area would be required to comply with either the regulations governing the underlying zoning designation or the Program's development standards in the event residential or mixed-use developments are proposed. As such, the proposed Program would not conflict with applicable regulations related to scenic quality.

The City has designated scenic corridors, as shown in Exhibit 5.3-1 of the General Plan PEIR, as well as rural streets, shown in Exhibit 5.3-2, within the City with the intent to be designed and improved in ways to preserve their aesthetic value (City of Fullerton 2012b). Various HIOZ parcels are within the vicinity of, or abut, the right-of-way of locally designated scenic corridors, such as Bastanchury Road, State College Boulevard, Harbor Boulevard, Brea Boulevard, Euclid Street, and Rosecrans Avenue. However, the proposed Program would not result in future development along designated rural streets.

Additionally, the State CEQA Guidelines have been revised to focus on objective methods for determining potential impacts. For example, under this threshold of significance, the State CEQA Guidelines did not differ in determining impacts in nonurbanized areas and urbanized areas. As such, the General Plan PEIR determined impacts would occur with the implementation of the City's Focus Areas in the short-term through the construction of future development. Therefore, General Plan PEIR mitigation measures were incorporated as standard COAs to reduce potentially significant impacts to visual character and quality. COA-AES-1 relates to construction equipment staging and screening. COA-AES-2 relates to construction vehicles visual quality. COA-AES-3 regulates construction worker parking. Although, impacts of the Program are anticipated to be less than significant without mitigation, these COAs will be carried forward in order to be consistent with the findings of the General Plan PEIR.

Given the above discussion, implementation of the proposed Program would not conflict with applicable zoning and other regulations governing scenic quality. Less than significant impacts would occur.

5.5.2 Agriculture and Forestry Resources

None of the Fullerton HIOZ Program's parcels are located on designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown in the City's General Plan (City of Fullerton 2012a). In addition, the Williamson Act Contract Land Map identifies no areas under an existing Williamson Act contract in the Planning Area (California Department of Conservation 2023). No forest land, timberland, or Timberland Production areas are located within or adjacent to the Planning Area, as the area is urbanized and developed with commercial and

residential uses. As such, no farmland or forest land would be converted or otherwise affected by the Program. Therefore, impacts associated with agriculture and forestry resources would not occur.

5.5.3 Air Quality (Odors)

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. During construction of future development projects associated with the Program's implementation, exhaust from equipment may produce discernible odors typical of most construction sites. However, such odors would disperse rapidly from the sites of future development projects and would generally occur at magnitudes that would not affect substantial numbers of people. Operation of future development projects would not entail any potentially odor-causing land uses identified by SCAQMD. Furthermore, during construction and operation of the future development projects associated with the proposed Program, future applicants, construction contractors, and project operators would be required to comply with SCAQMD Rules 401, 402, and 403. For informational purposes, mitigation measures were incorporated to reduce potentially significant impacts to air quality. General Plan PEIR COA-AQ-1 is included in this Initial Study as a condition of approval for consistency purposes and to ensure compliance with SCAQMD Rule 403 prior to the issuance of a grading permit in order to reduce potential adverse impacts related to fugitive dust. Due to the nature of future construction and operation of potential residential and/or mixed-use land uses, and upon compliance with applicable SCAQMD rules, future development projects associated with the proposed Program would not result in other emissions such as those leading to odors. Impacts would be less than significant.

5.5.4 Biological Resources

Future development projects within the Planning Area would occur primarily through redevelopment of existing development sites or infill development and it is not anticipated that implementation of the proposed Program would result in significant impacts to candidate, sensitive, or special status species and their habitats. The Planning Area does not include parcels within the West Coyote Hills Focus Area, which has been identified as an area where special status wildlife and plant species and their habitats are known to occur or include parcels within the Coyote Hills East Habitat Conservation Plan (City of Fullerton 2012a). The implementation of future development projects would also be required to comply with applicable General Plan PEIR mitigation measure COA-BIO-1 which would require a Biological Resource Assessment for development projects within or adjacent to an environmentally sensitive habitat areas. Impacts would be less than significant.

Future development projects would be located in areas that are primarily developed and do not contain riparian habitat or other sensitive natural community. Thus, it is not anticipated that implementation of the proposed Program would result in significant impacts to riparian habitat or other sensitive natural community. However, some parcels within the Planning Area are located within the vicinity of mapped riparian habitats (USFWS 2023). In the event future development projects associated with the proposed Program are adjacent to existing rivers, streams, or channels, such projects would be required to comply with applicable General Plan PEIR mitigation measures, including COA-BIO-1. Compliance with COA-BIO-1 would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be less than significant.

Given the above information, it is not anticipated that implementation of the proposed Program would result in significant impacts to wetlands. However, some parcels within the Planning Area are located within the vicinity of

mapped riparian habitats (USFWS 2023). HIOZ projects that may be adjacent to wetlands would be required to comply with COA-BIO-1 and would not in a substantial adverse effect on state or federally protected wetlands through removal, filling, hydrological interruption, or other means. Impacts would be less than significant.

Implementation of the HIOZ Program is not anticipated to result in significant impacts to any wildlife corridors or native wildlife nursery sites. Due to the presence of trees and vegetation on parcels across the Planning Area, there is the potential for adverse effects on ornamental non-native trees and shrubs that provide nesting habitat for common birds and raptors protected under the Migratory Bird Treaty Act (MBTA) (16 USC 703–712) and California Fish and Game Code Sections 3503, 3503.5, and 3513. Vegetation removal, other construction activities, and the resulting elevated noise levels associated with future development projects could disturb, harm, or kill, individual protected birds or raptors that are nesting on or within the vicinity of the subject parcels. Thus, there is potential for future construction activities to negatively affect breeding or reproduction of bird and/or raptor species. Compliance with the MBTA and California Fish and Game Code would reduce this impact. Once future development projects have been constructed, construction-related disturbances would no longer occur. Implementation of the proposed Program would include compliance with the City's open space and landscaping requirements (i.e., planting of trees), which would occur throughout the Planning Area. As such, the Planning Area would continue to provide potential nesting sites in an urban environment, consistent with existing conditions. Therefore, long-term impacts to nesting and migratory birds would not be significant. Impacts would be less than significant.

The City has policies and regulations in place to protect biological resources, including certain trees. Specifically, these policies and regulations are included in the City's General Plan PEIR and Community Forestry Ordinance. Implementation of the proposed Program is not anticipated to conflict with the Community Forest Ordinance given that future development and/or redevelopment activities would be required to be reviewed for consistency with the Municipal Code, including the Community Forestry Ordinance. As such, the proposed Program would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.

The HIOZ Planning Area is within the boundaries of the Orange County Transportation Authority (OCTA) Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) (CDFW 2019). However, the OCTA NCCP/HCP only applies to freeway improvement projects and, thus, would not apply to future development projects associated with the HIOZ Program (OCTA 2014). Additionally, the Coyote Hills East HCP is established within the OCTA NCCP/HCP. However, future development projects associated with the HIOZ program would not be within the Coyote Hills East HCP. Therefore, implementation of the proposed Program would not conflict with the provisions of an adopted habitat conservation plan; natural community conservation plan; or other approved local, regional, or state habitat plan. No impact would occur as a result of the HIOZ Program.

5.5.5 Cultural Resources

Although the HIOZ Program screened out and removed parcels from consideration that were identified on the City's local register of historical resources, potentially significant effects to historic-age structures and historical resources could occur as a result of the Program. However, implementation of future development projects would be required to comply with General Plan PEIR mitigation measures MM-CR-1 and MM-CR-3 which are included as COAs. COA-CR-1 would require a Phase I Cultural Resources Study for future development sites located on properties considered by the City to be sensitive for cultural resources while COA-CR-3 would halt construction activities within 100 feet in the event that cultural resources are inadvertently unearthed during excavation and grading activities and a qualified professional would evaluate the significance of the finding and appropriate course of action. These

mitigation measures would reduce impacts associated with a substantial adverse change in the significance of a historical resource to a less than significant level.

Implementation of the proposed Program would result in future development projects across the Planning Area, which could include ground-disturbing activities. However, future development projects would be required to implement General Plan PEIR mitigation measures COA-CR-1 through COA-CR-3. COA-CR-2 outlines procedures in the event that monitoring during construction by a professional archaeologist and/or paleontologist is needed for the subject development project. Through implementation of these measures, the HIOZ Program would reduce impacts associated with a substantial adverse change in the significance of an archaeological resource to a less than significant level.

The Planning Area does not include parcels identified as a formal cemetery. While it is unlikely that previously undiscovered human remains exist in the vicinity of or within the Planning Area, there is some chance that human remains could be located within the parcels identified for future development and disturbed by construction activities. Although, impacts of the proposed Program are anticipated to be less than significant without mitigation, MM-CR-4 from the General Plan PEIR is incorporated into the HIOZ program as a condition of approval. COA-CR-4 outlines procedures, in compliance with the California Public Resources Code and Health and Safety Code, for future development projects in the event that human remains are found. Therefore, potential impacts related to the disturbance of any human remains would be less than significant.

5.5.6 Energy

Energy use from construction of future residential development would primarily occur in association with fuel use by vehicles and other equipment to conduct construction activities. Electricity demand would vary throughout the construction period. Electricity use associated with construction activities would be limited and minimal and would not require additional capacity. As such, the electricity used for any future construction would be temporary and minimal. Natural gas is not anticipated to be used during construction. Any minor amounts of natural gas that may be consumed during construction of future development projects would be temporary and negligible and would not have an adverse effect. Heavy-duty equipment, vendor trucks, and haul trucks associated with construction of future development projects would rely on diesel fuel. Construction workers would travel to and from each of the parcels within the Planning Area throughout the duration of construction which is estimated to occur intermittently over the planning horizon of 2029. Future development projects would be subject to the California Air Resources Board's (CARB's) In-Use Off-Road Diesel Vehicle Regulations which serve to reduce emissions. Overall, implementation of the Program would not be unusual as compared to overall local and regional demand for energy resources and would not involve characteristics that require equipment that would be less energy-efficient than at comparable construction sites in the region or state. Additionally, any future development facilitated by the Program would be required to adhere to all federal, state, and local requirements for energy efficiency. As such, the Program would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Construction impacts would be less than significant.

Operation of future development projects would require electricity for multiple purposes. However, energy demand could reduce due to energy-saving regulations and code requirements that are currently unknown for the buildout year of 2029. Therefore, electricity used would likely be lower with incorporations of applicable standards. Operation would also require natural gas for various purposes and would increase natural gas demand. However, any future development under the Program would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Thus, the natural gas consumption related to development

facilitated by the Program would not be considered inefficient or wasteful. During operation, fuel consumption would occur for various purposes, including for residents and guests traveling to and from residences, and would overall increase fuel demand. Future development would annually increase annual vehicle miles traveled (VMT) and would result in an estimated increase in annual fuel demand of petroleum per year. Implementation of the Program would not inherently result in excessive or wasteful vehicle trips, VMT, or associated excess and wasteful vehicle energy consumption. Future enhanced fuel economies pursuant to federal and state regulatory actions would likely decrease future gas fuel demand per VMT. Additionally, the general location of the parcels within the Planning Area proximate to regional and local roadway systems tends to reduce VMT within the region. Therefore, transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Impacts would be less than significant.

There are a variety of State and local plans and policies in place that promote use of renewable energy and energy efficiency. Part 6 of Title 24 of the California Code of Regulations and all applicable rules and regulations would reduce energy demand and increase energy efficiency related to future residential development facilitated under the proposed Program. Additionally, various existing local plans would reduce energy use including SCAG's 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy and CARB's Scoping Plan. Approval of the Program itself, as a zoning action, would not change these regulations and would not provide any goals, policies, or programs that would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Implementation of the Program is required to be consistent with existing regulations and, therefore, is not anticipated to conflict with renewable energy or energy efficiency plans. Impacts would be less than significant.

5.5.7 Geology and Soils

Future siting of buildings would have to comply with the Alquist-Priolo Earthquake Fault Zoning Act, which is intended to prevent construction of buildings for human occupancy on top of traces of active faults. As such, future development projects would be required to go through the City's plan check and permitting process to ensure compliance with state and local building code requirements. Compliance with requirements of building code for structural safety during seismic event would reduce fault hazards to less than significant.

The Norwalk Fault and the Puente Hills Fault traverse Fullerton while the Whittier-Elsinore Fault and the Newport-Inglewood Fault are located within miles of the City (City of Fullerton 2012a). A number of faults in the region are considered active features capable of generating future earthquakes that could result in moderate to strong ground shaking. According to the General Plan PEIR, the National Seismic Zones Map has designated the City within Zone 4, which has the highest earthquake danger of the four national seismic zones. As such, existing local regulations require stronger construction standards for buildings located within the City's Municipal Code. Chapter 14.03 ensures future development projects would comply with building code provisions that regulate design, engineering, and construction standards, consistent with the California Building Code. Section 16.05.065 of the Municipal Code requires the property owner/developer to prepare a site-specific final geotechnical investigation prepared by a qualified licensed soils/engineering geologist and/or geotechnical engineer (geotechnical consultant). The consultant shall determine if additional subsurface geotechnical field work, laboratory testing, and/or geotechnical analysis is necessary to provide site-specific geotechnical design recommendations that ensure compliance with the Municipal Code and the most recently adopted California Building Code in effect at the time of building permit issuance. These site-specific recommendations would be incorporated into the project site preparation and building design specifications of the future development projects. Therefore, future developments would be required to go through the City's building plan check review to ensure compliance with state and local building code requirements. The building plan check review would calculate the seismic design parameters to reduce hazards to people and

structures arising from ground shaking. As a result, future development projects implemented under the Program would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Impacts would be less than significant.

Liquefaction susceptibility is considered high throughout the City, including the Planning Area, and especially within the southwestern portions (City of Fullerton 2012a). Structures built on deposits of alluvium, clays, silts, and poorly constructed manmade fills would most likely experience damage due to seismically-induced settlement and differential compaction. Therefore, project implementation could result in significant impacts regarding the exposure of people and structures to potential substantial adverse effects involving seismic-related ground failure. Municipal Code Section 16.05.065 would require a site-specific geotechnical investigation conducted by a geotechnical consultant. As a result, site-specific recommendations would be incorporated into future project site preparation and building design specifications. Therefore, with review under the City's building plan check process, impacts would be less than significant.

The landslide potential in the City is considered to be low due to the flat topography in most areas. There is the potential for landslides in the steeper portions of the East and West Coyote Hills area due to the sloping topography (City of Fullerton 2012a). One of the criteria under the parcel screening process is the parcel's location outside of a local hazard zone. As such, Program-identified parcels are not located within an earthquake-induced landslide area. Moreover, future development projects implemented under the Program would be required to comply with the City's plan check and permitting process, including compliance with applicable building code provisions governing structural design, engineering, safety, and integrity. Therefore, with review under the City's building plan check process, impacts would be less than significant.

Implementation of the proposed Program would result in future development projects on parcels with various existing conditions, including vacant land, previously disturbed land, and land with existing development. Buildout of the proposed Program would substantially increase the amount of impervious surface within the Planning Area. However, existing regulations would ensure the implementation of future development projects would comply with water quality standards and requirements. As such, future development projects under the Program would minimize short- and long-term erosion. Therefore, with review under the City's building plan check process, impacts would be less than significant.

The landslide potential in the City is considered to be low due to the flat topography in most areas of the City. Given the high susceptibility of liquefaction throughout the City and especially within the southwestern portions, the potential for lateral spreading is also considered high, according to the General Plan PEIR. Although not considered a major problem, areas containing zones subject to subsidence resulting from consolidations include the central and northern portions of Fullerton. Other parts of the City may experience minor subsidence from a major earthquake (City of Fullerton 2012a). Municipal Code Section 16.05.065 would require a site-specific geotechnical investigation conducted by a geotechnical consultant. As a result, site-specific recommendations would be incorporated into future project site preparation and building design specifications. Therefore, with review under the City's building plan check process, impacts would be less than significant.

Implementation of the proposed Program would be required to comply with California Building Code requirements related to hazards involving potentially expansive soils. Numerous controls would be imposed on future development projects through the City's permitting process to lessen impacts associated with expansive soils. Potential impacts associated with expansive soils would be sufficiently mitigated for structures designed and constructed in conformance with the City's Municipal Code and industry-accepted engineering standards,

including Section 16.05.065. Therefore, with review under the City's building plan check process, impacts would be less than significant.

The parcels within the Planning Area are served by the existing municipal sewer system. The City has established utility services, and no septic systems would be proposed or required to serve future development projects under the proposed Program. Therefore, no impacts would occur.

Paleontological Resources

The proposed Program includes various mitigation measures from the City's General Plan PEIR regarding cultural resources, including paleontological resources. COA-CR-1 would require a Phase I Cultural Resources Study for future development sites located on properties considered to be sensitive for cultural resources by the City. COA-CR-2 outlines procedures in the event that monitoring during construction by a professional archaeologist and/or paleontologist is needed for the subject development project. COA-CR-3 would be required in the event that cultural resources (i.e., historical) are inadvertently unearthed during excavation and grading activities.

Paleontological sites are those that show evidence of pre-human activity and are often simply small outcroppings visible on the surface or sites encountered during grading. These sites are important mostly because they may contain fossils. The City of Fullerton is known to be underlain by Pleistocene shallow marine, lagoonal, floodplain, and terrace deposits, approximately 1.8 million to 40,000 years old. These stratigraphic units, in ascending order are the San Pedro Formation, the Coyote Hills Formation, the La Habra Formation, and old alluvium. The San Pedro Formation is known to have abundant marine invertebrate and both marine and terrestrial vertebrate materials and fossil mollusks were recorded in earlier studies in the Coyote Hills East area. The Coyote Hills Formation and Coyote Creek have produced extensive collections of numerous fossil vertebrates (City of Fullerton 2012b).

The La Habra Formation has also produced vertebrate fossils in the City. Over 32 species of land animals have been recovered, including extinct birds. Portions of the Formation are mapped as older alluvium which is expected to contain additional fossils. The San Pedro and La Habra Formations are considered to have a high sensitivity for paleontological resources. The West Coyote Hills has an unknown potential for the discovery of fossils, however, because of the environment in which the formation accumulated, it is likely that fossils may be encountered. As such, the discovery of additional paleontological resources within the City is possible (City of Fullerton 2012b). However, future development projects under the proposed Program would be required to go through the City's plan check and permitting process to ensure compliance with state and local building code requirements, including the City Municipal Code's stronger construction standards. The Program would also be required to comply with applicable General Plan PEIR mitigation measures COA-CR-1 through COA-CR-3 that would reduce potential impacts to paleontological resources. These measures are included in the Program as conditions of approval and are described above. With implementation of COA-CR-1 through COA-CR-3, all earth-disturbing activities within a 100-foot radius of the area of discovery would cease and a qualified professional would evaluate the significance of the finding and appropriate course of action. Therefore, impacts would be less than significant.

5.5.8 Hazards and Hazardous Materials (Hazardous Substances, Emergency Plans, Wildland Fires)

The land uses that would be developed under the proposed Program include new residential uses, which would require the temporary and limited use of hazardous materials during construction and operation of future development projects. Implementation of the proposed Program would not involve the direct impacts related to the

routine transport, use, or disposal of hazardous materials; however, the Program would facilitate the construction of future development projects which would have the potential to create a significant hazard to the public or the environment with the temporary transport, storage, and use of commonly used hazardous substances which are anticipated to be required for future projects. All hazardous materials must be used and stored in accordance with manufacturers' instructions and handled in compliance with federal, local, and state requirements. These future projects would introduce new residential uses onto parcels with non-residential underlying zoning designations. Implementation would involve future demolition and earthwork activities on identified parcels and construction activities would involve the transport of commonly used hazardous substances from construction sites to be disposed of at contracted solid waste disposal providers in accordance with federal, state, and local regulations, including the California Health and Safety Code, the Hazardous Materials Transportation Act, California Division of Occupational Safety and Health (Cal/OSHA), and local fire code requirements. Such requirements include the transport of hazardous waste materials is further governed by Health and Safety Code Section 25163, which requires transporters of hazardous waste to hold a valid registration issued by the California Department of Toxic Substances Control (DTSC) while transporting hazardous waste, and California Code of Regulations Title 22, Chapter 13, which requires haulers to have an identification number and a registration certificate from DTSC; obtain a Uniform Hazardous Waste Manifest signed by the generator and transporter prior to accepting hazardous wastes; and delivery of hazardous waste to authorized facilities only. The proposed Program would not result in new or different methods for future construction activities that are not already allowed within the Planning Area or otherwise result in changes to existing requirements for the transport, use, or disposal of hazardous materials. Consequently, the future use of construction-related hazardous materials would not pose a significant risk to the public or environment through the temporary routine and limited use or disposal of hazardous materials. Therefore, construction impacts would be less than significant.

During operations, it is not anticipated that these future projects would create a significant hazard beyond what is typical of a residential land use such as paints or cleaning supplies. Future residential land uses would continue to use typical household and commercially available hazardous materials, and there would be no new uses that are not already allowed within the residential zones in the Planning Area. Similar to construction-related activities, operation of future projects would be subject to regulations mentioned above that govern the transport, use, or disposal of hazardous materials. Moreover, prior to the issuance of a demolition or building permit at the City, all project applicants must obtain the proper clearance of compliance with applicable regulations through the City's plan check and permitting process. Although applicable building code requirements would be implemented to reduce any potentially significant impacts to the transport of hazardous materials to a less than significant level, General Plan PEIR mitigation measures MM-HAZ-2 and MM-HAZ-4 are included as COAs to ensure consistency with the General Plan. Both COA-HAZ-2 and COA-HAZ-4 outline procedures prior to potential remedial excavation and grading activities. As such, future development projects are not anticipated to create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials, and impacts would be less than significant.

Implementation of the proposed Program would facilitate the future development of projects throughout the Planning Area, and it is possible that construction activities associated with future projects may result in the presence of construction equipment and materials adjacent to roadways that could temporarily impede emergency access to and within the Planning Area. However, future development would need to comply with all applicable building code requirements in the California Building Code, Fire Code, and the City's Municipal Code related to access and design requirements to allow for emergency services to access all structures. As such, individual projects would be reviewed during the City's plan check and permitting process. Although applicable building code requirements would be implemented to reduce any potentially significant impacts to emergency access to a less

than significant level, General Plan PEIR mitigation measures MM-HAZ-5 and MM-HAZ-6 are included as COAs to ensure consistency with the General Plan. COA-HAZ-5 would require the preparation of a Traffic Control Plan during construction, as applicable, and COA-HAZ-6 would ensure that consultation between City departments is disclosed in the event that temporary closures or alternative travel routes are required for implementation of future development projects. Impacts would be less than significant, and no mitigation is required.

Fire hazards at the urban-wildlands interface is a potential problem that threatens life and property. The City's General Plan PEIR identified areas where fire hazard severity is considered Very High and High, including portions of the HIOZ Planning Area. As a result of Program implementation, future development projects could have the potential to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. However, the City's Municipal Code includes existing regulatory requirements for property within fire hazard severity zones. Chapter 13.19, Fire Prevention Standards, of the Municipal Code would ensure coordination and compliance with the City's Fire Department Fire Prevention Standard on Fuel Modification Plans and Maintenance, as well as standards within the Fire Prevention Standard on Brush Clearance. All future development would be required to comply with these provisions through the plan check and permitting process. Compliance with the specified fire prevention standards would provide the necessary limitations to reduce the exposure of people or structures to risk involving wildland fires to less than significant.

5.5.9 Hydrology and Water Quality (Water Quality Standards)

Buildout of the proposed Program would substantially increase the amount of impervious surface within the Planning Area which could result in increased runoff that could violate water quality standards or waste discharge requirements or substantially degrade surface water or groundwater quality. However, existing regulations would ensure the implementation of future development projects would comply with water quality standards and waste discharge requirements, including regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct stormwater discharges. The Planning Area is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) which issues permits to the County of Orange, Orange County Flood Control District, and incorporated cities of Orange County. As such, implementation of future development projects under the proposed Program with potential site disturbances of more than one acre would be subject to the NPDES Construction General Permit requirements (Order No. 2009-0009-DWQ).

Construction activities associated with the future development projects have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. To minimize these potential impacts, future development projects would be required to comply with the NPDES Construction General Permit and prepare and implement a Stormwater Pollution Prevention Plans (SWPPP). For future development sites disturbing less than one acre of ground surface during construction would be required to implement Best Management Practices (BMPs), in accordance with the City's Municipal Code.

During operations, future development projects under the Program would be required to adhere to applicable regulations governing water quality. The Drainage Area Management Plan (DAMP) provides guidance for the Orange County NPDES Stormwater Program that is implemented within each permittee's jurisdiction. The Local Implementation Plan (LIP) describes how the DAMP is being implemented by individual permittees under the NPDES Municipal Separate Storm Sewer System (MS4) permit. These regulations address stormwater quality issues specific to the local watershed or region and requires permittees to develop and implement a stormwater management program designed to prevent pollutants from entering receiving waters. The City is responsible for

controlling or limiting urban pollutants generated by construction and post-construction activities from reaching their MS4s, and future development projects under the proposed Program are subject to the requirements of the north Orange County MS4 permit.

Although the above requirements would be implemented to reduce any potentially significant impacts to water quality degradation to a less than significant level, General Plan PEIR mitigation measures MM-HYD-1, MM-HYD-2, and MM-HYD-3 are included as COAs to ensure consistency with the General Plan PEIR. COA-HYD-1 and COA-HYD-2 would require project applicants to prepare and implement the SWPPP that includes BMPs to control erosion and prevent any discharge of sediments from any HIOZ project site to reduce water quality impacts, as well as ensure coordination with the City's Engineering Department to determine requirements necessary to mitigate impacts to drainage. COA-HYD-3 would require the project owner/developer(s) 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. Impacts would be less than significant, and no mitigation is required.

5.5.10 Land Use and Planning (Divide an Established Community)

The parcels within the Planning Area are bound by existing, major roadways or within the vicinity of existing roadways. The proposed Program's parcels were identified based on a methodology with four specific criteria: 1) economic viability; 2) location within opportunity areas; 3) location outside of local hazard zones; and 4) adjacent to local amenities. Implementation of the proposed Program would result in future redevelopment of these parcels and would not result in a physical division within an established community. Furthermore, the Program does not include features such as a new highway, new aboveground infrastructure, or an easement through an established neighborhood that may result in physical divisions within a community. Impacts would be less than significant.

5.5.11 Noise (Within 2 Miles of a Private Airstrip or Airport)

Several identified parcels within the proposed Program are within the vicinity of a public airport, the Fullerton Municipal Airport, located in the southwestern corner of the City. The Orange County Airport Land Use Commission (ALUC) is an advisory body that ensure airport land use compatibility and reviews local agency land use actions and airport plans. As described in the General Plan PEIR, noise exposure contours around airports are determined from the number and type of aircraft using the airport, the magnitude and duration of each fly over, flight paths, and the time of day when flights occur (City of Fullerton 2012b). The Airport Noise Standards contained in Title 4 of the California Administrative Code specify that airports shall not permit noise exposures of 65 decibels (dB) Community Noise Equivalent Level (CNEL) or greater to extend into residential or school areas. The State Aeronautics Act specifies 65 dB CNEL as the criterion which airports must meet to protect existing residential communities from unacceptable exterior exposures to aircraft noise. The exterior maximum of 65 dB CNEL is given as the level deemed acceptable to a reasonable person residing in urban residential areas where houses are of typical California construction and may have windows partially open. Compliance and/or adherence to the City's Noise Ordinance would ensure airport-related noise impacts to residential uses within the 65 dB CNEL noise contour would be less than significant.

Although impacts would be less than significant, General Plan PEIR mitigation measure MM-N-5 is included as a COA to ensure consistency with the General Plan PEIR. COA-N-5 would ensure residential projects located within the 65 dB CNEL noise contour would be subject to review by the Orange County ALUC and ensure interior noise levels would be at or below 45 dB CNEL. Impacts would be less than significant, and no mitigation is required.

5.5.12 Population and Housing (Displacement)

In the event there are existing non-conforming residential uses on parcels within the Planning Area, implementation of the proposed Program would result in potential displacement of existing people or housing. The temporary displacement of some residents due to redevelopment of existing non-conforming residential properties would occur throughout the Planning Area. However, the Program would accommodate development of approximately 35,611 additional dwelling units that are expected to substantially increase the capacity for housing stock in the Planning Area. As such, the Program is not anticipated to permanently displace a substantial number of people and any temporary impacts would be offset by the anticipated increase in housing production. Additionally, as a result of the screening process for parcels selected for the proposed Program, substantial displacement of existing housing and residents would be less likely to occur. Therefore, impacts would be less than significant.

Displacement of housing or people under CEQA is limited to the potential physical adverse changes to the environment. This approach is consistent with Section 15382 of the State CEQA Guidelines, "[a]n economic or social change by itself shall not be considered a significant impact on the environment." As such, this section includes a review of the potential direct physical changes of displacement. An analysis of whether the Fullerton HIOZ Plan would displace population is demonstrated by analyzing potential land use changes proposed.

5.5.13 Recreation (Construction or Expansion of Facilities)

Implementation of the proposed Program does not directly propose the construction of new publicly accessible recreational facilities, nor does it include land use changes that would facilitate the future development of parkland. Impacts would be less than significant.

5.5.14 Transportation (Geometric Design Features, Emergency Access)

Implementation of the proposed Program would facilitate the future development of residential uses on existing parcels with non-residential underlying zoning designations. As such, the Program has the potential to introduce new circulation patterns to the Planning Area. However, individual projects facilitated as a result of the Program's implementation would be subject to the City's plan check and permitting process. At that time, any specific traffic hazards due to the geometric design around the future project sites would be identified. No geometric design issues are reasonably foreseeable at the time of drafting this PEIR. However, implementation of the Program would result in infill development and/or redevelopment of parcels within a built out, urban area which would not involve permanent changes to linear infrastructure, including roadways. Individual projects proposed in the Planning Area would be subject to, and designed in accordance with City standards and specifications which address potential design hazards including sight distance, driveway placement and access, and signage and striping. At intersections or roadways where traffic safety issues are identified, the City would work to correct any deficiencies in a timely manner to the degree that is practical and feasible. Additionally, any new transportation facilities, or improvements to roadway facilities associated with individual projects would be constructed based on design standards consistent with the City's Municipal Code, and best practices consistent with General Plan. Implementation of the Program would be subject to, and constructed in accordance with, applicable roadway design standards and applicable General Plan goals and policies. Therefore, with compliance with existing regulations, the Program would not substantially increase hazards due to a geometric design feature or incompatible uses. Impacts would be less than significant.

The Program has the potential to introduce new circulation patterns to the Planning Area, however, the Program does not propose any direct development or new roadways, or intersections and it does not include any standards that would result in inadequate emergency access. However, the Program would allow for greater densities than are currently allowed within the Planning Area as proposed in the plan, policies, and zoning standards for the City, and would facilitate temporary construction activities within the Planning Area, which could temporarily result in impacts to the circulation system. Similar to the discussion presented in Section 5.5.8 above, future development would need to comply with all applicable building code requirements in the California Building Code, Fire Code, and the City's Municipal Code related to access and design requirements to allow for emergency services to access all structures. As such, individual projects would be reviewed during the City's plan check and permitting process and, following compliance with applicable regulations, impacts would be less than significant.

Although impacts would be less than significant, General Plan PEIR mitigation measures MM-HAZ-5 and MM-HAZ-6 are included as COAs to ensure consistency with the General Plan. COA-HAZ-5 would require the preparation of a Traffic Control Plan during construction, as applicable, and COA-HAZ-6 would ensure that consultation between City departments is disclosed in the event that temporary closures or alternative travel routes are required for implementation of future development projects (City of Fullerton 2012b). Impacts would be less than significant, and no mitigation is required.

5.5.15 Utilities and Service Systems (Compliance with Solid Waste Management and Reduction Regulations)

Future development projects associated with the proposed Program would increase demand on existing infrastructure facilities, including solid waste facilities (i.e., landfills). All solid waste-generating activities in the City are subject to the requirements set forth in AB 939, which requires diversion of a minimum of 50 percent of construction and demolition debris. In addition, after 2020, development projects will be required to divert 75 percent of solid waste, pursuant to AB 341. As such, disposal of waste generated from implementation of the proposed Program would be consistent with all state regulations. Impacts would be less than significant.

5.5.16 Wildfire

According to CalFire, the City is not located within a state responsibility area (CalFire 2023). However, the City's General Plan PEIR has identified areas where fire hazard severity is considered Very High and High, as shown in Exhibit 5.9-1, Fire Hazard Severity, of the General Plan PEIR (City of Fullerton 2012a). Although parcels within a fire hazard severity zone are not included in the Program, the City's General Plan PEIR identifies portions of the Planning Area or parcels adjacent to the Planning Area within a fire hazard severity zone. As such, future development would be required to comply with the City's Fire Prevention Standards (Chapter 13.19 of the Municipal Code), as appropriate, through the plan check and permitting process. It is also possible that construction activities associated with future projects under the Program may result in the presence of construction equipment and materials adjacent to roadways that could temporarily impede emergency access to and within the Planning Area. However, future development would need to comply with all applicable building code requirements in the California Building Code, Fire Code, and the City's Municipal Code related to access and design requirements to allow for emergency services to access all structures. Additionally, although impacts are expected to be less than significant, future development projects would implement General Plan PEIR mitigation measures MM-HAZ-5 and MM-HAZ-6 as COAs to be consistent with the General Plan PEIR. COA-HAZ-5 would require the preparation of a Traffic Control Plan during construction, as applicable. COA-HAZ-6 would ensure that consultation between City departments is disclosed in the event that temporary closures or alternative travel routes are required for implementation of future

development projects (City of Fullerton 2012b). As such, through compliance with applicable regulations and conditions, impacts to emergency response plans or emergency evacuation plans would be less than significant, and no mitigation would be required.

As some Program parcels are near wildfire severity zones, there is the potential for future development projects to exacerbate wildfire risks, exposing future occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The parcels identified are located outside of a local hazard zone based on the screening methodology process for the inclusion of parcels in the proposed Program. Additionally, compliance with the City's Municipal Code would reduce risk from wildfires and post-fire, rainfall-induced landslides, and debris flows. Impacts would be less than significant, and no mitigation would be required.

Future development may require the installation or maintenance of associated infrastructure. In the event infrastructure improvements are required, future development projects located on parcels near a Very High Fire Hazard Severity Zone (VHFHSZ) could exacerbate fire risk or result in temporary or ongoing impacts to the environment. However, compliance with the City's Municipal Code for properties within hire hazard severity zones would reduce risk from the installation or maintenance of associated infrastructure. Impacts would be less than significant, and no mitigation would be required.

Due to various Program parcel locations near a VHFHSZ, there is the potential for future development projects to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. However, due to future development projects consisting entirely of infill development and HIOZ parcels being outside of a local hazard zone, compliance with the City's Municipal Code for properties within hire hazard severity zones would reduce risk from the installation or maintenance of associated infrastructure. Impacts would be less than significant, and no mitigation would be required.

5.6 References

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6.0 Alternatives

This chapter describes and evaluates alternatives to the Fullerton Housing Incentive Overlay Zone Program (Program). This chapter implements the requirements set forth in the California Environmental Quality Act (CEQA) Guidelines (14 California Code of Regulations [CCR] 15000 et seq.), and identifies the Environmentally Superior Project Alternative, as required by CEQA Guidelines Section 15126.6(e)(2).

6.1 Introduction

The California Environmental Quality Act (CEQA) requires that environmental impact reports (EIRs) "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project" (CEQA Guidelines Section 15126.6[a]). As required by CEQA, this chapter of the Draft PEIR evaluates alternatives to the Project and compares the potential impacts of each alternative with the Project's potential impacts.

Pursuant to Section 15126.6(b) of the CEQA Guidelines, project alternatives should be selected based primarily on the ability of the alternatives to avoid or substantially lessen any significant impacts of the Project, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." Additionally, this Draft Program EIR (PEIR) need not consider every conceivable alternative to the proposed Program (project), but rather the range of alternatives should be governed by a "rule of reason," such that only those alternatives necessary to permit a reasoned choice are analyzed (CEQA Guidelines Section 15126.6[f]).

In selecting project alternatives for analysis, the potential alternatives should be feasible. CEQA Guidelines Section 15126.6(f)(1) states:

> "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"

CEQA Guidelines require the analysis of a "No Project" Alternative and an evaluation of alternative location(s) for the project, if feasible. Of the alternatives analyzed in an EIR, an environmentally superior alternative is to be designated. If the environmentally superior alternative is the No Project Alternative, then the EIR shall identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6[e](2).

6.2 Project Objectives

CEQA Guidelines Section 15124(b) requires an EIR to include a statement of objectives sought by a project, including the underlying purpose of the project. As described in Chapter 3, Project Description, of this Draft PEIR, the City does not contain sufficient sites with appropriate zoning to accommodate the City's RHNA allocation, according to the City's Housing Element Update. As such, the City identified the proposed Program as a policy action to help facilitate housing production in order to meet the City's RHNA goals. The Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units.

The following Project Objectives have been established to assist the City in developing a reasonable range of alternatives to be evaluated in this Draft PEIR.

1. Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.
2. Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.
3. Identify sites that are most likely to be redeveloped given their current underutilization of land.
4. Discourage development within known local hazard zones.
5. Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.

6.3 Summary of Environmental Impacts

As presented in this Draft PEIR, the Project would result in significant and unavoidable impacts after implementation of all mitigation measures. Table 6-1 summarizes the Program's environmental impacts as identified in throughout this Draft PEIR.

Table 6-1. Summary of Environmental Impacts

Environmental Topic	Threshold	Mitigation Measures	Significance Determination
Air Quality	AQ-1	MM-AQ-1 through MM-AQ-3	Significant and Unavoidable
	AQ-2	MM-AQ-1 and MM-AQ-2	Significant and Unavoidable
	AQ-3	MM-AQ-1 and MM-AQ-2	Significant and Unavoidable
Greenhouse Gas Emissions	GHG-1	N/A	Less Than Significant
	GHG-2	N/A	Less Than Significant
Hazards and Hazardous Materials	HAZ-1	COA-HAZ-1 through COA-HAZ-4; MM-HAZ-1 through MM-HAZ-5	Less Than Significant With Mitigation
	HAZ-2	COA-HAZ-1 and COA-HAZ-2; MM-HAZ-3 through MM-HAZ-5	Less Than Significant With Mitigation
	HAZ-3	COA-HAZ-1; MM-HAZ-3 and MM-HAZ-4	Less Than Significant With Mitigation
	HAZ-4	N/A	Less Than Significant
Hydrology and Water Quality	HYD-1	N/A	Less Than Significant
	HYD-2	COA-HYD-1 through COA-HYD-3	Less Than Significant
	HYD-3	N/A	Less Than Significant
	HYD-4	N/A	Less Than Significant
Land Use and Planning	LU-1	N/A	Less Than Significant
	LU-2	MM-AQ-1 through MM-AQ-3; MM-HAZ-1 through MM-HAZ-5	Less Than Significant With Mitigation
Mineral Resources	MIN-1	N/A	Less Than Significant
	MIN-2	N/A	Less Than Significant

Table 6-1. Summary of Environmental Impacts

Environmental Topic	Threshold	Mitigation Measures	Significance Determination
Noise	NOI-1	COA-N-1, COA-N-2, COA-N-5, and COA-N-6	Less Than Significant
	NOI-2	COA-N-3 and COA-N-4	Less Than Significant
Population and Housing	POP-1	No Feasible Mitigation	**Significant and Unavoidable**
Public Services	PUB-1 (Fire)	N/A	Less Than Significant
	PUB-1 (Police)	N/A	Less Than Significant
	PUB-1 (Schools)	COA-PUB-1	Less Than Significant
	PUB-1 (Parks)	N/A	Less Than Significant
	PUB-1 (Libraries)	N/A	Less Than Significant
Recreation	REC-1	N/A	Less Than Significant
Transportation	TRA-1	COA-TR-1	Less Than Significant
	TRA-2	N/A	Less Than Significant
Tribal Cultural Resources	TCR-1	MM-TCR-1	**Significant and Unavoidable**
	TCR-2	MM-TCR-1	**Significant and Unavoidable**
Utilities and Service Systems	UTL-1	COA-WW-1, COA-WW-2, and COA-HYD-3	Less Than Significant
	UTL-2	N/A	Less Than Significant
	UTL-3	N/A	Less Than Significant
	UTL-4	N/A	Less Than Significant

Notes: All "Significant and Unavoidable" impact determinations would also cumulatively considerable, while all "No Impact" or "Less Than Significant" impact determinations would not be cumulatively considerable, unless otherwise noted.

Consistent with CEQA, the analysis presented in this chapter considers a reasonable range of alternatives to the Program and evaluates their comparative environmental impacts. The selection of alternatives and their discussion must "foster informed decision making and public participation" (CEQA Guidelines Section 15126.6[a]). Therefore, this chapter identifies potential alternatives to the Program and evaluates them, as required by CEQA.

The inclusion of an alternative in an EIR does not constitute definitive evidence that the alternative is in fact "feasible." The final decision regarding the feasibility of alternatives lies with the decision maker(s) for a given project, who must make the necessary findings addressing the potential feasibility of an alternative, including whether it meets most of the basic project objectives (provided in Section 6.2, Project Objectives) or reduces the severity of significant environmental effects pursuant to CEQA (California Public Resources Code, Section 21081; see also CEQA Guidelines Section 15091).

6.4 Alternatives Considered but Rejected

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. The following discussion presents information on alternatives to the

Program that were considered but rejected. These alternatives are not discussed in further detail and have been eliminated from further consideration.

6.4.1 Alternative Sites

This Draft PEIR analyzes the environmental impacts of the implementation of the proposed Program, which is an identified strategy within the City's Housing Element Update. As discussed above, the Program would create an overlay zone that allows a property owner to develop multi-family housing on a parcel with a non-residential underlying zoning classification in exchange for providing a specified percentage of deed-restricted affordable housing units.

In accordance with CEQA Guidelines, Section 15126.6(f)(2), the City attempted to identify feasible alternative locations within the city that could be available for the implementation of the proposed Program. Pursuant to CEQA Guidelines, Section 15126.6(f)(2)(A), the key question and first step in analysis of alternate site locations are whether any of the significant effects of the Program would be avoided or substantially lessened by moving the Program to another location. As detailed in Table 6-1, the Program would result in significant and unavoidable impacts related to Air Quality and Population and Housing. The City considered alternative sites to be included and replaced from the proposed Planning Area. However, alternative sites would not reduce the significant and unavoidable impacts identified in this PEIR. For example, as detailed in Section 4.1, Air Quality, construction emissions were estimated through a conservative methodology of potential construction activity as a result of the Program, which assumes that 20 percent of the Planning Area would be developed within one year. Alternative sites would not result in a reduction in impacts. Similarly, impacts related to unplanned population growth would not be reduced with alternative sites.

Moreover, some sites identified for the Program were previously identified by the Housing Element's adequate sites analysis. As the City is required to implement the Housing Element pursuant to state law, including the adequate sites program, consideration of alternative locations for the implementation of the Program is not feasible. Therefore, alternate locations capable of accommodating the Program are considered infeasible and not carried forward in this analysis.

6.5 Alternatives Under Consideration

This section discusses the alternatives to the Program, including the No Project Alternative, under consideration. The No Project Alternative, which is a required element of an EIR pursuant to Section 15126.6(e) of the CEQA Guidelines, examines the environmental effects that would occur if the Program were not to proceed. The other alternatives are discussed as part of the "reasonable range of alternatives" selected by the lead agency.

Under the proposed Program analyzed in this Draft PEIR, a maximum density of 60 dwelling units per acre (du/ac) across the Planning Area was assessed to determine the maximum potential environmental effects of the proposed Program. In addition, the Program assumes all future development projects would include on-site commercial uses with a Floor Area Ratio (FAR) of 0.12. As a result, the Program would have a maximum growth potential of 35,611 units and 4,979 employees (or a net reduction of 6,160 employees).

The following alternatives are addressed in this section, followed by a more detailed discussion of each:

- **Alternative 1 – No Project/Buildout According to Adopted Plans:** Under Alternative 1, development of the Program would not occur as detailed in Chapter 3 of this EIR. As specified in CEQA Guidelines Section 15126.6(e)(3)(A), when a project is the revision of an existing land use or regulatory plan or policy or an ongoing operation, the no project alternative will be the continuation of the plan, policy, or operation into the future. Therefore, the no project alternative, as required by the CEQA Guidelines, would analyze the effects of development consistent with implementation of the General Plan and existing land use/zoning. Given this, Alternative 1 would continue the planned development potential for the Planning Area under the General Plan and existing zoning designations.
- **Alternative 2 – Reduced Sites Alternative:** Under Alternative 2, the Reduced Sites Alternative, select sites would be removed from consideration within the Planning Area. These sites would be removed because of their potential to remain as viable commercial developments. As such, Alternative 2 would be comprised of a Planning Area with 751 parcels, totaling 537 acres. The reduced sites would result in a buildout potential of 32,234 housing units and 2,808,180 square feet of commercial uses within future development projects. Therefore, under this alternative, 96,711 residents and 4,508 employees are anticipated at buildout of the future development projects.
- **Alternative 3 – Reduced Density Alternative:** Under Alternative 3, Reduced Density Alternative, the maximum density for buildout is assumed to be 45 du/ac across the Planning Area. Therefore, Alternative 3 would result in a total development potential of 26,709 units. Implementation of Alternative 3 would include the same commercial development potential with a 0.12 FAR. As such, under this alternative, a total of 3,102,449 square feet of commercial uses, and 4,979 employees (or a net reduction of 6,160 employees) are anticipated at buildout of future development projects.

6.5.1 Alternative 1 – No Project / Buildout According to Adopted Plans

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of "no project" along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a project with the impacts of not approving a project. As specified in CEQA Guidelines Section 15126.6(e)(3)(A), when a project is the revision of an existing land use or regulatory plan or policy or an ongoing operation, the no project alternative will be the continuation of the plan, policy, or operation into the future. Therefore, the no project alternative, as required by the CEQA Guidelines, would analyze the effects of development consistent with implementation of the General Plan and existing land use/zoning.

Under Alternative A, the Planning Area would continue to develop in accordance with the City's General Plan existing land use designations and zoning, as well as in accordance with General Plan Amendments that have occurred since the adoption of the General Plan. Table 6-2, Alternative 1 Buildout Projections, details the General Plan's buildout projections for the City in 2030 compared against the existing conditions in 2023. As shown in Table 6-2, Alternative 1 is projected to result in 22,430 additional dwelling units, 5,510 additional persons, and 16,083 additional jobs by the 2030 buildout year.

Table 6-2. Alternative 1 Buildout Projections

Category	Existing Conditions (2023)	Buildout (2030)	Alternative 1 Growth
Housing (DU)	142,873	165,303	**+22,430**
Population	50,620	56,130	**+5,510**
Employment	67,800	83,883	**+16,083**

Source: See Table 3-6 and Tables 4.8-3 through 4.8-6 of this Draft PEIR.
Note: DU = dwelling unit.

As shown in Table 6-3, Alternative 1 Compared with Program Growth, below, Alternative 1 would facilitate 13,181 fewer dwelling units, 98,119 fewer persons, and 22,243 additional jobs than under the proposed Program. The increase in jobs under Alternative 1 is due to the elimination of proposed land use changes to facilitate residential development on non-residential land.

Table 6-3. Alternative 1 Compared with Program Growth

Category	Program-Related Growth (2029 – 2023)	Alternative 1 Growth (2030 – 2023)	Difference between Alternative 1 Growth and Program Growth
Housing (DU)	**+35,611**	**+22,430**	**(13,181)**
Population	**+103,629**	**+5,510**	**(98,119)**
Net Employment	**(6,160)**	**+16,083**	**+22,243**

Sources: Tables 4.8-9 and 4.8-10; Appendix B
Note: DU = dwelling unit. (Number) = Negative number

6.5.1.1 Environmental Analysis

Air Quality

As discussed in Section 4.1, Air Quality, for the purposes of estimating emissions as a result of the proposed Program, construction is assumed to have a duration of 5 years, reaching completion in December 2029. While construction specifics for buildout of the Program are not known, the analysis is based on the first full year of construction (2024), which is the estimated to be the worst-case construction year (see Section 4.1 of this Draft PEIR for more details). As a result, construction of future development projects could potentially exceed the South Coast Air Quality Management District (SCAQMD) mass daily construction thresholds for volatile organic compounds (VOCs), oxides of nitrogen (NO_x), carbon monoxide (CO), particulate matter less than or equal to 10 microns in diameter (PM_{10}), and fine particulate matter less than or equal to 2.5 microns in diameter ($PM_{2.5}$). In addition, the operation of any future development projects, as allowed by the Program, could exceed the SCAQMD mass daily operational thresholds for VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$. All future projects would be required to adhere to all existing regulations to protect air quality. Nonetheless, implementation of the proposed Program would result significant and unavoidable and cumulatively considerable impacts even with the incorporation of mitigation measure (MM) MM-AQ-1, MM-AQ-2, and MM-AQ-3 related to the implementation of the applicable air quality plan. Moreover, even with the proposed Program's goals and policies are consistent with and support the Southern California Association of Governments (SCAG) Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) goals and policies, it is anticipated that Program implementation could potentially exceed the growth forecasts and change the underlying land use assumptions utilized in the 2022 Air Quality Management Plan (AQMP). Under Alternative 1, the continuation of the City's General Plan and other approved planning documents would occur. Growth forecasts were analyzed in the General Plan EIR, in which mitigation was incorporated (included as COA-AQ-1, COA-

AQ-3, COA-AQ-6, COA-AQ-9, and COA-AQ-14). Given that the 2022 AQMP considered the land use patterns and growth projections under the City's General Plan, the potential impacts under Alternative 1 would be **less than** the proposed Program.

Similar to the discussion above, even with implementation of MM-AQ-1 and MM-AQ-2, the Program would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). Program-related impacts would be significant and unavoidable and cumulatively considerable. However, under Alternative 1, the growth projections would be **less than** the proposed Program.

Regarding air quality-related health impacts, implementation of the Program would result in a regional decrease in vehicle trips and vehicle miles traveled (VMT). Accordingly, it is not anticipated that the Program would result in a new congested intersection or substantially exacerbate conditions at congested intersections, nor it is anticipated that the Program would increase volume at any given intersection to more than 100,000 vehicles per day. Therefore, a CO hotspot is not anticipated to occur based on potential future residential development facilitated by the Program. Impacts associated with CO hotspots would be less than significant. Implementation of Alternative 1 would result in less development potential than those anticipated under the proposed Program, resulting in less pollutants associated with construction activity. As such, under Alternative 1, impacts to air quality would be **less than** the proposed Program.

The Program could result in toxic air contaminant (TAC) exposure to existing or future sensitive land uses during construction. However, the level of potential emissions in relation to the location of sensitive receptors cannot be estimated with a level of accuracy. As such, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions, primarily diesel particulate matter (DPM), would be potentially significant. Even with implementation of MM-AQ-1 and MM-AQ-2, the Program could expose sensitive receptors to substantial pollutant concentrations because the mitigation does not ensure that all impacts from future development projects would be reduced to a level of less than significant. As such, impacts as a result of the Program would be significant and unavoidable and cumulatively considerable. Under Alternative 1, less development potential than those anticipated under the proposed Program, resulting in less pollutants associated with construction activity. As such, under Alternative 1, impacts to air quality would be **less than** the proposed Program.

Greenhouse Gas Emissions

As described in Section 4.2, Greenhouse Gas Emissions, of the Draft PEIR, the Program would result in less than significant impacts. Implementation of the proposed Program would comply with the applicable GHG reduction strategies outlined in the 2020-2045 RTP/SCS (also known as Connect SoCal 2020) impacts related to consistency with an applicable GHG reduction plan would be less than significant. Similar to the proposed Program, Alternative 1 would generate GHG emissions with the buildout of future development. However, future development associated with Alternative 1 would result in the generation of less GHG emissions than the proposed Program due to reduced development/redevelopment. Therefore, impacts related to the generation of GHGs under this alternative would be **less than** the proposed Program.

Additionally, the proposed Program would be consistent with all applicable plans, policies, or regulations adopted for the purposes of reducing GHG emissions, and impacts would be less than significant. Under Alternative 1, no change to existing regulations would occur under the implementation of the City's General Plan and other approved planning documents. Thus, impacts associated with Alternative 1 related to consistency with the adopted plans would be **similar** to the proposed Program.

Hazards and Hazardous Materials

As described in Section 4.3, Hazards and Hazardous Materials, potentially significant impacts would occur relative to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. However, with the incorporation of mitigation measures, impacts would be reduced to a less-than-significant level. The proposed Program would facilitate future development of residential uses on existing non-residential land uses. Given that Alternative 1 would continue the implementation of the General Plan and other approved planning documents, the existing land use designation and zoning for parcels within the Planning Area would not facilitate future development of residential on land designated for commercial or industrial uses, for example. In the event a significant hazard to the public or the environment were to occur, compliance with federal, state, and local rules and regulations and existing General Plan EIR mitigation measures (including COA-HAZ-1 through COA-HAZ-4) would reduce impacts to be less than significant. As such, the implementation of the General Plan under Alternative 1 would not create significant hazardous conditions for development/ redevelopment of parcels. Moreover, the scope of development potential under this alternative would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Hydrology and Water Quality

As described in Section 4.4, Hydrology and Water Quality, Program-related impacts are less than significant with no mitigation required. Similar to the proposed Program, implementation of Alternative 1 would adhere to existing regulations governing hydrology and water quality, as well as utilize existing General Plan mitigation measures (including COA-HYD-1 through COA-HYD-3) to reduce impacts to a less-than-significant level. Under Alternative 1, buildout of the existing land use designations and zoning for the Planning Area would continue as planned. According to the City's 2020 Urban Water Management Plan (UWMP), water demands for the City are projected to be met in normal, single dry year, and multiple dry year scenarios out to 2045. Moreover, planning documents such as the UWMP are based on the local agency's growth projections and land use designations of the General Plan. Overall, the scope of development potential under this alternative would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Land Use and Planning

As described in Section 4.5, Land Use and Planning, of this Draft PEIR, incorporation of the mitigation measures MM-AQ-1 through MM-AQ-3 and MM-HAZ-1 through MM-HAZ-5 outlined throughout this Draft PEIR would ensure consistency between the proposed Program and any applicable land use plans, policies, and regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect to the maximum extent feasible. Alternative 1 would implement the existing General Plan land use designations and zoning for the Planning Area parcels. Redevelopment/development of parcels as planned would not result in a conflict with existing land use plans. However, without the implementation of the Housing Element rezoning, this alternative would not achieve regional housing goals outlined in the City's latest Housing Element Update for the 6th Cycle. Therefore, impacts under Alternative 1 would be **greater than** the Program.

Mineral Resources

As described in Section 4.6, Mineral Resources, the proposed Program would have no impact to mineral resources. Similar to the Program, this alternative would facilitate the future development of parcels within the Planning Area. According to the California Geological Survey, the Planning Area contains land designated as Mineral Resource Zones (MRZ) MRZ-1 and MRZ-3 which are areas with no significant mineral deposits and areas where the

significance of mineral resources present cannot be determined, respectively. Under Alternative 1, potential future development would occur in accordance with the General Plan and existing zoning. Adherence to regulations governing mineral resource extraction activities in the Planning Area would occur with development/redevelopment of parcels. As such, impacts under this alternative would be less than significant. Given this, impacts under Alternative 1 would be **similar to** the proposed Program.

Noise

As described in Section 4.7, Noise, of the Draft PEIR, the Program would have less-than-significant impacts related to construction noise and operational noise, including off-site traffic noise. Moreover, the Program would result in a less-than-significant impact related to the generation of excessive groundborne vibration or groundborne noise during construction and operation of future development projects under the proposed Program. Under Alternative 1, potential future development would occur in accordance with the General Plan and existing zoning. Adherence to regulations governing noise in the Planning Area would occur with development/redevelopment of parcels. Overall, the scope of development potential under this alternative would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Population and Housing

As discussed in Section 4.8, Population and Housing, impacts related to substantial unplanned population growth would be significant and unavoidable. Unplanned growth is growth that is not anticipated under local or regional planning documents, such as Connect SoCal or the City's General Plan. Implications of this unplanned growth affect other local and regional plans that rely on SCAG and City projections, such as the region's AQMP and the City's UWMP. Under Alternative 1, growth projections would be based on the existing land use designations and zoning for the Planning Area. As such, no change in growth projections used for other local and regional plans would occur. Given this, implementation of this alternative would **eliminate the significant and unavoidable** effects related to unplanned population growth. Furthermore, the scope of development potential under this alternative would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Public Services

As described in Section 4.9, Public Services, less than significant impacts related to public services, including fire protection services, police protection services, schools, parks, and other public facilities. Implementation of the proposed Program would facilitate future development, which would ultimately increase demand on public services as a result of associated population growth. Overall, the scope of development potential under Alternative 1 would be less than the proposed Program. Future development projects under this alternative would be required to comply with applicable General Plan mitigation measures and existing regulations (including payment of fees) would reduce impacts to less than significant. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Recreation

As discussed in Section 4.10, Recreation, impacts associated with the proposed Program would be less than significant, and no mitigation would be required. Future occupants of these development projects would be anticipated to use existing neighborhood and regional parks or other recreational facilities within the City. In addition, housing growth within typically leads to an increase in demand for in parks and recreational facilities. As such, Program implementation would increase the demand for recreational facilities. future development projects implemented under this alternative would be required to pay development impact fees as required under the City's

Municipal Code. Compliance with local regulations would result in less than significant impacts. Moreover, under Alternative 1, the scope of development potential would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Transportation

As discussed in Section 4.11, Transportation, the Program would result in less-than-significant impacts related to a conflict with a program, plan, ordinance, or policy addressing the circulation system. Similarly, Alternative 1 would facilitate future development in accordance with the General Plan land use designation and existing zoning. As such, this alternative would not result in an inconsistency with the City's General Plan Mobility Element or SCAG's RTP/SCS. Impacts under Alternative 1 would be **similar to** the proposed Program.

Regarding VMT, the Program's effect on VMT would result in a less than significant impact because the citywide VMT per Service Population under with Project conditions is lower than the citywide VMT per Service Population under no Project conditions, under baseline and cumulative conditions. However, under Alternative 1, fewer housing units would be developed, whereas the Program would facilitate increased housing density closer to jobs. As such, this alternative would not be as effective at reducing VMT per service population. Therefore, given the reduced density of the buildout potential when compared to the Program, impacts related to VMT under Alternative 1 would be **greater than** the Program.

Tribal Cultural Resources

As detailed in Section 4.12, Tribal Cultural Resources, potential impacts to tribal cultural resources were found to be significant and unavoidable even with the incorporation of MM-TCR-1. Under the Program, the anticipated future development and redevelopment activity would likely result in an increase in potential ground-disturbing activities in the Planning Area (e.g., site preparation, grading, trenching for utilities). Ground-disturbing activities associated with the buildout would still occur under the Alternative 1 and could still result in significant impacts to tribal cultural resources. Additionally, this alternative would utilize MM-TCR-1 to reduce potential impacts. However, overall, the buildout potential under Alternative 1 would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

Utilities and Service Systems

As detailed in Section 4.13, Utilities and Service Systems, impacts related to utilities, water supply, wastewater, and solid waste would be less than significant. Implementation of the proposed Program would facilitate future development projects which would comply with existing regulations governing utilities as well as incorporate COA-WW-1, COA-WW-2, and COA-HYD-3. Under Alternative 1, impacts would be similar; however, the buildout potential under this alternative would be less than the proposed Program. Therefore, under Alternative 1, impacts would be **less than** the proposed Program.

6.5.1.2 Project Objectives

Under Alternative 1, development of the Program would not occur. Instead, this alternative would continue the planned growth as shown in the City's General Plan and existing zoning. As shown in Table 6-4, Alternative 1 does not meet any of the Project Objectives.

Table 6-4. Summary of Alternative 1 Success at Meeting Objectives

Project Objective	Does Alternative 1 Meet Objective?
Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.	**No.** Under Alternative 1, no land use or zoning changes would occur. Instead, the parcels within the Planning Area would remain under the existing General Plan land use designation and zoning at the issuance of the NOP. As such, Alternative 1 would not assist the City's RHNA goals of 13,209 units.
Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.	**No.** Alternative 1 would not diversify neighborhoods with new residential densities and housing types as no land use or zoning changes would occur within the Planning area.
Identify sites that are most likely to be redeveloped given their current underutilization of land.	**No.** Under Alternative 1, sites within the General Plan Focus Areas would remain. However, further land use changes would be required to facilitate the redevelopment of underutilized land within the Planning Area.
Discourage development within known local hazard zones.	**Yes.** Under Alternative 1, the City's General Plan and Municipal Code include goals, policies, and regulations designed to discourage development within local hazard zones as well as reduce potential impacts.
Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.	**No.** Under Alternative 1, no land use or zoning changes would occur. Instead, the parcels within the Planning Area would remain under the existing General Plan land use designation and zoning at the issuance of the NOP. As such, no change would occur.

6.5.2 Alternative 2 – Reduced Sites Alternative

Under Alternative 2, the Reduced Sites Alternative, eight (8) sites would be removed from consideration within the Planning Area. These sites would be removed because of their potential to remain as viable commercial developments within the City. As such, Alternative 2 would be implemented on a Planning Area of 751 parcels, totaling approximately 537 acres. Table 6-5 provides a summary of the parcels proposed for removal under Alternative 2. For more details, see Appendix G, Alternatives, of this Draft PEIR.

Table 6-5. Alternative 2 Removed Parcels

Parcels (APN)	Parcel Size in Acres (AC)	Existing Zoning and General Plan Designations	Estimated Building Square Footage (SF)	Existing Land Use
339-191-01	8.84	G-C (General Commercial); Commercial	107,761	Commercial
339-191-02	7.30	G-C (General Commercial); Commercial	62,096	Commercial
339-191-03	0.51	G-C (General Commercial); Commercial	1,688	Commercial
285-281-05	0.75	G-C (General Commercial); Commercial	9,155	Commercial

Table 6-5. Alternative 2 Removed Parcels

Parcels (APN)	Parcel Size in Acres (AC)	Existing Zoning and General Plan Designations	Estimated Building Square Footage (SF)	Existing Land Use
285-281-06	6.76	G-C (General Commercial); Commercial	82,485	Commercial
071-323-38	0.51	G-C (General Commercial); Commercial	8,230	Commercial
071-323-40	1.11	G-C (General Commercial); Commercial	12,357	Industrial
338-071-22	30.5	M-P Manufacturing Park (200,000 SF min. lot size); Industrial	372,235	Commercial
Total	56.28	—	656,007	—

Source: Appendix G
Note: Estimates rounded to the nearest whole number.

Similar to the proposed Program, under this alternative, a maximum density of 60 du/ac across the Planning Area would be assumed for all parcels. In addition, Alternative 2 assumes all future development projects would include on-site commercial uses with a FAR of 0.12, similar to the proposed Program. As shown in Table 6-6, Alternative 2 would have a maximum growth potential of 32,234 housing units and 2,808,180 square feet of commercial uses on site (Appendix G). Furthermore, this alternative would result in 96,711 residents[1] and 4,508 employees (or a net reduction of 5,577 employees).

Table 6-6. Alternative 2 Growth Compared to Program

Land Use Type	Number of Parcels [a]	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee)	Employees Generated	Housing Generated	Population Generated
Alternative 2 Existing Land Uses						
Commercial Uses	479 **(removed 7 parcels)**	3,994,059 **(subtracted 643,650 square feet)**	Other Retail/ Services (623 SF/Employee)	6,411	—	—
Industrial Uses	98 **(removed 1 parcel)**	2,106,209 **(subtracted 12,357 square feet)**	Light Manufacturing (576 SF/Employee)	3,657	—	—
Office Uses	2	5,471	Low-Rise Office (324 SF/Employee)	17	—	—
Vacant Land	51	0	—	—	—	—

[1] Based on data collected for the 2021 HEU, the City's average household size is estimated at 2.91 persons per household (see Section 4.8, Population and Housing, of this Draft PEIR). As such, 32,234 housing units at 2.91 persons per household = 96,710.94 (or 96,711 rounded to the nearest whole number).

Table 6-6. Alternative 2 Growth Compared to Program

Land Use Type	Number of Parcels [a]	Total Existing Square Feet (SF) [a]	Generation Factors (SF/Employee)	Employees Generated	Housing Generated	Population Generated
Non-Conforming Residential Uses	121	176,441	—	—	—	—
Total	**751**	**6,938,186**	—	**10,085**	—	—
Alternative 2 Proposed Land Uses (New)						
Residential	751	—	—	—	**32,234**	**96,711**
Commercial	751	**2,808,180**	Other Retail/ Services (623 SF/Employee)	4,508	—	—
Comparison of Alternative 2 and the Program						
Total Proposed Housing Growth under Alternative 2				**32,234**		
Total Proposed Housing Growth under the Program				*35,611 (a difference of 3,377)*		
Total Proposed Population Growth under Alternative 2				**96,711**		
Total Proposed Population Growth under the Program				*103,628 (a difference of 6,917)*		
Total Proposed Employment Growth under Alternative 2				**4,508**		
Total Proposed Employment Growth under the Program				*4,979 (a difference of 471)*		
Net Total Employment under Alternative 2				**(5,577)**		
Net Total Employment under the Program				*(6,160) (a difference of 583)*		

Sources:
[a] Appendix G
Note: (Number) = Negative number. The "total" estimates for the Planning area are roughly equivalent to the sum of each zoning designation; however, the estimates may not sum precisely due to rounding. Generation factors are consistent with Section 4.8, Population and Housing, of this Draft PEIR.

6.5.2.1 Environmental Analysis

Air Quality

As discussed in Section 4.1, Air Quality, construction and operation of future development projects implemented under the proposed Program could potentially exceed the SCAQMD mass daily thresholds. All future projects would be required to adhere to all existing regulations to protect air quality. Nonetheless, implementation of the proposed Program would result significant and unavoidable and cumulatively considerable impacts even with the incorporation of MM-AQ-1, MM-AQ-2, and MM-AQ-3. Moreover, even with the proposed Program's goals and policies are consistent with and support the SCAG RTP/SCS goals and policies, it is anticipated that Program implementation could potentially exceed the growth forecasts and change the underlying land use assumptions utilized in the 2022 AQMP. Under Alternative 2, growth projections would be reduced slightly given the reduction in parcels within the Planning Area when compared to the proposed Program. Given the slight reduction of 8 parcels, construction and

operational impacts would be similar to the proposed Program. Moreover, Alternative 2 would utilize the same mitigation measures and comply with the same regulations as the proposed Program. Therefore, impacts would be **similar to, and slightly reduced from** the proposed Program.

Regarding air quality-related health impacts, implementation the Program would result in a regional decrease in vehicle trips and VMT. Therefore, a CO hotspot is not anticipated to occur based on potential future residential development facilitated by the Program, and impacts would be less than significant. Implementation of Alternative 2 would result in slightly less development potential than those anticipated under the proposed Program, resulting in slightly less pollutants associated with construction activity. Given this, under Alternative 2, impacts to air quality would be **similar to, and slightly reduced from** the proposed Program.

The Program could result in TAC exposure to existing or future sensitive land uses during construction. However, the level of potential emissions in relation to the location of sensitive receptors cannot be estimated with a level of accuracy. As such, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions, primarily DPM, would be potentially significant. Even with implementation of MM-AQ-1 and MM-AQ-2, the Program could expose sensitive receptors to substantial pollutant concentrations because the mitigation does not ensure that all impacts from future development projects would be reduced to a level of less than significant. As such, impacts under the Program would be significant and unavoidable. Under Alternative 2, slightly less development potential is anticipated when compared to those anticipated under the proposed Program, resulting in slightly less pollutants associated with construction activity would occur. As such, under Alternative 2, impacts to air quality would be **similar to, and slightly reduced from** the proposed Program.

Greenhouse Gas Emissions

As described in Section 4.2, Greenhouse Gas Emissions, of the Draft PEIR, the Program would result in less than significant impacts. Implementation of the proposed Program would comply with the applicable GHG reduction strategies outlined in the Connect SoCal 2020 and impacts related to consistency with an applicable GHG reduction plan would be less than significant. Similar to the proposed Program, Alternative 2 would generate GHG emissions with the buildout of future development. Although, future development associated with Alternative 2 would result in the generation of slightly less GHG emissions than the proposed Program due to the removal of select sites within the Planning Area, impacts related to the generation of GHGs under this alternative would be **similar to, and slightly reduced from** the proposed Program.

Additionally, similar to the proposed Program, Alternative 2 would be consistent with all applicable plans, policies, or regulations adopted for the purposes of reducing GHG emissions. As such, impacts would be less than significant. Thus, Alternative 2 would be **similar to, and slightly reduced from** the proposed Program.

Hazards and Hazardous Materials

As described in Section 4.3, Hazards and Hazardous Materials, potentially significant impacts would occur relative to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. However, with the incorporation of MM-HAZ-1 through MM-HAZ-5, impacts would be reduced to a less-than-significant level. Similar to the proposed Program, Alternative 2 would facilitate future development of residential uses on existing non-residential land uses. In the event a significant hazard to the public or the environment were to occur, compliance with federal, state, and local rules and regulations, existing General Plan EIR mitigation measures (including COA-HAZ-1 through COA-HAZ-4), and incorporation of MM-HAZ-1 through MM-HAZ-5 would reduce impacts to a less-than-significant level. Although, the scope of development potential

under this alternative would be slightly less than the proposed Program, impacts would be **similar to, and slightly reduced from** the proposed Program.

Hydrology and Water Quality

As described in Section 4.4, Hydrology and Water Quality, Program-related impacts are less than significant with no mitigation required. Similar to the proposed Program, implementation of Alternative 2 would adhere to existing regulations governing hydrology and water quality, as well as utilize existing General Plan mitigation measures (including COA-HYD-1 through COA-HYD-3) to reduce impacts to a less-than-significant level. Under Alternative 2, buildout of the Planning Area would occur at the same scale as the proposed Program with the exception of 8 parcels. According to the City's 2020 UWMP, water demands for the City are projected to be met in normal, single dry year, and multiple dry year scenarios out to 2045. Given that the scope of development potential under this alternative would be slightly less than the proposed Program, impacts, under Alternative 2, would be **similar to, and slightly reduced from** the proposed Program.

Land Use and Planning

As described in Section 4.5, Land Use and Planning, of this Draft PEIR, incorporation of the mitigation measures MM-AQ-1 through MM-AQ-3 and MM-HAZ-1 through MM-HAZ-5 outlined throughout this Draft PEIR would ensure consistency between the proposed Program and any applicable land use plans, policies, and regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect. Alternative 2 would result in similar impacts related to land use and planning even with a reduced parcel list when compared to the proposed Program. Nevertheless, implementation of the Housing Element rezoning would still occur under Alternative 2. Therefore, impacts under Alternative 2 would be **similar to, and slightly reduced from** the Program.

Mineral Resources

As described in Section 4.6, Mineral Resources, the proposed Program would have no impact to mineral resources. Similar to the Program, Alternative 2 would facilitate the future development of parcels within the Planning Area with the exception of 8 parcels when compared to the Program. According to the California Geological Survey, the Planning Area contains land designated as MRZ-1 and MRZ-3 which are areas with no significant mineral deposits and areas where the significance of mineral resources present cannot be determined, respectively. Under Alternative 2, potential future development would occur across the Planning Area, similar to the Program. Adherence to regulations governing mineral resource extraction activities in the Planning Area would occur with development/redevelopment of parcels. As such, impacts under this alternative would be less than significant. Given this, impacts under Alternative 2 would be **similar to, and slightly reduced from** the proposed Program.

Noise

As described in Section 4.7, Noise, of the Draft PEIR, the Program would have less-than-significant impacts related to construction noise and operational noise, including off-site traffic noise. Moreover, the Program would result in a less-than-significant impact related to the generation of excessive groundborne vibration or groundborne noise during construction and operation of future development projects under the proposed Program. Under Alternative 2, potential future development would occur at slightly less parcels when compared to the Program. Adherence to regulations governing noise in the Planning Area would occur with development/redevelopment of parcels. Given the slightly reduced scale of the development potential under this alternative, impacts would be **similar to, and slightly reduced from** the proposed Program.

Population and Housing

As discussed in Section 4.8, Population and Housing, impacts related to substantial unplanned population growth would be significant and unavoidable. Under Alternative 2, growth projections would be slightly less than the proposed Program given the reduction in 8 parcels within the Planning Area. Given this, impacts, under Alternative 2, would be **similar to, and slightly reduced from** the proposed Program.

Public Services

As described in Section 4.9, Public Services, less than significant impacts related to public services, including fire protection services, police protection services, schools, parks, and other public facilities. Implementation of the proposed Program would facilitate future development, which would ultimately increase demand on public services as a result of associated population growth. Alternative 2 would result in less slightly less population growth when compared than the proposed Program. Future development projects under this alternative would be required to comply with applicable General Plan mitigation measures (included as COAs for the purposes of this Draft PEIR) and existing regulations (including payment of fees). As such, impacts under this alternative would be less than significant. Therefore, under Alternative 2, impacts would be **similar to, and slightly reduced from** the proposed Program.

Recreation

As discussed in Section 4.10, Recreation, impacts associated with the proposed Program would be less than significant, and no mitigation would be required. Future occupants of these development projects are anticipated to use existing neighborhood and regional parks or other recreational facilities within the City. In addition, housing growth within typically leads to an increase in demand for in parks and recreational facilities. As such, Program implementation would increase the demand for recreational facilities. Similarly, future development projects implemented under Alternative 2 would be required to pay development impact fees as required under the City's Municipal Code. Compliance with local regulations would result in less than significant impacts. Moreover, under Alternative 2, the scope of development potential would be slightly less than the proposed Program. Given this, under Alternative 2, impacts would be **similar to, and slightly reduced from** the proposed Program.

Transportation

As discussed in Section 4.11, Transportation, the Program would result in less-than-significant impacts related to a conflict with a program, plan, ordinance, or policy addressing the circulation system. Similarly, Alternative 2 would facilitate future development across the Planning Area. This alternative would not result in an inconsistency with the City's General Plan Mobility Element or SCAG's RTP/SCS. Therefore, impacts under Alternative 2 would be **similar to, and slightly reduced from** the proposed Program.

Regarding VMT, the Program's effect on VMT would result in a less than significant impact because the citywide VMT per Service Population under with Project conditions is lower than the citywide VMT per Service Population under no Project conditions, under baseline and cumulative conditions. Under Alternative 2, slightly fewer housing units would be developed. This alternative would apply to a reduced Planning Area when compared to the proposed Program. However, overall, Alternative 2 would facilitate increased housing density closer to jobs. Therefore, impacts related to VMT under Alternative 2 would be **similar to, and slightly reduced from** the Program.

Tribal Cultural Resources

As detailed in Section 4.12, Tribal Cultural Resources, potential impacts to tribal cultural resources were found to be significant and unavoidable even with the incorporation of MM-TCR-1. Under the Program, the anticipated future development and redevelopment activity would likely result in an increase in potential ground-disturbing activities in the Planning Area (e.g., site preparation, grading, trenching for utilities). Ground-disturbing activities associated with the buildout would still occur under the Alternative 2 and could still result in significant impacts to tribal cultural resources. Additionally, this alternative would utilize MM-TCR-1 to reduce potential impacts. Therefore, under Alternative 2, impacts would be **similar to, and slightly reduced from** the proposed Program.

Utilities and Service Systems

As detailed in Section 4.13, Utilities and Service Systems, impacts related to utilities, water supply, wastewater, and solid waste would be less than significant. Implementation of the proposed Program would facilitate future development projects which would comply with existing regulations governing utilities as well as incorporate COA-WW-1, COA-WW-2, and COA-HYD-3. Under Alternative 2, impacts would be similar even with a slightly reduced buildout potential than the proposed Program. Therefore, under Alternative 2, impacts would be **similar to, and slightly reduced from** the proposed Program.

6.5.2.2 Project Objectives

Under Alternative 2, the Reduced Sites Alternative, select sites would be removed from consideration within the Planning Area. These sites would be removed because of their potential to remain as viable commercial developments. As shown in Table 6-7, Alternative 2 meets each objective.

Table 6-7. Summary of Alternative 2 Success at Meeting Objectives

Project Objective	Does Alternative 2 Meet Objective?
Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.	**Yes.** Under Alternative 2, land use or zoning changes would occur similar to the proposed Program. Under this alternative, fewer parcels are considered for future residential development within the Planning Area. However, Alternative 2 would result in a maximum growth potential of 32,234 housing units. As such, Alternative 2 would assist the City in achieving the RHNA goals.
Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.	**Yes.** Alternative 2 would diversify neighborhoods with new residential densities and housing types within the Planning area. Although at a reduced scale, this alternative would result in future residential development in areas with existing non-residential land uses. As such, Alternative 2 would meet this objective.
Identify sites that are most likely to be redeveloped given their current underutilization of land.	**Yes.** Under Alternative 2, sites within the Planning Area have been identified for future development/ redevelopment. This alternative would remove select sites due to their potential to remain as viable commercial use within the City. As such, the sites proposed for removal would not be considered underutilized. Given this, Alternative 2 would meet this objective.

Table 6-7. Summary of Alternative 2 Success at Meeting Objectives

Project Objective	Does Alternative 2 Meet Objective?
Discourage development within known local hazard zones.	**Yes.** Similar to the proposed Program, Alternative 2 would facilitate the buildout of future residential development on parcels selected based on the same methodology identified in Chapter 3 of this Draft PEIR. Moreover, future development facilitated under this alternative would be required to comply with the City's General Plan and Municipal Code goals, policies, and regulations designed to discourage development within local hazard zones as well as reduce potential impacts. Thus, this alternative would meet this objective.
Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.	**Yes.** Under Alternative 2, land use or zoning changes would occur to facilitate future residential development within the Planning Area. In comparison to the proposed Program, this alternative reduces the Planning Area by eight parcels, which results in Alternative 2 achieving this objective to a lesser degree as compared to the proposed Program.

6.5.3 Alternative 3 – Reduced Density Alternative

CEQA requires that EIRs "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126[a]). As presented in Table 6-1, the Program would result in significant and unavoidable impacts even with implementation of mitigation measures for the following environmental topic areas: Air Quality, Population and Housing, and Tribal Cultural Resources. With the exception of Tribal Cultural Resources, significant unavoidable impacts would occur under the proposed Program due to unplanned population growth within the buildout year of 2029.

As described in Chapter 3 of this Draft PEIR, a maximum density of 60 du/ac was assumed for the purposes of analyzing the Program's maximum potential environmental effects. This methodology was based on the City's General Plan buildout scenarios for each land use designations. As detailed in Table 3-3 of this Draft PEIR, the General Plan includes eight different Focus Areas that identify the High Density Residential land use designation as an applicable land use. The General Plan recommends maximum densities between 45 to 80 du/ac. Therefore, Alternative 3 considers a reduced maximum density of 45 du/ac, consistent with the General Plan, in order to reduce the environmental impacts associated with population growth and construction activities. As a result, Alternative 3 would have a total development potential of 26,709 units across the Planning Area. Additionally, implementation of Alternative 3 would include the same commercial development potential with a 0.12 FAR. As such, under this alternative, a total of 3,102,449 square feet of commercial uses, and 4,979 employees (or a net reduction of 6,160 employees) are anticipated at buildout of future development projects.

Table 6-8. Alternative 3 Compared with Program Growth

Category	Program-Related Growth (60 du/ac)	Alternative 3 Growth (45 du/ac)	Difference between Alternative 3 Growth and Program Growth
Parcels (Acres)	593.52	593.52	—
Housing (DU)	35,611	26,709	(8,902)
Population	103,629	77,723	(25,906)
Net Employment	(6,160)	(6,160)	—

Sources: Tables 4.8-9 and Table 4.8-10; Appendix B
Note: DU = dwelling unit. (Number) = Negative number

As shown above in Table 6-8, Alternative 3 would result in a reduction of 8,902 units, and as a result a reduction of 25,906 residents when compared to the proposed Program.

6.5.3.1 Environmental Analysis

Air Quality

As discussed in Section 4.1, Air Quality, construction and operation of future development projects implemented under the proposed Program could potentially exceed the SCAQMD mass daily thresholds. All future projects would be required to adhere to all existing regulations to protect air quality. Nonetheless, implementation of the proposed Program would result significant and unavoidable and cumulatively considerable impacts even with the incorporation of MM-AQ-1, MM-AQ-2, and MM-AQ-3. Moreover, even with the proposed Program's goals and policies are consistent with and support the SCAG RTP/SCS goals and policies, it is anticipated that Program implementation could potentially exceed the growth forecasts and change the underlying land use assumptions utilized in the 2022 AQMP. Under Alternative 3, growth projections would be reduced given the reduced density applied across all parcels in the Planning Area. Construction and operational impacts would be similar to the proposed Program. Moreover, Alternative 3 would utilize the same mitigation measures and comply with the same regulations as the proposed Program; however, given the reduction in housing units under this alternative, impacts would be **less than** the proposed Program.

Regarding air quality-related health impacts, implementation the Program would result in a regional decrease in vehicle trips and VMT. Therefore, a CO hotspot is not anticipated to occur based on potential future residential development facilitated by the Program, and impacts would be less than significant. Implementation of Alternative 3 would result in less development potential than those anticipated under the proposed Program, resulting in less pollutants associated with construction activity. As such, under Alternative 3, impacts to air quality would be **less than** the proposed Program.

The Program could result in TAC exposure to existing or future sensitive land uses during construction. However, the level of potential emissions in relation to the location of sensitive receptors cannot be estimated with a level of accuracy. As such, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions, primarily DPM, would be potentially significant. Even with implementation of MM-AQ-1 and MM-AQ-2, the Program could expose sensitive receptors to substantial pollutant concentrations because the mitigation does not ensure that all impacts from future development projects would be reduced to a level of less than significant. As such, impacts under the Program would be significant and unavoidable. Under Alternative 3, less development potential than those anticipated under the proposed Program, resulting in less pollutants associated with

construction activity would occur. As such, under Alternative 3, impacts to air quality would be **less than** the proposed Program.

Greenhouse Gas Emissions

As described in Section 4.2, Greenhouse Gas Emissions, of the Draft PEIR, the Program would result in less than significant impacts. Implementation of the proposed Program would comply with the applicable GHG reduction strategies outlined in the Connect SoCal 2020 and impacts related to consistency with an applicable GHG reduction plan would be less than significant. Similar to the proposed Program, Alternative 3 would generate GHG emissions with the buildout of future development. However, future development associated with Alternative 3 would result in the generation of less GHG emissions than the proposed Program due to reduced density. Therefore, impacts related to the generation of GHGs under this alternative would be **less than** the proposed Program.

Additionally, similar to the proposed Program, Alternative 3 would be consistent with all applicable plans, policies, or regulations adopted for the purposes of reducing GHG emissions. As such, impacts would be less than significant. Thus, Alternative 3 would be **similar** to the proposed Program.

Hazards and Hazardous Materials

As described in Section 4.3, Hazards and Hazardous Materials, potentially significant impacts would occur relative to the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. However, with the incorporation of mitigation measures (MM-HAZ-1 through MM-HAZ-5), impacts would be reduced to a less-than-significant level. Similar to the proposed Program, Alternative 3 would facilitate future development of residential uses on existing non-residential land uses. In the event a significant hazard to the public or the environment were to occur, compliance with federal, state, and local rules and regulations, existing General Plan EIR mitigation measures (including COA-HAZ-1 through COA-HAZ-4), and incorporation of MM-HAZ-1 through MM-HAZ-5 would reduce impacts to a less-than-significant level. Overall, the scope of development potential under this alternative would be less than the proposed Program. Therefore, under Alternative 3, impacts would be **less than** the proposed Program.

Hydrology and Water Quality

As described in Section 4.4, Hydrology and Water Quality, Program-related impacts are less than significant with no mitigation required. Similar to the proposed Program, implementation of Alternative 3 would adhere to existing regulations governing hydrology and water quality, as well as utilize existing General Plan mitigation measures (including COA-HYD-1 through COA-HYD-3) to reduce impacts to a less-than-significant level. Under Alternative 3, buildout of the Planning Area would occur as a reduced density when compared to the proposed Program. According to the City's 2020 UWMP, water demands for the City are projected to be met in normal, single dry year, and multiple dry year scenarios out to 2045. Given that the scope of development potential under this alternative would be less than the proposed Program impacts, under Alternative 3, would be **less than** the proposed Program.

Land Use and Planning

As described in Section 4.5, Land Use and Planning, of this Draft PEIR, incorporation of the mitigation measures MM-AQ-1 through MM-AQ-3 and MM-HAZ-1 through MM-HAZ-5 outlined throughout this Draft PEIR would ensure consistency between the proposed Program and any applicable land use plans, policies, and regulations that have been adopted for the purpose of avoiding or mitigating an environmental effect. Alternative 3 would result in similar

impacts related to land use and planning; however, implementation would occur at a reduced density when compared to the proposed Program. Moreover, implementation of the Housing Element rezoning would still occur under Alternative 3. Therefore, impacts under Alternative 3 would be **similar to** the Program.

Mineral Resources

As described in Section 4.6, Mineral Resources, the proposed Program would have no impact to mineral resources. Similar to the Program, Alternative 3 would facilitate the future development of parcels within the Planning Area; however, at a reduced density. According to the California Geological Survey, the Planning Area contains land designated as MRZ-1 and MRZ-3 which are areas with no significant mineral deposits and areas where the significance of mineral resources present cannot be determined, respectively. Under Alternative 3, potential future development would occur across the Planning Area, similar to the Program. Adherence to regulations governing mineral resource extraction activities in the Planning Area would occur with development/redevelopment of parcels. As such, impacts under this alternative would be less than significant. Given this, impacts under Alternative 3 would be **similar to** the proposed Program.

Noise

As described in Section 4.7, Noise, of the Draft PEIR, the Program would have less-than-significant impacts related to construction noise and operational noise, including off-site traffic noise. Moreover, the Program would result in a less-than-significant impact related to the generation of excessive groundborne vibration or groundborne noise during construction and operation of future development projects under the proposed Program. Under Alternative 3, potential future development would occur at a reduced density when compared to the Program. Adherence to regulations governing noise in the Planning Area would occur with development/redevelopment of parcels. Overall, given the reduced scope of the development potential under this alternative, impacts would be **less than** the proposed Program.

Population and Housing

As discussed in Section 4.8, Population and Housing, impacts related to substantial unplanned population growth would be significant and unavoidable. Under Alternative 3, growth projections would be less than the proposed Program given the reduction in maximum density applied across the Planning Area. Given this, impacts, under Alternative 3, would be **less than** the proposed Program.

Public Services

As described in Section 4.9, Public Services, less than significant impacts related to public services, including fire protection services, police protection services, schools, parks, and other public facilities. Implementation of the proposed Program would facilitate future development, which would ultimately increase demand on public services as a result of associated population growth. Overall, the scope of development potential under Alternative 3 would be less than the proposed Program. Future development projects under this alternative would be required to comply with applicable General Plan mitigation measures (included as COAs for the purposes of this Draft PEIR) and existing regulations (including payment of fees). As such, impacts would be less than significant. Therefore, under Alternative 3, impacts would be **less than** the proposed Program.

Recreation

As discussed in Section 4.10, Recreation, impacts associated with the proposed Program would be less than significant, and no mitigation would be required. Future occupants of these development projects are anticipated to use existing neighborhood and regional parks or other recreational facilities within the City. In addition, housing growth within typically leads to an increase in demand for in parks and recreational facilities. As such, Program implementation would increase the demand for recreational facilities. Similarly, future development projects implemented under Alternative 3 would be required to pay development impact fees as required under the City's Municipal Code. Compliance with local regulations would result in less than significant impacts. Moreover, under Alternative 3, the scope of development potential would be less than the proposed Program. Therefore, under Alternative 3, impacts would be **less than** the proposed Program.

Transportation

As discussed in Section 4.11, Transportation, the Program would result in less-than-significant impacts related to a conflict with a program, plan, ordinance, or policy addressing the circulation system. Similarly, Alternative 3 would facilitate future development across the Planning Area. This alternative would not result in an inconsistency with the City's General Plan Mobility Element or SCAG's RTP/SCS. Therefore, impacts under Alternative 3 would be **similar to** the proposed Program.

Regarding VMT, the Program's effect on VMT would result in a less than significant impact because the citywide VMT per Service Population under with Project conditions is lower than the citywide VMT per Service Population under no Project conditions, under baseline and cumulative conditions. Under Alternative 3, fewer housing units would be developed. This alternative would apply a reduced density to the same Planning Area as the proposed Program, thereby facilitating increased housing density closer to jobs. As such, this alternative would not be as effective at reducing VMT per service population. However, the reduced density of the buildout potential when compared to the Program would be a difference of over 8,000 units. Therefore, impacts related to VMT under Alternative 3 would be **similar to** the Program.

Tribal Cultural Resources

As detailed in Section 4.12, Tribal Cultural Resources, potential impacts to tribal cultural resources were found to be significant and unavoidable even with the incorporation of MM-TCR-1. Under the Program, the anticipated future development and redevelopment activity would likely result in an increase in potential ground-disturbing activities in the Planning Area (e.g., site preparation, grading, trenching for utilities). Ground-disturbing activities associated with the buildout would still occur under the Alternative 3 and could still result in significant impacts to tribal cultural resources. Additionally, this alternative would utilize MM-TCR-1 to reduce potential impacts. Therefore, under Alternative 3, impacts would be **similar to** the proposed Program.

Utilities and Service Systems

As detailed in Section 4.13, Utilities and Service Systems, impacts related to utilities, water supply, wastewater, and solid waste would be less than significant. Implementation of the proposed Program would facilitate future development projects which would comply with existing regulations governing utilities as well as incorporate COA-WW-1, COA-WW-2, and COA-HYD-3. Under Alternative 3, impacts would be similar; however, the buildout potential under this alternative would be less than the proposed Program. Therefore, under Alternative 3, impacts would be **less than** the proposed Program.

6.5.3.2 Project Objectives

Alternative 3 would include the same number of parcels within the Planning Area as the proposed Program; however, Alternative 3 would result in a reduction of the total residential development potential as compared to the proposed Program. As shown in Table 6-9, Alternative 3 meets each Project objective.

Table 6-9. Summary of Alternative 3 Success at Meeting Objectives

Project Objective	Does Alternative 3 Meet Objective?
Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.	**Yes.** Under Alternative 3, land use or zoning changes would occur similar to the proposed Program. Under this alternative, the maximum buildout potential would yield fewer future residential developments within the Planning Area at a density of 45 du/ac. However, Alternative 3 would result in a maximum growth potential of 26,709 housing units. As such, Alternative 3 would assist the City in achieving the RHNA goals.
Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.	**Yes.** Alternative 3 would diversify neighborhoods with new residential densities and housing types within the Planning area. This alternative would not change the Planning Area as proposed under the Program. As such, future residential development would occur within existing non-residential land uses. Given this, Alternative 3 would meet this objective.
Identify sites that are most likely to be redeveloped given their current underutilization of land.	**Yes.** Under Alternative 3, the Planning Area would be the same as the proposed Program. As a reduced density alternative, Alternative 3 would result in future development/redevelopment on underutilized parcels. Therefore, Alternative 3 would meet this objective.
Discourage development within known local hazard zones.	**Yes.** Similar to the proposed Program, Alternative 3 would facilitate the buildout of future residential development on parcels selected based on the same methodology identified in Chapter 3 of this Draft PEIR. Moreover, future development facilitated under this alternative would be required to comply with the City's General Plan and Municipal Code goals, policies, and regulations designed to discourage development within local hazard zones as well as reduce potential impacts. Thus, this alternative would meet this objective.
Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.	**Yes.** Under Alternative 2, land use or zoning changes would occur to facilitate future residential development within the Planning Area. In comparison to the proposed Program, this alternative reduces the Planning Area by eight parcels, which results in Alternative 2 achieving this objective to a lesser degree as compared to the proposed Program.

6.6 Summary of Alternatives to the Project

To summarize these Project alternatives, as suggested in CEQA Section 15126.6(d), a matrix was prepared to summarize and compare the impacts of each alternative (see Table 6-10). In addition, Table 6-11 compares the alternatives in terms of whether they meet the objectives.

Table 6-10. Comparison of Project and Alternatives Impacts

Environmental Issue Area	Program	Alternative 1	Alternative 2	Alternative 3
Air Quality	SU	▼	=	▼
Greenhouse Gas Emissions	LTS	▼	=	▼
Hazards and Hazardous Materials	LTSM	▼	=	▼
Hydrology and Water Quality	LTS	▼	=	▼
Land Use and Planning	LTSM	▲	=	=
Mineral Resources	LTS	=	=	=
Noise	LTS	▼	=	▼
Population and Housing	SU	▼ (Eliminate)	=	▼
Public Services	LTS	▼	=	▼
Recreation	LTS	▼	=	▼
Transportation	LTS	▲	=	=
Tribal Cultural Resources	SU	▼ (Eliminate)	=	=
Utilities and Service Systems	LTS	▼	=	▼

Notes: LTS = less than significant impact; LTSM = less than significant impact with mitigation; SU = significant unavoidable impact; Eliminate = Alternative would eliminate a SU impact

= Alternative is likely to result in similar impacts when compared to Project.
▼ Alternative is likely to result in reduced impacts when compared to Project.
▲ Alternative is likely to result in greater impacts when compared to Project.

Table 6-11. Alternatives Comparison for Project Objectives

Objective	Program	Alternative 1	Alternative 2	Alternative 3
Incorporate land use and zoning changes to increase residential capacity within the City to meet Regional Housing Needs Allocation goals, including affordable housing.	Meets Objective	Does Not Meet Objective	Reduced Ability to Meet Objective	Reduced Ability to Meet Objective
Provide for a diversity of neighborhoods, residential densities, and housing types within opportunity areas and near local amenities to meet the needs of the community.	Meets Objective	Does Not Meet Objective	Reduced Ability to Meet Objective	Meets Objective
Identify sites that are most likely to be redeveloped given their current underutilization of land.	Meets Objective	Does Not Meet Objective	Meets Objective	Meets Objective
Discourage development within known local hazard zones.	Meets Objective	Meets Objective	Meets Objective	Meets Objective

Table 6-11. Alternatives Comparison for Project Objectives

Objective	Program	Alternative 1	Alternative 2	Alternative 3
Promote positive economic, educational, and health outcomes for current and future residents of Fullerton by including areas identified within the California Tax Credit Allocation Committee / Housing and Community Development Opportunity Areas.	Meets Objective	Does Not Meet Objective	Reduced Ability to Meet Objective	Reduced Ability to Meet Objective

6.7 Environmentally Superior Alternative

As indicated in Table 6-10, Alternative 1 would result in the fewest environmental impacts. Moreover, this alternative is the only alternative to eliminate a significant unavoidable impact (under Population and Housing). Therefore, Alternative 1 would be considered the Environmentally Superior Alternative. Pursuant to CEQA Guidelines Section 15126.6(e)(2), if the No Project Alternative is the environmentally superior alterative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Given the above, Alternative 3, the Reduced Density Alternative, would be the Environmentally Superior Alternative. Alternative 3 reduces the development potential more than Alternative 2, while also meeting objectives related to the City's RHNA goals. While Alternative 3 would result in similar impacts as the proposed Program related to Land Use and Planning, Mineral Resources, Transportation, and Tribal Cultural Resources, the scale of the reduction of housing units is greater than that of Alternative 2. Moreover, Alternative 2 would result in similar, although slighted reduced, impacts across all environmental topic areas given the slight reduction of parcels from the proposed Planning Area. Furthermore, Alternative 3 would achieve the objectives more than Alternative 2.

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