

2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority prior to taking action on those projects. This Draft Environmental Impact Report (DEIR) has been prepared to satisfy CEQA and the State CEQA Guidelines. The EIR is designed to provide decision makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental damage, and to identify alternatives to the project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth-inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

Pursuant to CEQA Section 21067, the lead agency means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.” The City of Fullerton has the principal responsibility for approval of the CollegeTown Specific Plan. For this reason, the City of Fullerton is the CEQA lead agency for this project.

The intent of the DEIR is to provide sufficient information on the potential environmental impacts of the proposed CollegeTown Specific Plan to allow the City of Fullerton to make an informed decision regarding approval of the project. Specific discretionary actions to be reviewed by the City are described later in Section 3.4, *Intended Uses of the EIR*.

This DEIR has been prepared in accordance with requirements of the:

- California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, Sections 21000 et seq.)
- State Guidelines for the Implementation of the CEQA of 1970 (CEQA Guidelines), as amended (California Code of Regulations, Sections 15000 et seq.)

The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the proposed project. This DEIR addresses the potential environmental effects of the project; including effects that may be significant and adverse; evaluates a number of alternatives to the project, and identifies mitigation measures to reduce or avoid adverse effects.

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2.2 NOTICE OF PREPARATION AND INITIAL STUDY

The City of Fullerton determined that an EIR is be required for this project and issued a Notice of Preparation and Initial Study (NOP/IS) on April 29, 2013 (see Appendix A). In addition, a scoping meeting was held at the Fullerton Community Center on May 23, 2013. Comments received during the public review period—April 29 to May 29, 2013—and during the scoping meeting are in Appendix B.

The NOP process is used to help determine the scope of the environmental issues to be addressed in the DEIR. Based on this process and the Initial Study for the project, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant are addressed in this DEIR. Issues identified as Less Than Significant or of No Impact are not addressed beyond the discussion in the Initial Study. Refer to the Initial Study in Appendix A for discussion of how these initial determinations made.

Based upon the Initial Study and Environmental Checklist Form, the City of Fullerton staff determined that a DEIR should be prepared for the proposed project. The scope of the DEIR was determined based on the City's Initial Study, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

The information in Chapter 3, *Project Description*, establishes the basis for analyzing future project-related environmental impacts. However, further environmental review by the City may be required as more detailed information and plans are submitted on a project-by-project basis.

Three environmental impact categories are identified here as not being significantly affected by the CollegeTown Specific Plan, and as such are not discussed in detail in this DEIR. This determination was made by the City of Fullerton in its preparation of the Initial Study. The following topical issues are not addressed in the DEIR:

- Agriculture and Forestry Resources
- Biological Resources
- Mineral Resources

2.3 SCOPE OF THIS DEIR

The DEIR evaluated potential environmental impacts associated with the topical areas that were identified as being potentially affected by the proposed project in the IS/NOP.

Ten environmental factors have been identified as having less than significant impacts if the proposed project is implemented. These factors are:

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- Aesthetics
- Air Quality (carbon monoxide hotspots)
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (transport/use of, emergency plan)
- Hydrology and Water Quality
- Land Use and Planning
- Noise (traffic noise, non-transportation noise, noise compatibility)
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic (CMP impacts, hazardous conditions, alternative transportation, parking)
- Utilities and Service Systems

Two environmental factors have been identified as having less than significant impacts with mitigation if the proposed project is implemented. These factors are:

- Cultural Resources (archeological and paleontological resources)
- Hazards (recognized environmental conditions)
- Noise (construction vibration)

This DEIR identifies four significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant. If the City, as the lead agency, determines that unavoidable significant adverse impacts would result from the project, it must prepare a Statement of Overriding Considerations before it can approve the project. A Statement of Overriding Considerations states that the decision-making body has balanced the benefits of the proposed project against its unavoidable significant environmental effects and has determined that its benefits outweigh its adverse effects, and therefore the adverse effects are considered acceptable. The impacts that were found in the DEIR to be significant and unavoidable are:

- Air Quality (AQMP consistency, regional and local criteria air pollutants, proximity to SR-57)
- Cultural Resources (historic)
- Noise (construction noise, Chapman Avenue widening)
- Transportation and Traffic (project and cumulative traffic)

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2.4 INCORPORATION BY REFERENCE

The following documents are incorporated by reference in this DEIR, consistent with Section 15150 of the State CEQA Guidelines, and are available for review at the City of Fullerton.

- *The Fullerton Plan*, City of Fullerton, prepared by RBF Consulting, May 2012
- *The Fullerton Plan Environmental Impact Report*, City of Fullerton, prepared by RBF Consulting, May 2012

2.5 FINAL EIR CERTIFICATION

This DEIR is being circulated for public review for a period of 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City of Fullerton will review all written comments received and prepare written responses for each comment. A Final EIR (FEIR) will then be prepared incorporating all of the comments received, responses to the comments, and any changes to the DEIR that result from the comments received. This FEIR will be presented to the City of Fullerton for potential certification as the environmental document for the project. All persons who commented on the DEIR will be notified of the availability of the FEIR and the date of the public hearing before the City.

The DEIR is available to the general public for review at the following locations:

- City of Fullerton Community Development Department, 303 W. Commonwealth Avenue, Fullerton, CA 92832.
- The Fullerton Public Library, 353 W Commonwealth Avenue, Fullerton, CA 92832.

The document can also be accessed online at: http://www.cityoffullerton.com/depts/dev_serv/development_activity/default.asp.

2.6 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that agencies adopt a monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code Section 21081 or adopted a negative declaration pursuant to Section 21080(c). Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR or negative declaration.

The mitigation monitoring program for the CollegeTown Specific Plan will be completed as part of the FEIR, and prior to consideration of the project by the Fullerton City Council.