Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

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

From: (Public Agency): City of Fullerton
303 W. Commonwealth Avenue
Fullerton, CA 92832
(Address)

Project Title: Minor Site Plan - ZON-2024-0073

Project Applicant: Laveer Investments, LLC - 260 E. Baker St, Ste 100, Costa Mesa, CA 92626

Project Location - Specific:
1702-1726 E. Rosslynn Ave and 1711 E. Kimberly Ave, Fullerton, CA 92832

Project Location - City: Fullerton Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:
Minor site plan to demolish existing structures on the project site and construct a replacement building consisting of a 63,705 SF concrete tilt-up warehouse building that includes a 3,000 SF mezzanine.

Name of Public Agency Approving Project: City of Fullerton

Name of Person or Agency Carrying Out Project: Community Development Department

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15061 (b)(3)
- ☐ Statutory Exemptions. State code number: _____

FILED
MAY 22 2025
HUGH NGUYEN, CLERK-RECORDER
BY: MG DEPUTY

Reasons why project is exempt:
CEQA Section 15061(b)(3) is being utilized for this project and approval of the Minor Site Plan due to the activity would not have a significant impact on the environment. Supporting documentation is being provided as an attachment to this NOE.

Lead Agency Contact Person: Priscilla Diaz Area Code/Telephone/Extension: 714-738-3163

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? (Yes) No

Signature: _____ Date: 4/4/25 Title: Planning Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

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Burke Rosslynn Industrial Project

Section 15061(b)(3) Infill Exemption Analysis

City of Fullerton, Orange County, California

PREPARED FOR:

City of Fullerton
Community and Economic Development Department
303 West Commonwealth Avenue
Fullerton, CA 92832
714.738.6559

Contact: Priscilla Diaz, Assistant Planner

PREPARED BY:

FirstCarbon Solutions
250 Commerce, Suite 210
Irvine, CA 92602
714.508.4100

Contact: Jason Brandman, Project Director
Brittany Hagen, Project Manager

December 27, 2024

FILED
MAY 22 2025
HUGH NGUYEN, CLERK-RECORDER
BY: MG DEPUTY

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AOC	area of concern
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
AQP	Air Quality Plan
ARB	California Air Resources Board
AST	aboveground storge tank
BMP	Best Management Practice
CalEEMod	California Emissions Estimator Model
CDF	California Department of Finance
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
cfs	cubic feet per second
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CNPSEI	California Native Plant Society Electronic Inventory
CO	carbon monoxide
COA	Conditions of Approval
CRHR	California Register of Historical Resources
dB	decibels
dBA	A-weighted decibel
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
DTSC-SL	California Department of Toxic Substances Control Screening Level
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
EVCS	electric vehicle charging station
FAR	floor area ratio
FCS	FirstCarbon Solutions
FTA	Federal Transit Administration
HRA	Health Risk Assessment
in/sec	inches per second
IND	Industrial

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BY: MG DEPUTY

IPaC	Information for Planning and Conservation
lb	pound
L_{eq}	equivalent continuous sound level
L_{max}	maximum noise level
LOS	Level of Service
LST	localized significance threshold
MBTA	Migratory Bird Treaty Act
MNA	monitored natural attenuation
mph	miles per hour
MRP	Municipal Regional Permit
MWS	Modular Wetland System
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetlands Inventory
O3	ozone
OCMP	Orange County Metal Processing
OCPC	Orange County Painting Company
OCTA	Orange County Transportation Authority
PCA	PCA Metal Finishing
PCE	tetrachloroethylene
PG&E	Pacific Gas and Electric Company
PM_{10}	particulate matter less than 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PPV	peak particle velocity
RAP	Remedial Action Plan
REC	Recognized Environmental Condition
RSL	Regional Screening Level
RWQCB	Regional Water Quality Control Board
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SoCAB	South Coast Air Basin
SRA	Source Receptor Area
SSI	Supplemental Site Investigation
SVE	soil vapor extraction
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
TAPP	Transportation Assessment Policies and Procedures
TCE	trichloroethylene
TPA	Transit Priority Area
TRU	Transport Refrigeration Unit

USACE	United States Army Corp of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WQMP	Water Quality Management Plan

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1 - INTRODUCTION

The City of Fullerton (City) has contracted with FirstCarbon Solutions (FCS) to evaluate whether the proposed Burke Rosslyn Industrial Project (proposed project) meets the criteria identified in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) and, separately and independently, also meets the criteria under 15332 to qualify for an Infill Exemption (Class 32).

Section 15061(b)(3), states that projects that have no potential to cause significant environmental impacts are exempt from CEQA. CEQA applies only to projects that have the potential for causing a significant effect on the environment. As detailed in the analysis herein, it can be seen with certainty that the proposed project does not have any adverse environmental impacts and is therefore not subject to CEQA. Separate from the exemption established in Section 15061(b)(3), the proposed project would be consistent with all criteria listed in CEQA Guidelines Section 15332 and would not trigger any of the disqualifying exceptions related to categorical exemptions listed in CEQA Guidelines Section 15300.2.

1.1 - Project Location

The project site is located at the northeast corner of South Acacia Avenue and Kimberly Avenue at 1702-1726 East Rosslynn Avenue and 1711 Kimberly Avenue in the City of Fullerton, in Orange County, California (Exhibit 1 and Exhibit 2). The approximately 2.90-acre project site consists of two parcels, associated with Assessor's Parcel Numbers (APNs) 033-270-19 and 033-270-30. Regional access to the project site is available from State Route (SR) 91 via the State College Boulevard exit, SR-57 via the Orangethorpe Avenue exit. The project site is located approximately 0.64 miles north of SR-91 and approximately 1.02 miles west of SR-57.

1.2 - Environmental Setting

The site has been historically occupied by two industrial buildings. Currently, the western portion of the site contains an existing industrial building; the industrial building located on the eastern portion of the project site was demolished in June 2023 and this area remains a vacant with asphalt and concrete surfaces.

1.2.1 - Land Uses and Zoning

The Fullerton General Plan (The Fullerton Plan) designates the project site as Industrial (IND) (Exhibit 3).[1] The project site is zoned Manufacturing Park, 40,000-square-foot minimum lot size (M-P-40) according to the Fullerton zoning map (Exhibit 4).

[1] City of Fullerton. 2024. Fullerton Go Zone. Website: https://gis.cityoffullerton.com/portal/apps/webappviewer/index.html?id=38a7db5f8a8748b1818bc31269bfa3b0. Accessed December 16, 2024

Surrounding Land Uses

North: East Rosslynn Avenue, Fullerton Fire Department Station No. 3, and UPS Freight

East: Delta Stag Incorporated, truck body manufacturer

South: Kimberly Avenue and Sprouts Farmers Market Distribution Center

West: South Acacia Avenue and 3PL Global Warehouse

1.3 - Project Description

Laveer Investments, LLC (applicant), proposes to demolish the existing industrial building and construct a new 63,205-square-foot tilt-up warehouse building, The building would include a 58,205-square-foot warehouse, a 2,500-square-foot mezzanine, and a 2,500-square-foot office.[2] (Exhibit 5). Along the eastern portion of the warehouse, 71 dock-high doors would be constructed. Approximately 23,769 square feet of landscaping would be provided throughout the site near the warehouse, parking areas, and along the project's frontage on Kimberly Avenue.

1.3.1 - Parking and Circulation

Vehicles would access the project site via one driveway along South Acacia Avenue and one driveway along East Rosslynn Avenue. The proposed project would have 64 on-site parking spaces, including 15 compact stalls, 33 standard stalls, one standard Americans with Disabilities Act (ADA) stall, two van ADA stalls, 10 electric vehicle (EV) capable stalls, two electric vehicle charging station (EVCS) stalls, and one van ADA EVCS stall.

The proposed project would include a 28-foot-wide fire access lane on either side of the warehouse.

1.3.2 - Infrastructure and Utilities

The proposed project would connect to existing water, sewer, and storm drain infrastructure located at the site. The following utility providers would serve the proposed project:[3]

- Water: City of Fullerton
- Stormwater: City of Fullerton
- Wastewater: City of Fullerton
- Electricity: Southern California Edison
- Trash and Recycling: Republic Services

[2] The proposed project would not include any cold storage.

[3] The proposed project would be 100 percent electric and would not utilize natural gas.



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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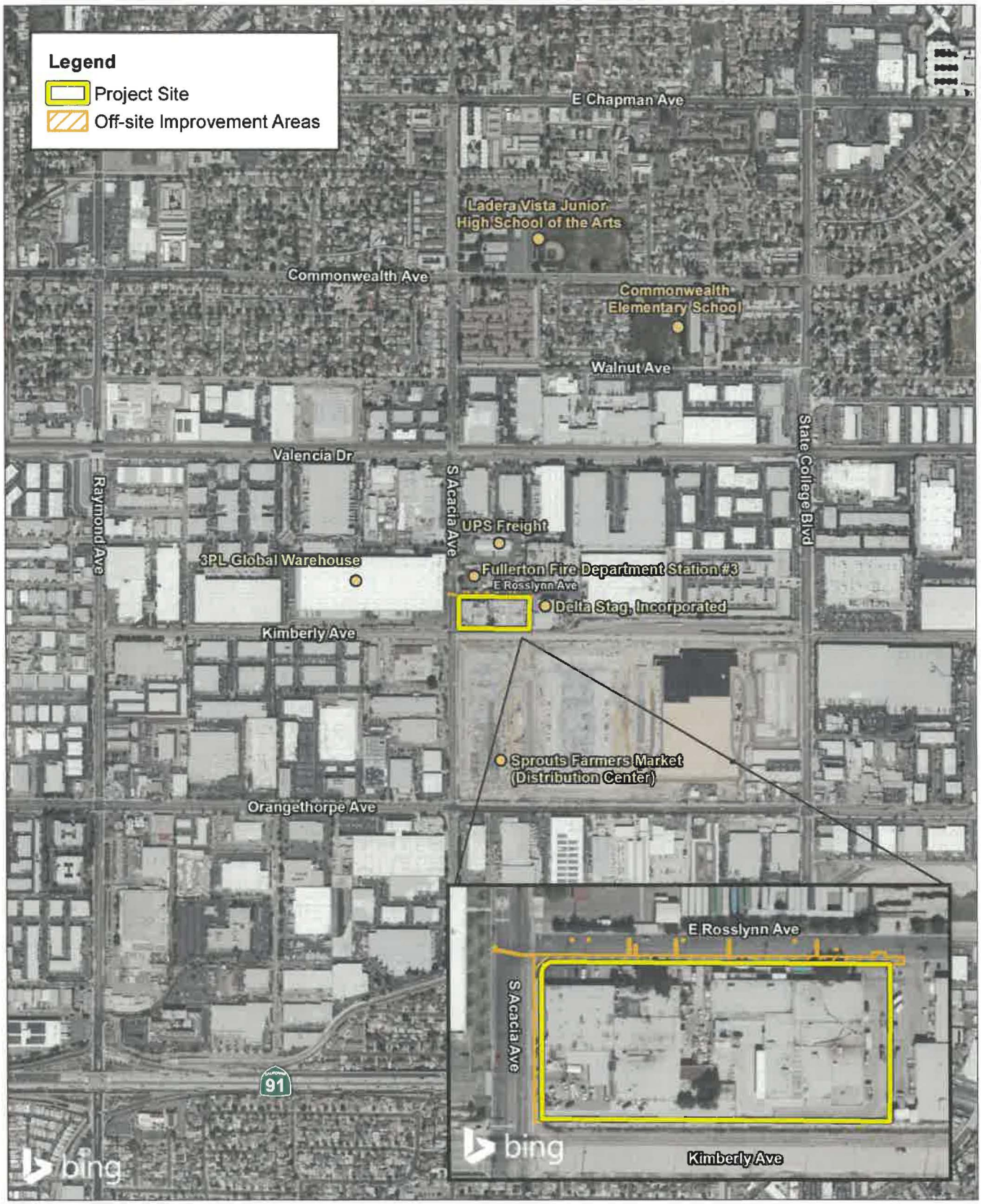
0 2.5 5 10 Miles

Exhibit 1
Regional Location Map

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CITY OF FULLERTON
BURKE ROSSLYNN INDUSTRIAL PROJECT
INFILL EXEMPTION ANALYSIS

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Source: Bing Aerial Imagery. Omega Engineering Consultants, October 2024.

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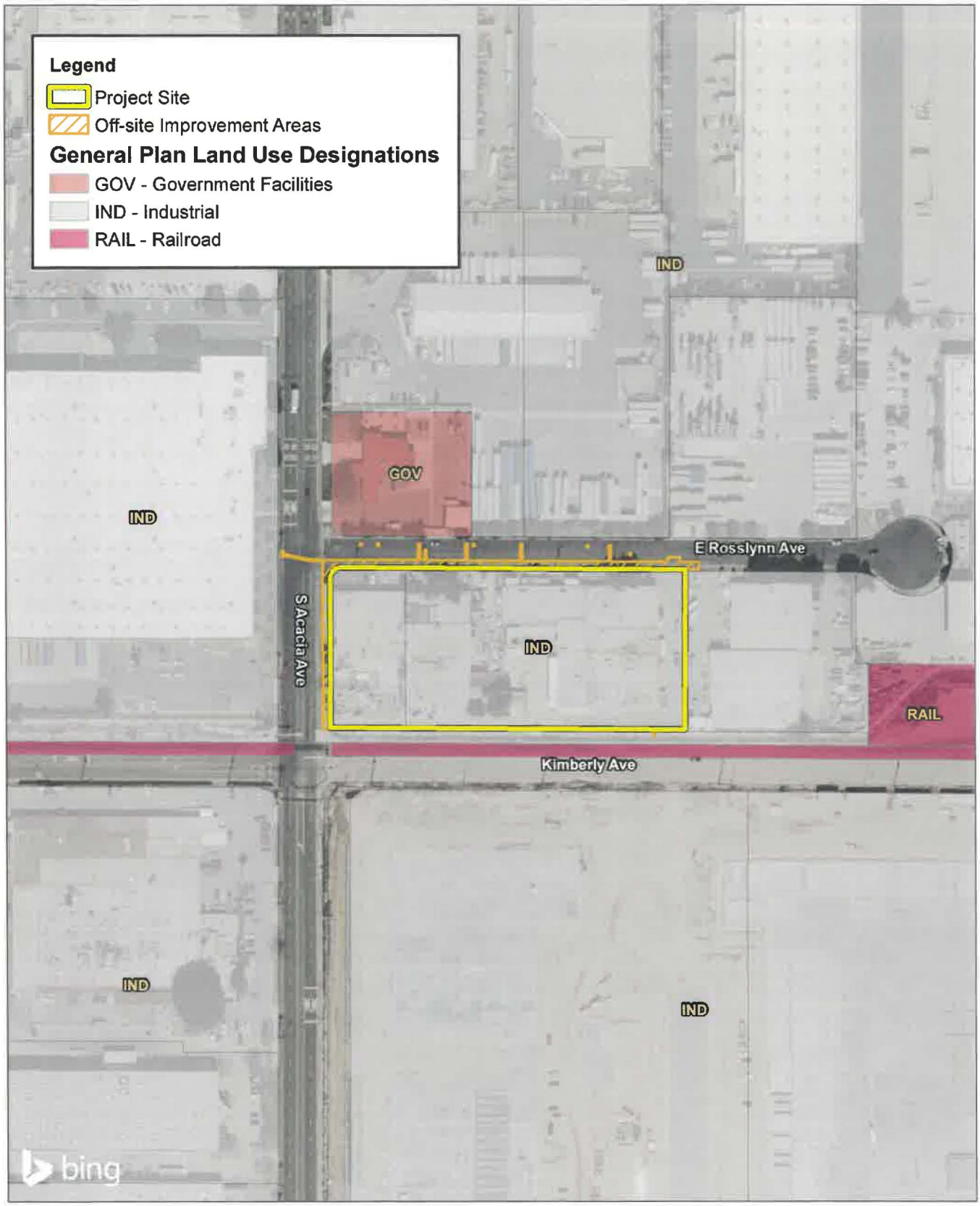
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Exhibit 2
Local Vicinity Map

CITY OF FULLERTON
BURKE ROSSLYNN INDUSTRIAL PROJECT
INFILL EXEMPTION ANALYSIS

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Source: Bing Aerial Imagery. Omega Engineering Consultants, October 2024. City of Fullerton.

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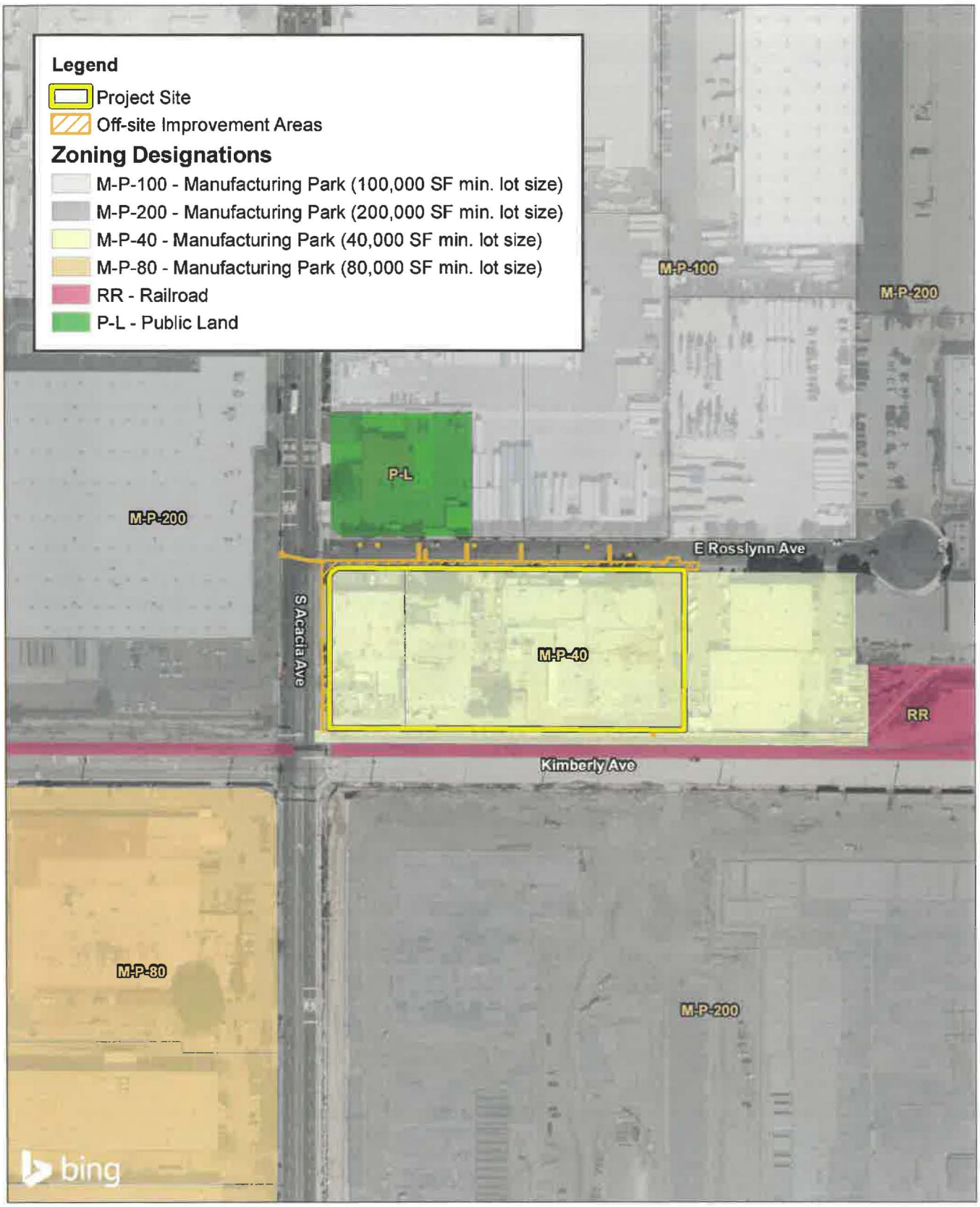
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Exhibit 3
General Plan Land Use Map

CITY OF FULLERTON
BURKE ROSSLYNN INDUSTRIAL PROJECT
INFILL EXEMPTION ANALYSIS

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Source: Bing Aerial Imagery. Omega Engineering Consultants, October 2024. City of Fullerton.

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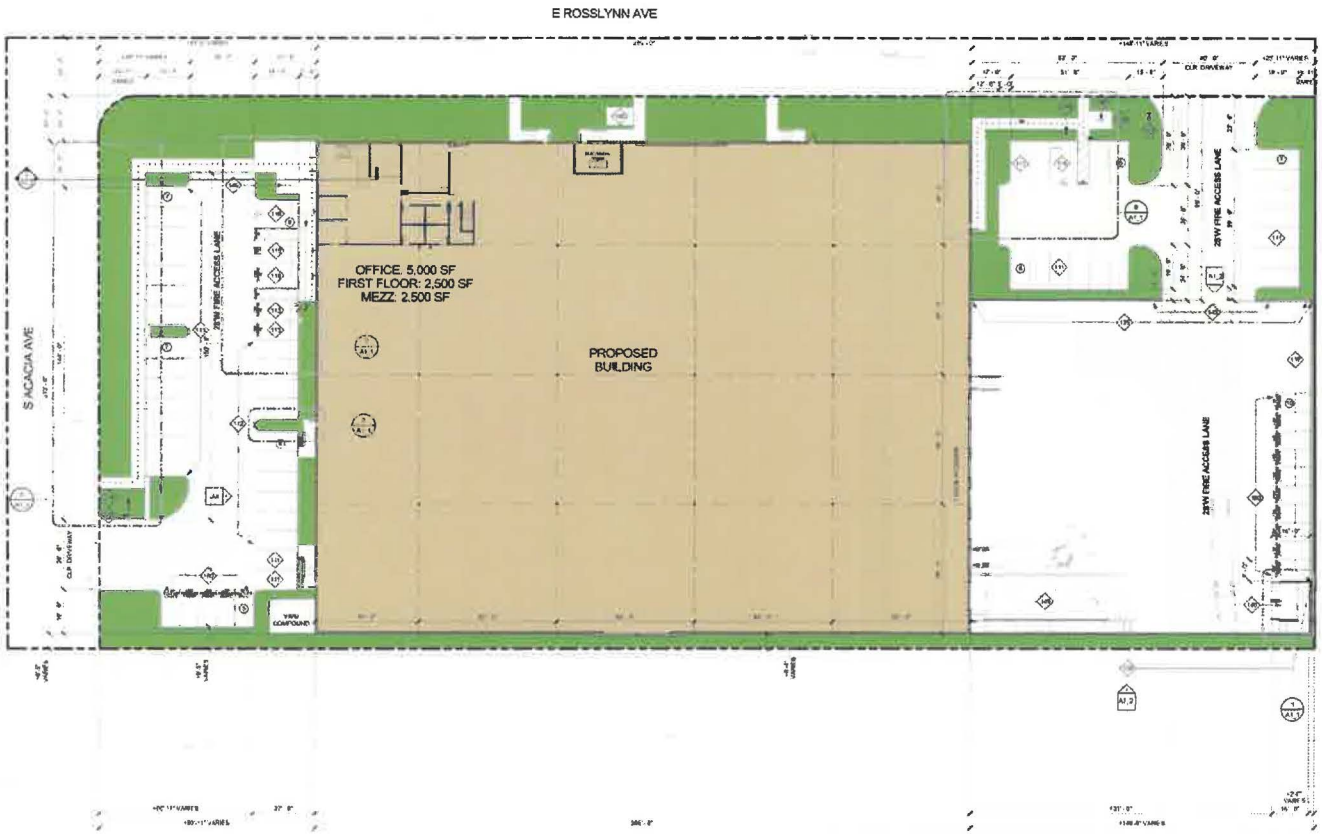
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Exhibit 4
Zoning Map

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CITY OF FULLERTON
BURKE ROSSLYNN INDUSTRIAL PROJECT
INFILL EXEMPTION ANALYSIS

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BUILDING AREA SUMMARY

NAME	AREA
GROUND FLOOR	
WAREHOUSE	58205 SF
OFFICE	2500 SF
	60705 SF
MEZZANINE	
OFFICE	2500 SF
	2500 SF
GROUND LEVEL + MEZZANINE	
WAREHOUSE	58205 SF
OFFICE	5000 SF
TOTAL BUILDING AREA	63205 SF

LANDSCAPE AREA SUMMARY

LOT AREA	% LANDSCAPING REQUIRED	AREA LANDSCAPING PROVIDED	% LANDSCAPING PROVIDED
126514 SF	8%	23769 SF	18.8%

PARKING PROVIDED

SPACE TYPE	SPACES PROVIDED
COMPACT STALLS <30%	15 23%
STANDARD STALLS	33
STANDARD ACCESSIBLE STALLS	1
VAN ACCESSIBLE STALLS	2
EV CAPABLE STALL (w/o EVSE)	10
EVCS (EV CAPABLE STALL w/ EVSE)	2
VAN ACCESSIBLE EVCS (EV CAPABLE STALL w/ EVSE)	1
TOTAL	64

SITE LEGEND

- LANDSCAPE AREA
- CONCRETE PAVING WHEN OCCURS @ PARKING AREAS, DRIVE AISLES, & OR TRUCK COURT. SEE CIVIL DRAWINGS FOR PAVING SECTIONS
- FIRE HYDRANT. PROVIDE PIPE BOLLARD PROTECTION POSTS AS REQUIRED BY THE FIRE AUTHORITY. SEE 3/AD1.1
- STREET LIGHT
- INDICATES AN ACCESSIBLE ROUTE. MUST COMPLY w/ SITE PLAN GENERAL NOTE #6
- PROPERTY LINE

Source: Herdman Architecture + Design, 06/22/2024.

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Exhibit 5
Site Plan

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2 - CEQA FRAMEWORK FOR INFILL EXEMPTION

The proposed project is a candidate for a streamlined approach to the CEQA review as it is eligible for the common sense exemption in Section 15061(b)(3) and the Class 32 Exemption, the criteria of eligibility for which are detailed below. Each of the exemptions below provides a separate and independent basis to comply with CEQA.

2.1 - Criteria for 15061(b)(3) Exemption

CEQA specifies that environmental review is required only "[i]f there is substantial evidence . . . that the project may have a significant effect on the environment." (Public Resources Code Section 21080, subdivision (d)). As a corollary to this principle, CEQA also specifies that, if "[t]here is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment," then the proposed project is not subject to further CEQA review (Public Resources Code Section 21080, subdivision (c)(1)). State CEQA Guidelines Section 15061, subdivision (b)(3), is similar, specifying: "Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

"Under these provisions, where there is no substantial evidence a proposed project may have a significant environmental effect, further CEQA review is unnecessary; no categorical exemption is necessary to establish that proposition." *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 C4th 1086, 1099. Section 15061 (b)(3) of the State CEQA Guidelines states that a proposed project is exempt if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Proposed projects covered by this exemption are not subject to CEQA. The common sense exemption was adopted to guard against the possibility that an "obviously exempt" type of project not explicitly listed in the categorical exemptions "might be required needlessly to comply with the requirements of CEQA." *Myers v. Board of Supervisors* (1976) 58 CA3d 413, 425. Accordingly, the exceptions to categorical exemptions listed in State CEQA Guidelines Section 15300.2 do not apply to this exemption. Even if a project does not specifically qualify for a statutory or categorical exemption, it "may nonetheless be found exempt" if it fits within the terms of this exemption. *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n* (2007) 41 C4th 372, 380.

The analysis in Section 2.3 evaluates the proposed project's potential for causing a significant effect on the environment and the applicability of the exemption in 15061(b)(3).

2.2 - Criteria for a Class 32 Exemption

An agency may combine several exemptions to find an entire project exempt. In *Surfrider Found. V. California Coastal Comm'n* (1994) 26 CA4th 151, the Coastal Commission issued permits authorizing the Department of Parks and Recreation to install devices to collect parking fees at state park beaches. The court found the collection of fees exempt under a statutory exemption. The court also held that installation of the fee collection structures was categorically exempt under Class 3 (14 California Code of Regulations [CCR] § 15303), even if there was an argument that exceptions in Section 15300.2 to the categorical exemption might apply. The court upheld the Coastal Commission's combination of two exemptions to exempt a project from further CEQA review.

A Class 32 Exemption applies to infill development projects that meet the following criteria:

a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

c) The project site has no value as habitat for endangered, rare, or threatened species.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

e) The site can be adequately served by all required utilities and public services.

A Class 32 Exemption may be used where above-noted conditions (a) through (e) are supported by substantial evidence.

2.2.1 - Criteria for Section 15300.2 Exceptions to a Class 32 Exemption

CEQA Guidelines Section 15300.2 lists exceptions to qualifying for a categorical exemption. These exceptions apply only to categorical exemptions identified in CEQA Guidelines Sections 15300-15333 and do not apply to the an exemption pursuant to State CEQA Guidelines Section 15061(b)(3).

These exceptions are as follows:

a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies. This exception is not applicable to Class 32 exemptions.

b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type, in the same place, and over time is significant.

c) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

f) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.

d) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

e) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource.

The following evaluates the proposed project for Class 32 eligibility conditions (a) through (e) and exceptions (a) through (f) and is supported by substantial evidence in the record.

2.3 - Analysis of Potential Environmental Effects

a) General Plan and Zoning Consistency

The project site is designated as IND according to The Fullerton Plan. The IND designation allows for industrial, manufacturing, office, retail, and service uses that provide support to employees. There is a minimum floor area ratio (FAR) requirement of 0.35 and a maximum FAR of 0.5, excluding structured parking.[4] Given that the proposed building area is 63,205 square feet and the site area is 126,501 square feet, the FAR of the proposed project is within the acceptable FAR outlined in The Fullerton Plan.

City zoning designates the site area as M-P-40.[5] Permitted uses under the M-P zoning designation include Warehouse and Administrative and business offices and facilities. The clear height of the proposed plan is 36 feet with a maximum height of 45 feet, which would comply with M-P Zoning Code 15.40.040(c), which caps building height at 45 feet. The proposed project would be required to comply with all applicable Fullerton Plan and Municipal Code development standards. Further, because the proposed project is consistent with the development density established by The Fullerton

[4] City of Fullerton. The Fullerton Plan. Tables and Exhibits. Community Development Types. Website: https://www.cityoffullerton.com/home/showpublisheddocument/1033/637575629686070000. Accessed December 26, 2024.

[5] City of Fullerton. 2024. Fullerton Go Zone. Website: https://gis.cityoffullerton.com/portal/apps/webappviewer/index.html?id=38a7db5f8a8748b1818bc31269bfa3b0. Accessed December 16, 2024

Plan (State Clearinghouse [SCH] No. 2011051019), the proposed project is statutorily exempt from further environmental review, except as might be project specific impacts peculiar to the project or its site, which are discussed below. Therefore, the proposed project would not have a significant adverse effect on the environment and meets the criteria of CEQA Guidelines Section 15332(a).

b) Project Location and Size

The project site is located within the city limits on 2.90 acres and is surrounded in all directions by industrial land uses, with the exception of Fullerton Fire Department Station No. 3 directly north of the site, which is designated as Governmental Facilities (GOV). Therefore, the proposed project meets the criteria of CEQA Guidelines Section 15332(b).

c) Biological Resources

Existing Conditions

The project site is entirely composed of developed land containing an industrial building and a vacant lot. The site is in a highly developed area and is bounded by commercial and industrial uses on all sides, as well as East Rosslynn Avenue to the north, Kimberly Avenue to the south, and South Acacia Avenue to the west. Fencing surrounds the project site on all sides and the existing industrial building is located along the western boundary. A hedgerow of various ornamental trees is located just outside the project site adjacent to the northern boundary.

Special-status Species

A review of existing databases determined that a total of 49 special-status plant species have previously been recorded within the area encompassed by the *Anaheim, California* United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles (Appendix A). The potential for occurrence of a species was based on presence of suitable habitat (natural vegetation communities, soil types) and the recency, proximity, and number of occurrences recorded in the California Native Plant Society (CNPS) Electronic Inventory (CNPSEI)[6] and California Natural Diversity Database (CNDDB).[7,8] Based on the lack of suitable habitat due to the developed nature of the project site and its history of surface disturbances, as well as its location in an urbanized area, there is no potential for special-status plant species that occur in the region to occur on-site. Thus, special-status plants are not expected to occur on the project site and no further analysis is required.

There are CNDDB records for 63 special-status wildlife species within the area encompassed by the *Anaheim, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding

[6] California Native Plant Society (CNPS). 2024. California Native Plant Society Rare and Endangered Plant Inventory. Website: http://www.rareplants.cnps.org/. Accessed December 16, 2024.

[7] California Department of Fish and Wildlife (CDFW). 2024. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed December 16, 2024.

[8] California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS 6). Website: https://wildlife.ca.gov/Data/BIOS. Accessed December 16, 2024

quadrangles or as identified in the United States Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) review (Appendix A).[9,10,11] Because of the lack of suitable habitat due to the urbanized/developed nature of the project site and vicinity, there is no potential for special-status wildlife species that occur in the region to occur on-site. Thus, special-status wildlife is not expected to occur on the project site and no further analysis is required.

Riparian Habitat or Other Sensitive Natural Communities

Sensitive natural communities are vegetation communities or special wildlife habitats that are rare or occur in limited distributions or provide specific habitat requirements for special-status plant or wildlife species. The California Department of Fish and Wildlife (CDFW) maintains a list of natural vegetation communities found in California and ranks them based on rarity. Natural vegetation communities with ranks of S1–S3 are considered Sensitive Natural Communities.[12]

No riparian habitat or other sensitive natural communities are present on or adjacent to the project site. Therefore, the proposed project would not impact riparian habitat or other sensitive natural communities.

State or Federally Protected Waters and Wetlands

A review of the National Wetlands Inventory (NWI) Wetlands Mapper did not indicate the presence of regulated wetland areas on-site or nearby.[13] There were no waters or wetland features detected on the project site that would be considered potentially jurisdictional by the United States Army Corp of Engineers (USACE), nor any features that would be considered potentially jurisdictional by State regulatory agencies including the Regional Water Quality Control Board (RWQCB) and CDFW. Therefore, the proposed project would not have a substantial adverse effect on State or federally protected waters or wetlands through direct removal, filling, hydrological interruption, or other means.

Wildlife Movement Corridors and Wildlife Nursery Sites

The project site was evaluated for evidence of wildlife movement corridors with a review of maps and other background information. The project site is developed and is surrounded in all directions by extensive urban development, roadways, and other manufactured structures that serve as existing barriers to wildlife movement. The site does not provide value as a wildlife movement corridor. Therefore, the proposed project would not interfere substantially with the movement of any native

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[9] California Department of Fish and Wildlife (CDFW). 2024. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed December 4, 2024.

[10] California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS 6). Website: https://wildlife.ca.gov/Data/BIOS. Accessed December 16, 2024.

[11] United States Fish and Wildlife Service (USFWS). 2024. Information for Planning and Consultation (IPaC). Website: https://ecos.fws.gov/ipac/. Accessed December 16, 2024.

[12] California Department of Fish and Wildlife (CDFW). 2023. Natural Communities List, Sacramento: California Department of Fish and Wildlife. June 1, 2023. Website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline. Accessed December 16, 2024

[13] United States Fish and Wildlife Service (USFWS). 2024. National Wetlands Inventory. Website: https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper. Accessed December 16, 2024.

resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

The urbanized/developed character of the project site prevents most native bird species from nesting on the project site. Trees adjacent to and within 500 feet of the project site could provide suitable nesting habitat for several native avian species that are tolerant of highly modified anthropogenic landscapes, including northern mockingbird (*Mimus polyglottos*), mourning dove (*Zenaida macroura*), and house finch (*Haemorhous mexicanus*), among others. These are native species that are protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code.

Potential direct and indirect impacts could occur to nesting resident and migratory species during project construction activities that cause noise, vibrations, and increased human activity levels, particularly if the activities cause an active nest to fail or destroy a nest, eggs, or young. Construction activities that occur during the nesting season (generally February 1 to August 31) could disturb nesting birds protected by the MBTA and Fish and Game Code. The MBTA and California Fish and Game Code protect native migratory birds that may reside on or adjacent to the project site during construction and make it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds and prohibits the removal of nests occupied by migratory birds. Consistent with all development in the City, the proposed project would be required to comply with the MBTA and the California Fish and Wildlife Codes to avoid construction-related impacts to nesting birds and their nests during the nesting season. Project compliance with the MBTA would ensure potential impacts to migratory and nesting birds would not occur.

Regulated Trees

The Community Forest Ordinance addresses the planning, planting, maintenance, and removal of all trees and other landscape material in any street or other public area; over any landscape material in any street median, parkway strip or other landscaped portion of a public right-of-way; over trees and other landscape material in other public spaces under the jurisdiction of the City, such as parks, trails and public buildings; and over certain trees on private property. It also allows for the designation and protection of Landmark Trees. The Fullerton Plan requires all future development projects to comply with the Municipal Code, including the Community Forest Ordinance, as well as policies and actions established to support the City's Community Forest and to encourage the proper management of trees.

The trees and landscaping planned for the proposed project would be in accordance with the City's requirements. The proposed project would be required to comply with Municipal Code Section 9.06.090, Planting Trees, which would require approval of a plot plan prior to the issuance of a building permit. With compliance of these ordinances, the project would not have a substantial adverse effect on any trees that are regulated under The Fullerton Plan.

Habitat Conservation Plans

According to the CDFW, there are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State Habitat Conservation Plans applicable to the project site.[14] Therefore, the proposed project would not conflict with any of the previously mentioned plans.

In conclusion, the project site has no value as habitat for endangered, rare, or threatened species and adherence to the MBTA, and consistency with the Municipal Code Section 9.06.090 and the Community Forest Ordinance would avoid impacts to any protected species occurring within the project vicinity. Thus, it can be seen with certainty that the proposed project would not have any adverse impacts on biological resources.

d) Less than Significant Effects Related to Air Quality, Noise, Traffic, or Water Quality

Air Quality

The project site is located within South Coast Air Basin (SoCAB) and is under the jurisdiction of South Coast Air Quality Management District (SCAQMD). While the final determination of whether a project is significant is within the purview of the Lead Agency pursuant to Section 15064(b) of the CEQA Guidelines, the SCAQMD recommends that its quantitative air pollution thresholds be used to determine the significance of project emissions. The SCAQMD has developed regional and localized significance thresholds (LSTs) to evaluate construction and operational emissions within its jurisdiction to address the CEQA Guidelines. These significance thresholds were set at a level that protects public health with an adequate margin of safety and are considered conservative. Thus, they would overstate an individual project's contribution related to air quality and health risks.

Appendix G of the State CEQA Guidelines also provides considerations for determining the significance of a project's impacts, in the form of the following initial study checklist questions:

- Would the project conflict with or obstruct implementation of the applicable air quality plan?
- Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?
- Would the project expose sensitive receptors to substantial pollutant concentrations?
- Would the project result in other emissions (such as those leading to odors or adversely affecting a substantial number of people?

Pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and State law and standards are detailed in the SoCAB Air Quality Management Plan (AQMP). Air pollutants for which Ambient Air Quality Standards (AAQS) have been developed are known as

[14] California Department of Fish and Wildlife (CDFW). 2024. NCCP Plan Summaries. Website: https://wildlife.ca.gov/Conservation/Planning/NCCP. Accessed December 16, 2024.

criteria air pollutants, including ozone (O_3), carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_X), sulfur dioxide, coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), and lead. VOC and NO_X are criteria pollutant precursors and go on to form secondary criteria pollutants, such as O_3, through chemical and photochemical reactions in the atmosphere. Air basins are classified as attainment/nonattainment areas for particular pollutants depending on whether they meet AAQS for that pollutant. Based on the SoCAB AQMP, the SoCAB is designated nonattainment for O_3, $PM_{2.5}$, PM_{10}, and lead (Los Angeles County only) under the California and National AAQS and nonattainment for NO_2 under the California AAQS. The SCAQMD established regional and localized thresholds of significance to represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable California and National AAQS.

Consistency with Air Quality Plan

According to the SCAQMD, the project is consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

The development of emission burdens used in AQMPs to demonstrate compliance with AAQS is based, in part, on land use patterns contained within local general plans. Therefore, it is reasonable to conclude that if a project is consistent with the applicable general plan land use designation and the general plan was adopted prior to the applicable AQMP, then the growth of VMT and/or population generated by said project would be consistent with growth in VMT and population assumed within the AQMP. As described in the Project Description, the proposed project would be consistent with the project site's M-P zoning, which allows a range of light industrial uses. Thus, development of the proposed project at the project site was accounted for by local and regional land use planning strategies, including the SCAQMD 2022 AQMP. Criteria pollutant and precursor emissions associated with the proposed project's influence on regional population growth have also therefore been accounted for by the AQMP.

As demonstrated below, construction and operation of the proposed project would be below the SCAQMD's localized and regional thresholds of significance. The proposed project would also comply with all applicable Air Quality Plan (AQP) control measures through compliance with SCAQMD's Rule 403, which requires that projects implement the best available dust control measures during construction. Additionally, the proposed project would not include any special features that would disrupt or hinder implementation of the AQMP control measures during construction and operation.

Summary

In summary, the proposed project would not exceed the growth assumptions in the AQMP. The proposed project would not result in a regional exceedance of criteria air pollutants. Furthermore, the proposed project would comply with all applicable SCAQMD rules and regulations. Therefore, no significant effects would occur with implementation of the proposed project.

Project Cumulatively Considerable Net Increase of Any Criteria Pollutants

This impact evaluates whether an individual proposed project would generate criteria air pollutant or precursor emissions to exceed SCAQMD's recommended mass emission thresholds.

As described above, the SCAQMD has developed regional thresholds of significance that address the potential for project construction or operation to result in potentially significant air quality impacts. The regional thresholds of significance provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant air quality impacts. Regional thresholds of significance were last updated in March 2023.[15]

Table 1 summarizes the predicted emissions from the construction of the proposed project compared to the SCAQMD regional emission thresholds. Modeling of the construction activities using California Emissions Estimator Model (CalEEMod) predicts emissions levels of criteria pollutants and precursors below SCAQMD thresholds. The modeling was performed assuming construction would start in April 2025 and last approximately 10 months; however, if construction is delayed and occurs later than assumed, emissions would likely decrease due to improvements in technology and compliance with more stringent regulatory requirements. Similarly, a more extended construction schedule would also result in lower daily emissions since day-to-day construction activity would be less intense.

Table 1: Construction Emissions

Construction Year	Maximum Daily Emissions					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
2025	3.59	44.31	36.74	0.12	12.10	6.14
2026	33.62	10.91	14.50	0.03	0.87	0.51
SCAQMD Mass Daily Significance Threshold (lbs/day)	**75**	**100**	**550**	**150**	**150**	**55**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
Modeling incorporates implementation of SCAQMD for fugitive dust control in accordance with Rule 403.

BMP = Best Management Practices
CO = carbon monoxide
lbs = pounds
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxide
VOC = volatile organic compound
Source: CalEEMod Output (Attachment A)

[15] South Coast Air Quality Management District (SCAQMD). 2023. South Coast AQMD Air Quality Significance Thresholds. Website: https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25. Accessed December 16, 2024.

Emissions of criteria pollutant and precursors were also estimated for the operation of the proposed project using CalEEMod Version 2022.1.1. Long-term operational emissions would be generated from mobile, area and energy sources associated with the daily operations at the proposed warehouse. Assumptions used to estimate mobile source emissions were based on CalEEMod defaults for passenger trips and the trip generation rates from a similar project in Fullerton and SCAQMD guidance for truck trips and travel length. (See Attachment A for modeling assumptions and inputs.) The proposed project was estimated to generate approximately 130 daily weekday vehicle trips (approximately 110 passenger vehicle trips and approximately 20 truck trips). Area source emissions are those associated with landscape maintenance activities and periodic architectural coatings. Energy-source emissions are those associated with natural gas for water and space heating. The proposed project would not include natural gas plumbing, so direct energy related emissions are zero at the proposed project site.

As shown in Table 2, operation of the proposed project would not generate operation-related criteria pollutant or precursor emissions in excess of SCAQMD thresholds of significance. Therefore, the operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant, and this impact would be less than significant.

Table 2: Operational Emissions

Emissions Source	Maximum Daily Emissions (pounds)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Mobile	0.26	3.33	4.03	0.03	1.65	0.46
Area	1.97	0	2.75	<0.005	<0.005	<0.005
Energy	0	0	0	0	0	0
Total	**2.23**	**3.33**	**6.78**	**0.03**	**1.65**	**0.46**
SCAQMD Mass Daily Significance Threshold (lbs/day)	**55**	**55**	**550**	**150**	**150**	**55**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxide
VOC = volatile organic compound

Maximum Daily NO_X Emissions is during winter. Maximum CO and VOC are during the summer; SO_X and PM_{10} and $PM_{2.5}$ emissions are independent of season.
Source: CalEEMod Output (Attachment A)

Expose Sensitive Receptors to Substantial Pollutant Concentrations

Criteria Pollutant Exposure

The SCAQMD has developed localized significance thresholds (LSTs) in addition to the regional thresholds to serve as a screening method for identifying localized impacts of criteria pollutants. The LST methodology was developed to analyze localized impacts associated with project-level development. The LSTs depend on the location of the project, overall size of the project site, and distance of existing sensitive receptors from the project site. The SCAQMD has developed LSTs for projects that are 5 acres or less in size.

Modeling of construction emissions was conducted using CalEEMod Version 2022.1.1. The SCAQMD's localized assessment methodology specifically limits emissions considered to those generated from on-site activities. The proposed project is located within Source Receptor Area (SRA) 16, North Orange County.[16] There are no identified residences within 1,000 feet, so the LST tables were evaluated at the maximum published distance of 500 feet. While the project site is 2.9 acres, the maximum area of daily disturbance for the modeling is 1.5 acres per day during site preparation and 1.0 acres per day during grading. The LST construction analysis uses the maximum number of acres disturbed on the peak day. Operational LST comparisons are made considering the entire size of the proposed project site, conservatively using the smaller site size of 2 acres.

Results of the LST analysis are shown in Table 3 which show that the construction and operation emissions would not exceed any significance thresholds for localized criteria pollutants.

Table 3: Localized Significance Analysis of Construction and Operation Emissions

	Pollutants (maximum pounds per day)			
Activity and Year	NO_X	CO	PM_{10}	$PM_{2.5}$
Construction in 2025	33.8	31.9	9.09	5.21
Construction in 2026	10.6	13.4	0.44	0.40
SCAQMD Localized Significance Thresholds for Construction SRA 16, 1-acre site, within 500 meters	**252**	**6531**	**137**	**74**
Emissions Exceed Thresholds?	**No**	**No**	**No**	**No**
Operations (2026)	0.37	3.57	0.03	0.01
SCAQMD Localized Significance Thresholds for Operations SRA 16, 2-acre site, within 500 meters	**269**	**7121**	**35**	**19**
Emissions Exceed Thresholds?	**No**	**No**	**No**	**No**

[16] South Coast Air Quality Management District (SCAQMD). 2009. Final Localized Significance Threshold Methodology. October 21.

Activity and Year	Pollutants (maximum pounds per day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$

Notes:
CO = carbon monoxide
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SCAQMD = South Coast Air Quality Management District
SRA = Source Receptor Area

Modeling incorporates implementation of SCAQMD Best Management Practices (BMPs) for fugitive dust control in accordance with Rule 403.

Construction Emissions are compared to the 1-acre localized significance thresholds since the California Emissions Estimator Model (CalEEMod) construction modeled 1.5-acre disturbance per day during the site preparation and 1 acre per day during the grading phase.

Operational emissions are based on the entire site area of 2.90 acres. Since LST tables are only available for 1,2-, and 5-acre sites, the emissions are conservatively compared to the smaller 2-acre site thresholds.

Source of Table: California Emissions Estimator Model (CalEEMod) Output (Attachment A).

Toxic Air Contaminant Exposure

The primary toxic air contaminant (TAC) that would be generated by construction of the proposed project is diesel particulate matter (DPM), which would be released from the exhaust of diesel-powered construction vehicles and equipment. The closest sensitive receptors to the project site are located more than 1,000 feet from the project site. Concentrations of pollutants decrease with increasing distance from the site and the distance between the site and the nearest sensitive receptor is outside of the distance for which SCAQMD and the California Air Resources Board (ARB) require impact analyses for sensitive receptors (typically 1,000 feet or 0.25 mile from the site boundary). In addition, a number of factors demonstrate that health risks from the proposed project's construction-related DPM emissions would be below SCAQMD TAC thresholds and, accordingly, less than significant. First, health risks from carcinogenic air toxics such as DPM are quantified in terms of individual cancer risk, which is the likelihood that a person exposed to concentrations of TACs over a 30-year period will contract cancer based on standard risk-assessment methodology. However, the anticipated duration of construction activities associated with the proposed project is less than 1 year (10 months). Given the temporary nature of construction, the scale of construction proposed, and the distance from the site from to the nearest residences or sensitive receptors, the construction of the proposed project would have less than significant health risk impacts. Additionally, as shown in Table 3, the proposed project's maximum daily $PM_{2.5}$ emissions, which include exhaust PM, would not exceed applicable LSTs, another indicator that localized impacts from diesel combustion exhaust would be less than significant.

The proposed project is not expected to generate substantive DPM or TAC emissions during operational activity. The proposed project would not have stationary sources or on-site sources of

TACs during operation. Traffic generated by the proposed project would consist of light-duty gasoline-powered vehicles, which are not a significant source of TAC and air pollutant emissions. The proposed project warehouse is estimated to have 20 truck trips per day.

The ARB's Air Quality and Land Use Handbook provides guidance on levels of activity that could result in a potential impact:[17]

> Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating Transport Refrigeration Units [TRUs] per day, or where TRU unit operations exceed 300 hours per week).

Since the project truck trips are less than the 100-truck advisory threshold in the Air Quality and Land Use Handbook, an operational Health Risk Assessment (HRA) is not necessary and therefore not analyzed in this study. As previously discussed, no TRUs would be operated while on-site. Therefore, risks due to DPM from this level of truck traffic would be less than significant.

Thus, the proposed project would not result in any significant health effects to nearby sensitive receptors during operation, and no health effects from operational activity associated with TACs are expected to occur.

Carbon Monoxide Hot Spots

A CO hotspot represents a condition wherein high concentrations of CO may be produced by motor vehicles accessing a congested traffic intersection under heavy traffic volume conditions. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when idling at intersections. Accordingly, vehicle emissions standards have become increasingly more stringent to help remedy this impact. The CO Hot Spot Analysis from the 1992 CO Hot Spot studies of numerous intersections found that no CO Hot Spots would occur even with intersection traffic of 100,000 vehicles per day. Intersections in the immediate project area are significantly below these levels.

The proposed project was estimated to generate approximately 130 daily weekday vehicle trips (approximately 110 passenger vehicle trips and approximately 20 truck trips). These trips would disperse from the site and would have a nominal effect on the adjacent intersections. Reasonably, the proposed project would generate minimal traffic that would not be capable of causing or measurably contributing to the formation of CO hotspots at any nearby location.

Result in Other Emissions, Such as Odors

The proposed project would not be a source of other emissions, such as those leading to odors, during operations. During construction, a limited number of diesel engines would be operating on the project site for limited durations. Diesel exhaust and organic compounds (VOCs) from these diesel engines would be emitted during construction of the proposed project, which are objectionable to

[17] California Air Resources Board (ARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April.

some; however, emissions would disperse rapidly from the project site, and diesel exhaust odors would be consistent with existing vehicle odors in the area. Operations of the proposed project could lead to odors from associated vehicle exhaust. However, such odors generated by project operation would be small in quantity and duration and would not pose an objectionable odor impact to nearby receptors. Furthermore, the proposed project would also be required to comply with SCAQMD Rule 402, which prohibits emissions of nuisance air contaminants or odorous compounds.

Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people from construction or operations.

Summary

As discussed in the above analysis, no significant effects from project-related air quality emissions would occur with implementation of the proposed project.

Noise

Characteristics of Noise

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing. Most of the sounds that we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Noise is typically generated by transportation, specific land uses, and ongoing human activity.

The standard unit of measurement of the loudness of sound Is the dB. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. A change of 3 dB is the lowest change that can be "perceptible" to the human ear in outdoor environments. While a change of 5 A-weighted decibel (dBA) is considered the minimum "readily perceptible" change to the human ear in outdoor environments.

Since the human ear is not equally sensitive to sound at all frequencies, the dBA scale was derived to relate noise to the sensitivity of humans, it gives greater weight to the frequencies of sound to which the human ear is most sensitive. In addition, the equivalent continuous sound level (L_{eq}) is the average sound energy of time-varying noise over a sample period and the L_{max} is the maximum instantaneous noise level occurring over a sample period.

Regulatory Framework

The project site is located within the City of Fullerton. The City addresses noise in the noise policies contained in the Fullerton Built Environment section of The Fullerton Plan[18] and in the Municipal Code.[19]

[18] City of Fullerton. 2012. The Fullerton Plan. Website: https://www.cityoffullerton.com/government/departments/community-and-economic-development/planning-zoning/general-plan/the-fullerton-plan-current-version. Accessed December 16, 2024.

[19] City of Fullerton. 2024. City of Fullerton Municipal Code. Website: https://codelibrary.amlegal.com/codes/fullerton/latest/fullerton_ca/0-0-0-1. Accessed December 16, 2024.

General Plan and Noise Ordinance

The Fullerton Plan contains applicable goals and policies relevant to noise and vibration. These policies are designed to help maintain reasonable noise levels throughout the City but do not provide specific thresholds for project analysis. They provide a framework to guide development projects in conducting environmental noise analyses and implementing appropriate measures to avoid conflicts with urban design goals and standards.

The Municipal Code includes applicable noise ordinances in Chapter 15.90: Noise Standards and Regulation, which limits noise generated on residential, commercial, and industrial properties. For receiving residential properties, the noise limit is 55 dBA during the day and 50 dBA at night.

Section 15.90.050 specifies that noise sources associated with construction, repair, remodeling, or grading of any real property are exempt from noise level standards, provided these 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. Outside of these hours, construction noise is subject to the residential and commercial land use noise performance standards summarized above.

Substantial Temporary or Permanent Noise Increase

Construction Noise Impacts

A significant impact would occur if construction activities at the project site produce a substantial temporary increase in ambient noise levels in excess of any of the noise performance thresholds established in the City's noise ordinances.

Section 15.90.050 specifies that noise sources associated with construction, repair, remodeling, or grading of any real property are exempt from noise level standards, provided these 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. Outside of these hours, construction noise is subject to the residential and commercial land use noise performance standards summarized above.

While the City of Fullerton does not establish specific noise level thresholds for construction activities, this analysis uses the noise limits established by the Federal Transit Administration (FTA) to identify the potential for impacts due to substantial temporary construction noise. According to the FTA's Transit Noise and Vibration Impact Assessment Manual, during daytime hours, an exterior threshold of 80 dBA Leq shall be enforced at residential land uses, 85 dBA L_{eq} at commercial land uses, and 90 dBA L_{eq} at industrial land uses.

Construction Equipment Operational Noise

Construction is completed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery and compacting equipment, such as bulldozers, draglines, backhoes, front loaders, roller compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings.

Construction of the project is expected to require the use of graders, bulldozers, front-end loaders, backhoes, haul trucks, and pickup trucks.

For the purposes of this analysis, the fire station is conservatively considered a residential receptor due to the presence of sleeping quarters. This closest residential sensitive receptor would be located over 95 feet from the nearest construction footprint where the heaviest construction equipment would be operating. At this distance and with the lack of shielding along the residential property line, reasonable worst-case hourly average noise levels from the loudest phase of construction would attenuate to 77 dBA L_{eq}.

The closest industrial land use is a warehouse to the east of the project site. It would be located over 95 feet from the nearest construction footprint where the heaviest construction equipment would be operating. At this distance and with the lack of shielding along the residential property line, reasonable worst-case hourly average noise levels from the loudest phase of construction would attenuate to 85 dBA L_{eq}. The noise calculation sheets are provided in Appendix D.

These reasonable worst-case construction noise levels would not exceed the FTA's daytime, exterior threshold of 80 dBA L_{eq} as measured at the nearest residential land use, nor will it exceed 90 dBA L_{eq} as measured at the nearest industrial land use. Therefore, construction would not generate a substantial temporary increase in ambient noise levels in the project vicinity in excess of established standards, and the impacts to nearby residential type and industrial receptors would be less than significant.

Traffic Noise

A significant impact would occur if project-related traffic noise levels generated would result in a substantial permanent increase in ambient noise levels. The City has not defined what a substantial increase would be for traffic noise impacts. However, as noted in the characteristics of noise discussion, audible increases in noise levels generally refer to a change of 3 dBA or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. A change of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, for purposes of this analysis, an increase of greater than 3 dBA above existing traffic noise levels in the project vicinity would be considered a substantial permanent increase in ambient noise levels.

Typically, a doubling of the average daily traffic (ADT) hourly volumes on a roadway segment is required in order to result in an increase of 3 dBA in traffic noise levels, which, as discussed in the characteristics of noise discussion above, is the lowest change that can be perceptible to the human

ear in outdoor environments. Therefore, for the purposes of this analysis, a doubling of the existing ADT volumes would result in a substantial permanent increase in traffic noise levels.

According to the Transportation Assessment Policies and Procedures (TAPP) Worksheet completed by the City of Fullerton, dated October 21, 2024 (Appendix D), the proposed project is expected to generate an additional 15 trips in the AM peak-hour and 15 trips in the PM peak-hour. Consequently, this low number of new trips associated with the proposed project would not result in a doubling of hourly or daily traffic volumes on road segments in the vicinity of the project site and would result in a less than audible increase in traffic noise levels on roadway segments in the project vicinity compared to existing conditions.

Therefore, noise levels from project-related traffic would not generate a substantial permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Stationary Source Noise

A significant impact would occur if operational noise levels generated by stationary noise sources at the proposed project site result in a substantial permanent increase in ambient noise levels in excess of any of the noise performance thresholds established in the Municipal Code. As noted in the regulatory framework discussion above, the Municipal Code includes applicable noise ordinances in Chapter 15.90: Noise Standards and Regulation, which limits noise generated on residential, commercial, and industrial properties. For residential properties, the noise limit is generally 55 dBA during the day and 50 dBA at night. While the City does not define the noise metric for this dBA threshold, for purposes of this analysis, and based on the qualifying language that the noise ordinance includes, it is assumed that the applicable noise metric is the equivalent continuous sound level (L_{eq}).

As noted in the characteristics of noise discussion, audible increases in noise levels generally refer to a change of 3 dBA or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. A change of 5 dBA is considered the minimum readily perceptible change to the human ear in outdoor environments. Therefore, for purposes of this analysis, an increase of greater than 3 dBA above the established noise performance thresholds would be considered a substantial permanent increase in ambient noise levels.

The proposed project would generate noise from truck delivery, loading and unloading activities at industrial loading areas, mechanical equipment, and a new on-site parking lot. Potential impacts from these noise sources are discussed below.

Truck Loading Activities

Noise would also be generated by truck loading and unloading activities at the loading docks along the eastern side of the proposed building. Typical noise levels from truck loading and unloading activity range from 70 dBA to 80 dBA Lmax as measured at 50 feet. These maximum noise level range includes noise from associated truck loading/unloading activity, including trucks maneuvering, truck trailer loading, truck trailer unloading, backup alarms or beepers, and truck docking noise.

The nearest noise-sensitive receptor is a fire station located just north of the project site on Rosslyn Avenue, approximately 350 feet from the nearest proposed loading dock. The loading docks are situated on the opposite side of the proposed building, providing additional noise shielding. Because of distance attenuation and building shielding, reasonable worst-case maximum noise levels from truck loading and unloading activities would attenuate to 40 dBA Leq at the nearest fire station. Detailed modeling assumptions are included in the calculation spreadsheet in Appendix D.

These reasonable worst-case truck loading noise levels would not exceed the City's threshold of 55 dBA Leq during the day and 50 dBA Leq at night.

Therefore, noise levels from truck loading and unloading activities would not generate a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Mechanical Equipment Operations

At the time of preparation of this analysis, details were not available pertaining to the proposed rooftop mechanical ventilation systems for the project; therefore, a reference noise level for typical rooftop mechanical ventilation systems was used. Noise levels from commercially available rooftop mechanical ventilation equipment range from 65 dBA to 78 dBA L_{eq} at a distance of 3 feet.

The nearest noise-sensitive receptor to proposed rooftop mechanical ventilation equipment is a fire station located just north of the project site on Rosslyn Avenue. The nearest rooftop mechanical ventilation equipment could be located approximately 160 feet from this closest sensitive receptor. At this distance and assuming minimal shielding from the rooftop parapet, noise generated by typical rooftop mechanical ventilation equipment would attenuate to below 26 dBA L_{eq}, as measured at the nearest fire station façade. The calculation spreadsheet with the detailed modeling assumptions is included in Appendix D. These reasonable worst-case mechanical ventilation noise levels would not exceed the City's daytime threshold of 55 dBA L_{eq} during the day and 50 dBA L_{eq} at night.

Therefore, noise levels from mechanical ventilation equipment operations would not generate a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Parking Lot Activities

Typical parking lot activities include people conversing, doors shutting, and vehicles idling which generate noise levels ranging from approximately 60 dBA to 70 dBA L_{max} at 50 feet. These activities are expected to occur sporadically throughout the day, as visitors and staff arrive and leave parking lot areas at the project site.

The nearest noise-sensitive receptor is a fire station located just north of the project site on Rosslyn Ave. Proposed parking areas could be located approximately 130 feet from this closest sensitive receptor. At this distance, noise generated by typical parking lot activity would attenuate to 40 dBA

L_{eq}. The calculation spreadsheet with the detailed modeling assumptions is included in Appendix D. These reasonable worst-case parking lot activity noise levels would not exceed the City's daytime threshold of 55 dBA L_{eq} during the day and 50 dBA L_{eq} at night.

Therefore, noise levels from parking lot activity would not generate a substantial permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Groundborne Vibration Impacts

This section analyzes both construction and operational groundborne vibration and noise impacts. Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. Vibrating objects in contact with the ground radiate vibration waves through various soil and rock strata to the foundations of nearby buildings. Groundborne noise is generated when vibrating building components radiate sound, or noise generated by groundborne vibration. In general, if groundborne vibration levels do not exceed levels considered to be perceptible, then groundborne noise levels would not be perceptible in most interior environments. Therefore, this analysis focuses on determining exceedances of groundborne vibration levels.

A significant impact would occur if the project would generate groundborne vibration or groundborne noise levels in excess of established standards. The City has not adopted criteria for groundborne vibration impacts. Therefore, for purposes of this analysis, the FTA vibration impact criteria are utilized. The FTA has established industry accepted standards for vibration impact criteria and impact assessment. These guidelines are published in its Transit Noise and Vibration Impact Assessment Manual.[20]

Construction Vibration

A significant impact would occur if existing structures at the project site or in the project vicinity would be exposed to groundborne vibration levels in excess of levels established by the FTA's Construction Vibration Impact Criteria.

Of the variety of equipment used during construction, the small vibratory rollers that could be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. Small vibratory rollers produce groundborne vibration levels ranging up to 0.101 inch per second (in/sec) peak particle velocity (PPV) at 25 feet from the operating equipment.

The nearest off-site structures to the project construction footprint where the heaviest construction equipment would operate is an industrial warehouse land use located just east of the project site on Kimberley Ave. The façade of these structures would be located approximately 43 feet from the nearest point on the project site where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would attenuate to 0.04 PPV from operation of the types of equipment that would produce the highest vibration levels. This is well below the FTA's

[20] Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. September.

Construction Vibration Impact Criteria of 0.5 PPV for these types of industrial warehouses, structures of reinforced-concrete, steel or timber (no plaster). Therefore, the proposed project would not generate groundborne vibration or groundborne noise levels in excess of established standards and impacts of groundborne vibration from construction activity would be less than significant.

Operational Vibration

The proposed project would not contain any significant sources of groundborne vibration, such as heavy equipment operations. The proposed project's related vehicle travel would not be considered a significant source of groundborne vibration because vehicle travel on paved roadway surfaces rarely generates perceptible, much less damaging, groundborne vibration. Therefore, the proposed project would not generate groundborne vibration or groundborne noise levels in excess of established standards and there would be no impact related to operational groundborne vibration.

Airport Noise Impacts

A significant impact would occur if the proposed project would expose people residing or working in the project area to excessive noise levels for a project located in the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

The nearest airports to the project site are the Fullerton Municipal Airport located approximately 4.4 miles west of the project site, and the John Wayne Airport located approximately 12.5 miles south of the project site. Because of the distance from and orientation of the airport runways, the project site is located well outside of the 65 dBA CNEL airport noise contours. While aircraft noise is occasionally audible on the project site from aircraft flyovers, aircraft noise associated with nearby airport activity would not expose people residing or working near the project site to excessive noise levels. Therefore, implementation of the proposed project would not expose persons residing or working in the project vicinity to noise levels from airport activity that would be in excess of normally acceptable standards for residential land use development, and there would be no project impact associated with airport noise.

Traffic

The following analyses are based on the TAPP Worksheet completed by the City of Fullerton on October 21, 2024 (Appendix D).

Consistency with Plans, Programs, and Ordinances

According to City of Fullerton traffic guidelines, if the net total does not exceed 40 new vehicle trips resulting from a project, then a Level of Service (LOS) analysis is not required. The TAPP Worksheet identified that the proposed project would result in 31 AM peak-hour trips and 34 PM peak-hour trips, with a peak-hour trip credit of 16 AM peak-hour trips and 19 PM peak-hour trips. The net peak trip generation for the proposed project would be 15 new AM peak-hour trips and 15 new PM peak-hour trips, which would be below the City's 40-trip threshold. Therefore, the proposed project is not expected to have an effect on transportation and an LOS analysis is not required.

There are no existing pedestrian facilities (sidewalks, shared use paths, crosswalks) in the project area. The proposed project would support City programs, plans, and ordinances related to pedestrian facilities through the provision of a new sidewalk along the length of the site on South Acacia Avenue. In addition, there is an existing Class II On-Road Striped bicycle lane along South Acacia Avenue that extends to north to East Chapman Avenue, which would remain in place during project construction and operation.[21]

Thus, approval of the proposed project would not result in any significant effects relating to the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and the proposed project meets the criteria of CEQA Guidelines Section 15332(d) with respect to traffic.

Consistency with 15064.3 (VMT)

Section 15064.3 of the State CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of Vehicles Miles Traveled (VMT) attributable to a project is the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in Section 15064.3(b)(2) regarding roadway capacity, a project's effect on automobile delay does not constitute a significant environmental impact under CEQA.

The City of Fullerton completed its TAPP Worksheet for the proposed project, which evaluates the project's impacts to VMT. As noted on the TAPP Worksheet, although the proposed project is located in a Transit Priority Area (TPA), it would have a FAR of less than 0.75, and so could not be screened out from VMT analysis.

The TAPP Worksheet identified that the proposed project would result in a VMT per service population of 20.9, which is 29.4 percent less than the VMT anticipated at The Fullerton Plan Buildout. Therefore, the proposed project would result in a reduction in future VMT for the City. Based on the TAPP Worksheet results, it was determined that no further VMT study was required. As such, the proposed project would have a less than significant impact with respect to VMT.

Hazardous Design Features

The proposed project would include the construction of a warehouse on an existing developed industrial site that has two driveways along South Acacia Avenue. The proposed project would include one 30-foot-wide driveway along South Acacia Avenue and one 40-foot-wide driveway along East Rosslynn Avenue. As such, the proposed project would not increase hazards due to a geometric design feature or incompatible uses.

Emergency Access

California Fire Code Appendix D 105.2 states that aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders in immediate vicinity of the building.

[21] Orange County Transportation Authority (OCTA). 2024. Bikeways Planning. https://www.octa.net/getting-around/active/oc-bike/bikeways-planning/overview/. Accessed December 16, 2024.

Access to the proposed project would be provided via one 30-foot-wide driveway along South Acacia Avenue and one 40-foot-wide driveway along East Rosslynn Avenue. In addition, the proposed project would include a 26-foot-wide fire access lane on either side of the warehouse to allow site access for emergency vehicles. Furthermore, proposed access and site design has been reviewed by Fullerton Fire Department for approval. Therefore, the proposed project would not result in inadequate emergency access.

Water Quality

A Drainage Study and Water Quality Management Plan (WQMP) were prepared for the proposed project by Omega Engineering Consultants (Appendix E) to assess the current site conditions and proposed project impacts related to hydrology.

Existing Conditions

As noted in the Drainage Study, the existing site is fully developed with asphalt and concrete hardscape and is 98 percent impervious. The northeasterly portion of the site drains north to a gutter along East Rosslynn Avenue, then westward to a gutter along South Acacia Avenue and into a curb inlet on the southwest corner of the site on South Acacia Avenue, where it drains to the public drainage channel (Discharge Point No. 1). The easternly edge of the site drains westward by sheet flow to the gutter along South Acacia Avenue and then to the curb inlet and drainage channel. The southernly half of the site drains via surface flow in a southwesterly direction directly to the drainage channel.

Proposed Conditions

The proposed project would result in the demolition of the existing building and the construction of an industrial building, industrial yard, drive aisles, parking lots, landscaping, and a private storm drain system. The site would drain via gutter and surface flow to two proposed Modular Wetland System (MWS) Best Management Practices (BMPs) at the southern corners of the site that would discharge treated flow via pipes to a connection point with the City of Fullerton owned drainage channel south of the site. These BMPs would allow runoff that exceeds treatment capacity to flow directly to the discharge point with the City drainage channel via an internal bypass. The point in the City channel where flows from both BMPs meet is Discharge Point No. 1 (Exhibit 6).

The Drainage Study identified that the proposed project would result in a decrease of 0.10 cubic feet per second (cfs) during the peak of the 100-year storm because of a decrease in impervious surfaces from 98 percent to 85 percent. Furthermore, the proposed project would not exceed the capacity of the existing or planned drainage system, and development of the site would not create a risk of operation on- or off-site due to the decrease in calculated peak flows of the proposed project. Finally, the Drainage Study concludes that the project would not cause adverse effects to downstream facilities or receiving waters.

The proposed project would be required to adhere to federal, State, and local water quality standards, such as the City's Stormwater Management and Discharge Control Ordinance, Alameda Countywide Clean Water Program, and preparation and compliance with a Storm Water Pollution Prevention Plan

(SWPPP) under the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Furthermore, the proposed project would include low water use landscaping, which would ensure that State water conservation, runoff control, and erosion control measures are met.

Therefore, approval of the proposed project would not result in any significant effects relating to water quality, and the proposed project would meet the criteria of CEQA Guidelines Section 15332(d) with respect to water quality.

e) Public Services and Utilities

The project is situated in an urban area already served by all necessary municipal utilities (i.e., water, wastewater, stormwater, solid waste) and public services (i.e., fire, police, schools). The proposed project would connect to existing water mains and sewer laterals within East Rosslynn Avenue, Kimberly Avenue, and South Acacia Avenue. Pacific Gas and Electric Company (PG&E) would provide electricity. As noted in the Sewer Memorandum prepared for the proposed project by Omega Engineering Consultants on October 11, 2024 (Appendix F), the proposed project is estimated to result in 10-20 employees and would therefore result in a net decrease in total flow contribution to the public sewer system compared to the previous uses on-site.

According to the California Department of Finance, the City's current population is approximately 140,311 persons, with an average of 2.79 persons per household as of January 1, 2024.[22] As such, there is the potential for an increase of up to 56 new residents resulting from the proposed project.[23] This represents a negligible impact on utility and public service capacity. Furthermore, the proposed project would be required to adhere to all goals and policies outlined in The Fullerton Plan, including Policies 13.2 and 13.7, which ensure provision of adequate resources for the response of health, fire, and police emergencies, and implementation of programs and regulations to improve the efficiency of fire and police services. Therefore, approval of the proposed project would not result in any significant effects relating to public services and utilities, and the proposed project meets the criteria of CEQA Guidelines Section 15332(e).

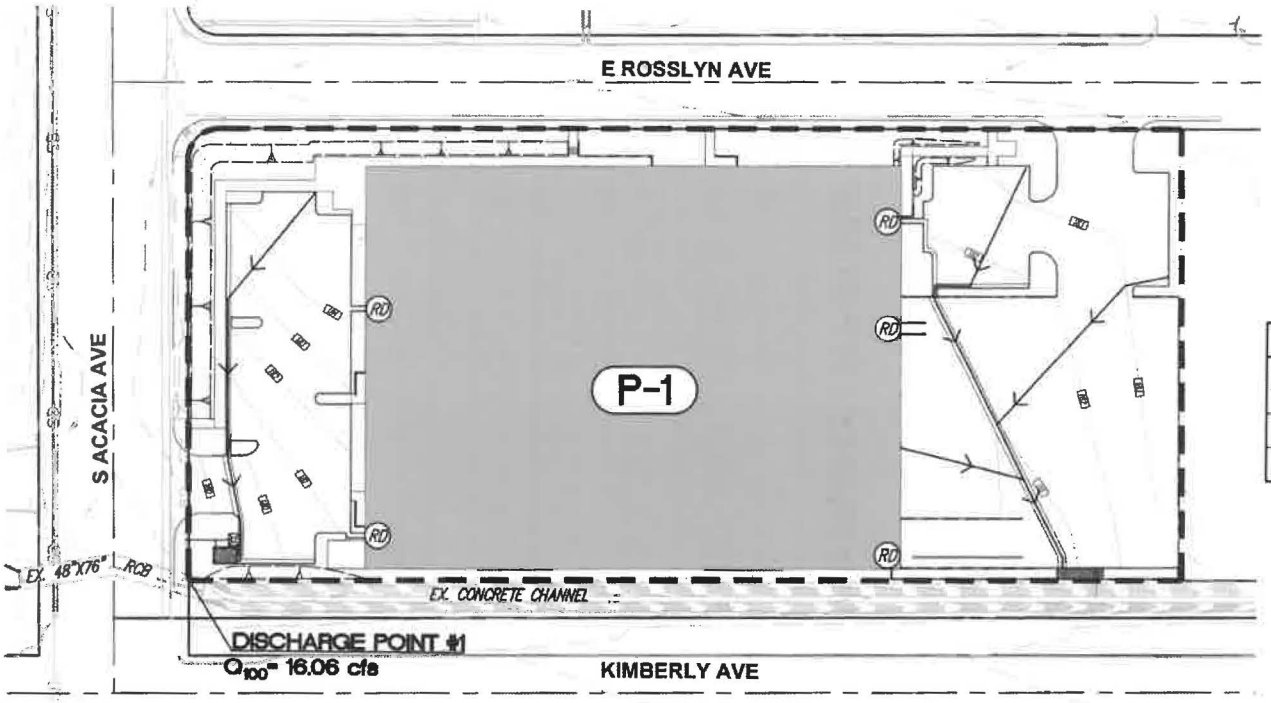
2.3.1 - Conclusion

Based on the preceding analysis, the proposed project is consistent with Class 32 Exemption conditions (a) through (e).

[22] State of California Department of Finance (CDF). 2024. Estimates E-1. Website: https://dof.ca.gov/forecasting/demographics/estimates-e1/. Accessed December 16, 2024.

[23] 2.79 persons per household x 20 employees = 55.8 persons

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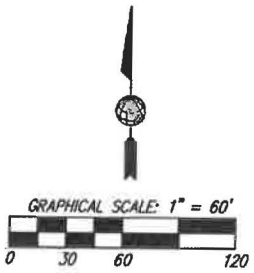


LEGEND

BASIN NUMBER	P-#
AREA LIMITS	
DRAINAGE FLOW PATH	
BUILDING AREA	
PERVIOUS AREA	
PAVEMENT AREA	
ROOF DRAIN LOCATION	RD

DRAINAGE BASIN DATA

BASIN #	AREA (AC)	IMPERVIOUS %	Fm (IN/HR)	I 100 (CFS)	Q 100 (CFS)
P-1	2.90	85%	0.04	6.19	16.06
-	-	-	-	-	-



Source: Omega, 2024.

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An ADEC Innovation

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Exhibit 6
Proposed Hydrology

CITY OF FULLERTON
BURKE ROSSLYNN INDUSTRIAL PROJECT
INFILL EXEMPTION ANALYSIS

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3 - ANALYSIS OF POTENTIAL EXCEPTIONS TO A CATEGORICAL EXEMPTION

CEQA Guidelines Section 15300.2 lists exceptions to qualifying for a categorical exemption. [24] Importantly, as explained above, these exceptions do not preclude a finding that a project is otherwise exempt. Under the reasoning in *Surfrider Found. V. California Coastal Comm'n* (1994) 26 CA4th 151, an agency may combine several exemptions to find an entire project exempt.

The exceptions to categorical exemptions are as follows:

a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies. This exception is not applicable to Class 32 exemptions.

b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type, in the same place, and over time is significant.

c) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

d) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.

e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource.

[24] These exceptions are specific to categorical exemptions and do not apply to a project's applicability under CEQA Guidelines Section 15061(b)(3). Nonetheless, the discussion regarding the categorical exceptions further demonstrates that the proposed project would not result in any significant adverse environmental impacts consistent with application of a Section 15061(b)(3) exemption.

The following evaluates the proposed project for exceptions (a) through (f) and is supported by substantial evidence in the record.

a) Location

The proposed project is not relying on an exemption under Classes 3, 4, 5, 6, or 11. Therefore, the exception under CEQA Guidelines Section 15300.2(a) does not apply to the proposed project.

b) Cumulative Impact

The geographic scope of potential cumulative environmental effects associated with the proposed project (and other similar projects) is limited to the project site, its surrounding area, or a broader area depending on the topic. CEQA Guidelines Section 15300.2 (b) asks whether the cumulative impact of successive projects of the same type, in the same place, and over time would be significant.

The proposed project is surrounded by industrial uses and is consistent with the development envisioned in The Fullerton Plan. The proposed project is industrial in nature and consists of the construction and operation of a warehouse facility. The proposed project would be consistent with the FAR established by The Fullerton Plan, would comply with existing regulations and City policies, and would not have any project-specific significant impacts. Therefore, its contribution, if any, to cumulative impacts would not be cumulatively considerable. Furthermore, as shown in the analysis above for Class 32 conditions (a) through (e), the proposed project would not result in any adverse impacts and, therefore, would not have the potential to significantly contribute to cumulative impacts related to those environmental issues. Accordingly, the exception under CEQA Guidelines 15300.2(b) does not apply to the proposed project.

c) Significant Effect

As discussed above, the proposed project is consistent with land uses anticipated in The Fullerton Plan and previously evaluated in The Fullerton Plan EIR. A Phase I Environmental Site Assessment (Phase I ESA) was prepared by Murex Environmental, Inc. (Murex) on August 11, 2022, and a Supplemental Site Investigation (SSI) Report was prepared by Murex on August 1, 2023 (subsequently revised on October 2, 2023, December 5, 2023, and January 26, 2024) for the project site (Appendix G).

As detailed below, all potential contamination either has been appropriately addressed to the satisfaction of the oversight agency or is in the process of being addressed and would not pose a significant effect to the proposed use and its future tenants.

Final Initial Study Considering the Feasibility Study and Remedial Action Plan

In 2015, the Department of Toxic Substances Control (DTSC) completed an Initial Study to evaluate a Remedial Action Plan for the project site. It found that impacts related to hazards would not create a

significant hazard to the public or the environment. DTSC concluded that impacts related to hazards were less than significant or no impact.[25]

Phase I ESA

At the time the Phase I ESA was prepared, the project site was occupied of two main structures. 1702 East Rosslynn Avenue is currently occupied by Rayne Water Conditioning, 1706 East Rosslynn Avenue is currently occupied by A&I Powder Coating, and 1726 East Rosslynn Avenue/1726 East Kimberly Avenue was formerly occupied by PCA Metal Finishing but is now vacant, with all equipment and machinery from the former metal finishing business removed. The Phase I ESA identified several Recognized Environmental Conditions (RECs), which are characterized as a past release of any hazardous substance or petroleum product on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the subject property or into the ground, ground water, or surface water of the subject property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The 1702-1710 East Rosslynn Avenue building is a large single-story brick structure. Current businesses include Rayne Water Conditioning and A&I Powder Coating. Orange County Metal Processing (OCMP) and Orange County Painting Company (OCPC) have not been in operation since 2011. The facilities between Rayne Water Conditioning and A&I Powder Coating are immediately adjacent and share a common wall within the overall structure. Ther Phase I ESA determined there is an absence of environmental investigations for the Rayne Water Conditioning facility despite adjacency and downgradient to cross-gradient location to impacted facilities and RECs of those facilities. In addition, the storage and use of hazardous materials were observed at this property.

The 1712-1726 East Rosslynn Avenue building is a large single-story brick structure. This building has a loading bay on the southwest side of the structure. A number of containment concrete barriers previously used for aboveground storage tank containment ae also located in the southwestern end of the building. This building addressed as 1726 East Rosslynn Avenue formerly housed PCA Metal Finishing, Inc. PCA Metal Finishing, Inc., was a former wheel manufacturing and metal finishing and electroplating company with a history of documented use and storage of chemicals including PCE and TECE. PCA performed services such as cleaning and mechanical finishing of metal parts, electroplating including copper cyanide plating and paint stripping. PCA is documented as conducting on-site treatment of wastewater were treated wastewater was discharged into a sanitary sewer. Additionally, there are two confirmed underground storage tanks (USTs), one 600-gallon waste tank installed in 1959 near the former paint stripping area which was abandoned in place according to the October 1990 Soil Investigation Report published by Excel Environmental and General Engineering. Several aboveground storage tanks (ASTs) which contained chemicals such as sodium bisulfate, sodium hydroxide, phosphate tribromide, phosphate dibromide and AST acid wastes were located on

[25] Department of Toxic Substances Control (DTSC). 2015. Initial Study for Orange County Metal Processing, Inc. and Former PCA Metal Finishing Facility, Feasibility Study (FS)/Remedial Action Plan (RAP). Website: https://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=71002360&enforcement_id=60334125. Accessed December 26, 2024.

the PCA property. Additionally, a sump in the polishing area was identified during site reconnaissance. PCA was listed as a large quantity hazardous waste generator.

Additionally, the Phase I ESA identified RECs associated with OCMP and OCPC. OCMP was a former metal finishing and electroplating company which performed services such as degreasing of metal parts, electroplating application of cadmium and zinc and aluminum anodizing. Additionally, OCMP conducted an on-site treatment of wastewater and discharged treated wastewater to a sanitary sewer and stored metal sludge waste on-site. There is one confirmed UST of 100 gallons, which was installed in 1958, the chemical use of which is unknown. The facility was also equipped with multiple spray booths and is listed as a large quantity hazardous waste generator. OCPC was a former metal paint and finishing company that performed similar electroplating and anodizing services to OCMP and was also listed as a large quantity hazardous waste generator.

Site investigations at the OCMP and PCA buildings were conducted between 1990 and 2021, which identified soil impacted with elevated concentrations of VOCs such as tetrachloroethylene (PCE) and trichloroethylene (TCE) and metals such as barium and chromium VI (hexavalent chromium).

Based on these findings, the Phase I ESA recommended that thorough subsurface investigation to evaluate impacts to soil, soil vapor, and groundwater beneath the project site in connection with the RECs described before. A Supplemental Site Investigation report was completed by Murex Environmental, Inc., on August 1, 2023, and revised on January 26, 2024 (Appendix G).

Supplemental Site Investigation Report

The SSI Report identified 16 areas of concern (AOCs) for the project site. As part of the SSI, Murex oversaw the advancement of 36 shallow and deep soil borings, one monitoring well, five multi-nested soil vapor probes, five dual-nested soil vapor extraction (SVE) wells and collected soil samples for laboratory analysis in each of the AOCs to further characterize the residual impacts in the shallow and deep vadose zone. AOCs 1, 5, and 6 contain residual hex chrome and, metals impacts including chrome, copper, metal, and zinc. Therefore, Murex advanced eight soil borings in these three AOCs to characterize residual metals, including hex chrome.[26] The residual hex chrome impacts are in the vicinity of soil boring sample AOC1-1, north of the previous excavation area. AOC 2 contains residual hex chrome impacts in the soil adjacent to the south of the previous excavation area. AOCs 3, 8, 9, 13, and 14 exhibit elevated detections of TCE in deep vadose zone soil, however, the shallower VOC impacts are low or non-detect. AOCs 4, 7, 10, and 11 have limited detection of VOCs in soil and detected metals were similar to background concentrations; both VOCs and metals are well below their respective screening levels. Since the soil results indicate low residential VOCs and typical background metals concentrations, this data gap has been addressed by the additional characterization, and no further sampling would be necessary in AOCs 4, 7, 10, and 11. AOC 12 had historical metals and VOC concentrations in soil that are below the California Department of Toxic Substances Control Screening Level (DTSC-SL) and Regional Screening Levels (RSLs), and the

[26] Soil borings within specific AOCs are denoted with a dash after the number indicating which AOC they are associated with (i.e., AOC 1-1, 1-2, etc.).

impacts are delineated. Therefore, no additional characterization work was conducted within this area, and no further sampling is necessary in this area. Neither cadmium nor hex chrome were detected in AOC 15 soil, and detections of the remaining meals were like background concentrations. Since the soil results indicate low residual metals and typical background metals concentrations this gap has been addressed and no further sampling is necessary for AOC 15. AOC 16 has residual hex chrome impacts adjacent to the northwestern side of the previous excavation area.

As noted in the SSI, the proposed project would be required to adhere to remedial action objectives as specified in the AMEC Foster Wheeler's 2015 Remedial Action Plan (RAP). The purpose of the RAP is to evaluate technical alternatives and present recommendations for remediation of VOC- and metal-impacted soils beneath the project site and for groundwater beneath the project site. The procedures and protocols outlined in the RAP are designed to facilitate compliance with applicable federal, State, and local laws and regulations regarding hazardous and industrial waste management. The RAP identified five alternatives that would address remedial action objectives (RAOs). Notes indicating what had been completed at the time of the SSI are included below:

- Augment the existing soil vapor extraction well network and install a full-scale system. During the SSI investigation, Murex installed five additional dual-nested SVE wells and expanded the well network for the full-scale SVE system, as described above.
- Conduct a groundwater monitoring program that will support the demonstration of monitored natural attenuation (MNA) of COCs (GSI, 2022). Murex conducted the first two groundwater monitoring events in May and December 2023, since the last event in December 2020, and will continue for at least six more events on a semiannual basis. The groundwater monitoring events will take place in the second and fourth quarters of each year, and the groundwater monitoring reports will be submitted by July 30 and January 30, respectively.
- Murex conducted the second round of soil vapor sampling in December 2023, and the findings are consistent with the first round.
- A warehouse commercial building is proposed for site redevelopment. Murex recommended vapor intrusion mitigation (VIM) measures to protect future building occupants from potential vapor intrusion, given the likelihood that residual detections of VOCs will remain in soil vapor after VOC remediation is complete. After the building has been constructed, Murex would conduct an indoor air quality investigation to evaluate the potential for vapor intrusion.

DTSC provided a letter of conditional approval of the SSI on March 14, 2024, requesting the preparation of a Human Health Risk Assessment (HHRA).

Human Health Risk Assessment

A HHRA was prepared for PCA Metal Finishing and OCMP on August 20, 2024 at the request of DTSC (Appendix G), to address future exposure to commercial workers and construction workers consistent with the allowed uses of the site and consistent with the proposed redevelopment plan. The HHRA was submitted to DTSC and incorporates various comments from DTSC during the review process of the document. The project applicant entered into a Prospective Purchaser Agreement

(PPA), which prescribes certain tasks related to the site's environmental restoration under the direction of DTSC. After completing the SSI, the HHRA is the next step in the PPA process, which is considered complete with DTSC's acceptance of the HHRA.

The HHRA noted the past remediation activities including soil excavation and SVE to address heavy metals and chlorinated VOCs. Concentrations have been significantly reduced compared to pre-remediation maximums. According to the RAP and PPA Agreement, additional remediation is to be conducted, which would include expanded/additional SVE using existing and new extraction wells and a new, more robust SVE system. Therefore, the HHRA represents analysis do data at a mid-point between cleanup activities, and concentrations of VOCs are expected to be further reduced.

The history of the site was summarized, as well as the findings and actions completed as part of the SSI. The HHRA noted that while the SVE system may accomplish remedial completion sufficient for the site's intended future use, redevelopment gives the owner the opportunity to add protective features out of an abundance of caution. Murex proposes to equip the new building with vapor intrusion mitigation infrastructure, since it would be onerous to add such protection later if it is deemed to be warranted. After the building has been constructed, Murex will conduct an indoor air quality investigation to evaluate the potential for vapor intrusion.

The HHRA evaluated the remedial action objectives included in the 2015 RAP to address whether they are still appropriate for the site and the proposed redevelopment.

The design of the proposed project would adhere to the requirements of the RAP and HHRA, including the implementation of vapor intrusion mitigation infrastructure through the installation of a full slab vapor barrier and an active sub-slab vapor extraction system. Furthermore, groundwater monitoring would continue in the second and fourth quarters of each year, with groundwater monitoring reports will be submitted by July 30 and January 30, respectively. According to the DTSC Envirostor listing for PCA Metal Finishing, all RAOs have been achieved. Remedial Action treatment structure/features will be abandoned and/or removed. All above-ground piping will be removed. Below-ground piping will be abandoned in place. All wells and monitoring points will be destroyed by over-drilling. Well boxes will be removed, and surface will be repaired to match existing surface materials and grade.[27]

There are no known unusual circumstances related to site conditions or the type of project proposed, and the project site does not contain any unique or unusual features. As discussed, implementation of the proposed project and its features would not result in unusual circumstances that could result in significant environmental effects.

[27] Department of Toxic Substances Control (DTSC). 2024. EnviroStor. PCA Metal Finishing, Inc. (71002360). Website: https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=71002360. Accessed December 24, 2024.

d) Scenic Highways

There are no eligible or officially designated State Scenic Highways within the City.[28] Therefore, the project site is not visible from a State Scenic Highway. However, the City of Fullerton has established scenic corridors in the northern portion of the City above Dorothy Lane.[29] The proposed project is located south of these scenic corridors in an industrial area. As such, the proposed project would not damage scenic resources within a State Scenic Highway or the scenic views from the highway itself, and the exception under CEQA Guidelines Section 15300.2(d) does not apply to the proposed project.

e) Hazardous Waste Sites

The project site includes two parcels. APN 033-270-30 is located on an active Cortese list compiled pursuant to Section 65962.5 of the Government Code.[30] APN 033-270-19 is not located on an active Cortese list. As part of the PPA, the project applicant has been actively in coordination with DTSC for remediation efforts on-site. The project applicant would continue adhere to remediation requirements outlined in the RAP and HHRA for the proposed project to ensure that any remaining contamination on the site is remediated.

APN 033-270-19 is not on a Cortese List and, therefore, this exception to the exemption would not apply to this portion of the project. Additionally, despite a portion of the project site (APN 033-270-30) being on a Cortese List, this exemption does not foreclose use of a Class 32 exemption because CEQA allows lead agencies to combine exemptions to find an entire project exempt. As such, the portion of the proposed project that is not on a Cortese List can be processed pursuant to Class 32 and the remainder of the site would be exempt under CEQA Guidelines Section 15061(b)(3). Additionally, and alternatively, as discussed above, the proposed project is consistent with the zoning established by The Fullerton Plan and because there are no known unusual circumstances related to site conditions or the type of project proposed, and the project site does not contain any unique or unusual features, the proposed project would be exempt from additional CEQA review under Section 15083. Under the court's reasoning and holding in *Surfrider Found. V. California Coastal Comm'n*

[28] California Department of Transportation (Caltrans). California State Scenic Highway System Map. Website: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed December 16, 2024.

[29] City of Fullerton. 2012. The Fullerton Plan. Exhibit 10: Scenic Corridors. Website: https://www.cityoffullerton.com/home/showpublisheddocument/1033/637575629686070000. Accessed December 16, 2024.

[30] Department of Toxic Substances Control (DTSC). 2024. EnviroStor. Hazardous Waste and Substances Site List (Cortese). Website: https://www.envirostor.dtsc.ca.gov/public/search.asp?page=7&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2CFUDS&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocieerp=&hwmp=False&permitted=&pc_permitted=&inspections=&inspectionsother=&complaints=&censustract=&cesdecile=&school_district=&orderby=upper%28business%5Fname%29. Accessed December 24, 2024.

(1994) 26 CA4th 151, and applying similar reasoning, the application of the statutory exemption in 15083 can be considered with a Class 32 categorical exemption to find an entire project exempt.

f) Historical/Cultural Resources

For purposes of Criterion 15300.2(f), historical resources include both built environment and archaeological/cultural resources. remains.

The Fullerton Plan concluded that implementation of The Fullerton Plan goals, overarching policies, and policies which includes Goal 4, Goal 11, Overarching Policies OAP1 to OAP4, Policies P4.1 to P4.9, and Policy P11.1. would avoid or reduce impacts to historical resources. In adopting The Fullerton Plan, the City determined that impacts related to historic and cultural resources would be less than significant with implementation of The Fullerton Plan policies.

Goal 4	Value and preserve historic resources.
Overarching Policy 1	Comply with State and Federal laws and regulations while maintaining local control in decision-making.
Overarching Policy 2	Pursue Federal, State and local funding options to support implementation of The Fullerton Plan.
Overarching Policy 3	Leverage the advantages and advances of technology.
Overarching Policy 4	Seek opportunities for increased efficiency and effectiveness.
Policy P4.1	**Regional Recognition of Historic Resources.** Support programs and policies to raise the regional and subregional awareness of Fullerton's historic resources.
Policy P4.2	**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.
Policy P4.3	**Historic Resources Maintenance and Enhancement**. Support projects, programs, policies and regulations to promote the maintenance, restoration and rehabilitation of historical resources.
Policy P4.4	**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.

Policy P4.5	**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.
Policy P4.6	**Focus Area Planning.** Support projects, programs, policies and regulations that contribute to the preservation of historic resources as part of community-based planning of applicable Focus Areas.
Policy P4.7	**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.
Policy P4.8	**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.
Policy P4.9	**Historic Building Retrofit** 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.
Goal 11	Revitalizing activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.
Policy P11.1	**Historic Preservation Promotion and Incentives.** Develop a local program to promote the State Historical Building Code, Historic Preservation Easements, Mills Act and Federal Historic Preservation Tax Incentives. Consider educational workshops in targeted neighborhoods and districts, training for City staff, and distribution of promotion materials to owners of historic and potentially historic properties.

A pedestrian survey and a Historic Built Environment Resources Assessment was prepared by South Environmental for the project site (Attachment H). The purpose of the assessment is to identify the presence or absence of potentially significant historical resources within the project site and, if such resources would be impacted by the proposed development, to provide recommendations for mitigation and/or further study or research. Record search results from the South Central Coastal Information Center (SCCIC) indicate that no pre-contact or historic resources have been recorded within the project site, however, one historic resource is recorded within the 0.5-mile search radius surrounding the site. Results of pedestrian survey determined that one built environment resource (1702 East Rosslyn Avenue) over 45 years old was identified within the project site. The building was recorded and evaluated for historical significance under the California Register of Historical Resources (CRHR) designation criteria and integrity requirements. The building was found ineligible

under all CRHR designation criteria due to a lack of significant historical association and architectural merit.

Based on the results of the records searches, pedestrian survey, and historic built environment resource assessment, the proposed project would not have an adverse effect on historical resources. The proposed project would be required to comply with State and federal laws in the event of an inadvertent discovery of Native American remains or archaeological artifacts. As such, the proposed project as planned would not have an adverse impact on a historical resource (historic or pre-contact resource), and the exception under CEQA Guidelines 15300.2(f) does not apply to the proposed project.

4 - CONCLUSION

Section 15061(b)(3), states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Accordingly, as discussed in the analysis above, it can be seen with certainty that the proposed project does not have any adverse environmental impacts and is therefore not subject to CEQA. The proposed project is wholly and independently exempt from further CEQA review under Section 15061(b)(3).

An agency may also rely on and cite several different exemptions to support a determination that CEQA review is not required for a particular activity. In that situation, if one exemption is found not to apply, the agency's actions may still be upheld on the basis of other exemptions. See *North Coast Rivers Alliance v Westlands Water Dist.* (2014) 227 CA4th 832 (upholding CEQA exemption determination on basis of some, but not all, cited exemptions).

Caselaw interpreting CEQA further specifies that an agency may combine several exemptions to find an entire project exempt. As evaluated in the analysis above, the proposed project is comprised of two parcels. APN 033-270-19 is not on a Cortese List and would be consistent with a Class 32 exemption and the remainder of the site would be exempt under Section 150619b)(3).Additionally, the analysis contained herein, demonstrates that the proposed project, is also, separately, exempt under Class 32 because the project is consistent with The Fullerton Plan's zoning and is, therefore, statutorily exempt from additional review, except as might be necessary to examine project specific or site-specific significant effects, under Section 15183. The analysis of the project's consistency with Class 32demonstrates that there are no significant adverse effects associated with the proposed project. The proposed project is consistent with The Fullerton Plan land use designation and zoning and is located on an incorporated project site of no more than 5 acres surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. With implementation of applicable Fullerton Plan policies, compliance with the Municipal Code and COAs detailed in this document, approval of the proposed project would not result in any significant effects relating to the environment, including traffic, noise, air quality, or water quality, and the project site can be adequately served by all required utilities and public services. Therefore, the proposed project is exempt under the combined criteria of CEQA Guidelines Section 15332, because it is consistent with The Fullerton Plan's zoning and it is an infill project with no significant adverse impacts consistent with the requirements of Class 32.

The proposed project would not rely on the location exceptions under CEQA Guidelines Section

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ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

202585000492
FILED
May 22, 2025
HUGH NGUYEN
CLERK - RECORDER
By _____
Deputy clerk

30-05/22/2025-0380

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

MINOR SITE PLAN - ZON-2024-0073

Check Document being Filed:

- [ ] Environmental Impact Report (EIR)
- [ ] Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- [x] Notice of Exemption (NOE)
- [ ] Other (Please fill in type):

FILED IN THE OFFICE OF THE ORANGE COUNTY CLERK-RECORDER ON 05/22/2025
Posted 05/22/2025 **Removed** _____
Returned to agency on _____
DEPUTY 428

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office.For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

HUGH NGUYEN
CLERK - RECORDER

BIRTH AND DEATH RECORDS
FICTITIOUS BUSINESS NAMES
MARRIAGE LICENSES/RECORDS
NOTARY REGISTRATION
ORANGE COUNTY ARCHIVES
PASSPORTS
PROPERTY RECORDS

COMMUNITY DEVELOPMENT
JUN 30 2025
DEPARTMENT

May 22, 2025

CITY OF FULLERTON
303 W. COMMONWEALTH AVE
FULLERTON, CA 92832

Office of the ORANGE COUNTY CLERK-RECORDER
Memorandum

SUBJECT: EIR NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 5/22/2025

It remained posted for 30 (thirty) days.

HUGH NGUYEN
CLERK - RECORDER
In and for the County of ORANGE

By: 428 - Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an environmental impact report shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted *** **within 24 hours of receipt** in the office of the County Clerk. Each notice shall remain posted for a period of 30 days. *** Thereafter, the clerk shall return the notice to the local **lead** agency *** within a notation of the period it was posted. The local **lead** agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***

Orange County
Clerk-Recorder
Hugh Nguyen
601 N. Ross Street
Santa Ana, CA 92701
(714) 834-2500

Fullerton, City of

Receipt No.: RPT20250000126581

Finalization No.: 20250000156591

Cashier: 428

Register: VITALSINDEXING

Date/Time: 05/22/2025 01:16 PM

Item	Title	Count
1	Z01	1

EIR: Exempt or Previously Paid

Document ID	Amount
Doc# 202585000492	$50.00
Time Recorded 01:16 PM	

Total Amount Due: $50.00

Total Paid

House Charge: $50.00

Amount Due: $0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS
www.ocrecorder.com

State of California - Department of Fish and Wildlife

2025 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

Print | StartOver | Save

RECEIPT NUMBER:
30-05/22/2025-0380

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
CITY OF FULLERTON		05/22/2025

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
ORANGE COUNTY	202585000492

PROJECT TITLE

MINOR SITE PLAN - ZON-2024-0073

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
LAVEER INVESTMENTS, LLC		(714) 738-3163

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
260 E BAKER ST, STE 100	COSTA MESA	CA	92626

PROJECT APPLICANT *(Check appropriate box)*

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$ 4,123.50	$
☐ Mitigated/Negative Declaration (MND)(ND)	$ 2,968.75	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$ 1,401.75	$

☒ Exempt from fee
- ☒ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$ 850.00	$
☒ County documentary handling fee	$ 50.00	$ 50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other **TOTAL RECEIVED** $ 50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X *Gomez*	Melissa Gomez Deputy Clerk

ORIGINAL - PROJECT APPLICANT | COPY - CDFW/ASB | COPY - LEAD AGENCY | COPY - COUNTY CLERK | DFW 753.5a (Rev. 01012025)