

Notice of Exemption

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Orange County Transportation Authority (Public Agency)
550 Main Street, P.O. Box 14184
Orange, CA 92863-1584

☒ County Clerk
County of Orange
601 N. Ross Street
Santa Ana, CA 92701

Project Title: Amendments to the Master Plan of Arterial Highways (Fullerton)

Project Location – Specific: The action taken by the Orange County Transportation Authority (OCTA) was to conditionally amend the Master Plan of Arterial Highways (MPAH) within the City of Fullerton. The proposed amendment will become final, contingent upon OCTA receiving documentation confirming that the City of Fullerton has amended their general plan accordingly. OCTA will amend the MPAH as follows:

- 1) Reclassify Harbor Boulevard, from a major (six-lane, divided) arterial to a primary (four-lane, divided) arterial between Bastanchury Road and Berkeley Avenue.

The map attached as Attachment A shows the location of the amendment to the MPAH.

Project Location – City: Fullerton

Project Location – County: Orange

Description of Nature, Purpose, and Beneficiaries of Project:

The MPAH depicts a countywide roadway network that is cooperatively planned by OCTA, the County of Orange, and Orange County cities in order to accommodate future travel demand throughout the County. The MPAH includes regional arterial highways and illustrates freeways and transportation corridors for reference. The City of Fullerton requested that OCTA amend the MPAH as described in the "Project Location – Specific" section above.

Name of Public Agency Approving Project: OCTA

Name of Person or Agency Carrying Out Project: OCTA

Exempt Status: (check one)

- ☐ Ministerial
☐ Declared Emergency
☐ Emergency Project
☐ Categorical Exemption. State type and section number:
☒ Statutory Exemptions. State code number: CEQA Guidelines Sections 15262, 15061(b)(3)

Reasons why project is exempt: The MPAH is a long-range planning document that describes existing infrastructure and conceptual future transportation facilities within Orange County. OCTA does not commit itself or any other public agency to approve, adopt, or fund any MPAH related projects by including those facilities on the MPAH. In order for projects on the MPAH to move forward, they must be approved by the appropriate lead agency based on detailed project applications and environmental

review. Similarly, deletion of a facility from the MPAH does not preclude a local jurisdiction from implementing the facility. As a result, amendments to the MPAH do not have any reasonably foreseeable environmental consequences or commit OCTA, or any other public agency, to a definite course of action.

Amendments to the MPAH, therefore, are not "projects" subject to CEQA, and approval of an amendment to the MPAH does not constitute project "approval" for CEQA purposes. (Public Resources Code § 21065; CEQA Guidelines § 15378(a); CEQA Guidelines § 15352(a)). If anything, the MPAH is a government funding mechanism expressly excluded from the definition of "project." (CEQA Guidelines § 15378(b)(4).) Among other things, voluntary consistency with the minimum capacity reflected on the MPAH establishes eligibility for Measure M2 funding.

If amendments to the MPAH were to be considered "projects", the amendments would qualify for at least two exemptions from CEQA review. First, the MPAH is a planning and feasibility study. As explained above, neither the MPAH nor amendments to the MPAH have a legally binding effect. Therefore, amendments to the MPAH fall within CEQA's statutory exemption for planning and feasibility studies (CEQA Guidelines § 15262.). Second, for all of the foregoing reasons, it can be seen with certainty that there is no possibility that amendments to the MPAH may have a significant effect on the environment. Amendments to the MPAH therefore fall within CEQA's "common sense" exemption (CEQA Guidelines § 15061(b)(3)).

Lead Agency

Contact Person: Charlie Larwood

Area Code/Telephone: (714) 560-5683

If filed by applicant:

1. Attached certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Charles Larwood Date: 9/10/24 Title: Manager, Transportation Planning

- ☒ Signed by Lead Agency Date received for filing at OPR:
☐ Signed by Applicant

