Final Fullerton College Facilities Master Plan Program EIR

SCH No. 2016111016

December 2017

North Orange County Community College District
1830A West Romneya Drive
Anaheim, California  92801
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## ACRONYMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym/Abbreviation</th>
<th>Definition</th>
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<tr>
<td>AB</td>
<td>Assembly Bill</td>
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<tr>
<td>Caltrans</td>
<td>California Department of Transportation</td>
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<td>CEQA</td>
<td>California Environmental Quality Act</td>
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<td>CO</td>
<td>carbon monoxide</td>
</tr>
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<td>CRHR</td>
<td>California Register of Historical Resources</td>
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<td>District</td>
<td>North Orange County Community College District</td>
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<tr>
<td>DPR</td>
<td>Department of Parks and Recreation</td>
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<td>EIR</td>
<td>environmental impact report</td>
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<tr>
<td>LOS</td>
<td>level of service</td>
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<td>MM</td>
<td>Mitigation Measure</td>
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<td>MMRP</td>
<td>mitigation monitoring and reporting program</td>
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<td>NAHC</td>
<td>Native American Heritage Commission</td>
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<td>NO₂</td>
<td>nitrogen dioxide</td>
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<td>NOA</td>
<td>Notice of Availability</td>
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<td>NOP</td>
<td>Notice of Preparation</td>
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<td>NRHP</td>
<td>National Register of Historic Places</td>
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<td>PEIR</td>
<td>Program Environmental Impact Report</td>
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<tr>
<td>PM₂.₅</td>
<td>fine particulate matter</td>
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<td>PM₁₀</td>
<td>coarse particulate matter</td>
</tr>
<tr>
<td>ppm</td>
<td>parts per million</td>
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<tr>
<td>RWQCB</td>
<td>Regional Water Quality Control Board</td>
</tr>
<tr>
<td>SB</td>
<td>Senate Bill</td>
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<td>South Coast Air Quality Management District</td>
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<td>SWPPP</td>
<td>stormwater pollution prevention plan</td>
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<td>SWRCB</td>
<td>State Water Resources Control Board</td>
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<td>TAC</td>
<td>toxic air contaminant</td>
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CHAPTER 1
INTRODUCTION TO FINAL PEIR

1.1 PURPOSE AND ORGANIZATION OF THE FINAL PEIR

This Final Program Environmental Impact Report (PEIR) assesses the potentially significant environmental effects of the Fullerton College’s Facilities Master Plan (Facilities Master Plan or proposed project).

As described in the Draft PEIR, Fullerton College is proposing to implement the Facilities Master Plan to develop modern teaching and learning facilities that would attract students to the college while providing the physical resources necessary to support the education process. Improved circulation in and around campus would increase accessibility to existing and new buildings and enhance the overall connectivity of campus uses.

As described in the California Environmental Quality Act (CEQA) and the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, with consideration of other conditions, including economic, social, technological, legal, and other benefits. As required by CEQA, this Final PEIR assesses the significant direct and indirect environmental effects of the proposed project, as well as the significant cumulative impacts that could occur from implementation of the proposed project. This Final PEIR is an informational document only, the purpose of which is to identify the significant effects of the proposed project on the environment and to indicate the manner in which those significant effects can be avoided or significantly lessened, including feasible mitigation measures; to identify any significant and unavoidable adverse impacts that cannot be mitigated to below a less than significant level; and to identify reasonable and feasible alternatives to the proposed project that would avoid or substantially lessen any significant adverse environmental effects associated with the proposed project and achieve the fundamental objectives of the proposed project.

The PEIR itself does not control the way in which a project can be developed or constructed; rather, the governmental agency must respond to the information contained in the PEIR by one or more of the seven methods outlined in Section 15002(h) of the CEQA Guidelines, which include:

1. Changing a proposed project.
2. Imposing conditions on the approval of the project.
3. Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes.
4. Choosing an alternative way to meet the same need.
5. Disapproving the project.
6. Finding that changing or altering the project is not feasible.
7. Finding that the unavoidable significant environmental damage is acceptable as provided in Section 15093.

The Final PEIR will be used by the North Orange County Community College District (District) as an informational document for the proposed project. The Final PEIR, in compliance with Section 15132 of the CEQA Guidelines, is organized as follows.

**Chapter 1, Introduction to Final PEIR.** This chapter provides general information on, and the procedural compliance of, the proposed project and the Final PEIR.

**Chapter 2, Responses to Comments Received.** This chapter includes a list of those who provided comments on the Draft PEIR during the public review period. This chapter also includes the comments received on environmental issues raised during the public review process for the Draft PEIR, as well as the District’s responses to these comments. Each comment is assigned a comment number, which corresponds to a response number and response that appear on the same page.

**Chapter 3, Changes to the Draft PEIR.** This chapter contains a summary of changes made to the document since publication of the Draft PEIR as a result of comments received. Revisions were made to clarify information presented in the Draft PEIR and only minor technical changes or additions have been made. These changes and additions to the PEIR do not raise important new issues related to significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines. This chapter describes changes that were made and presents textual changes made since public review signified by strikeout (i.e., strikeout) where text is removed, and by underlined text (i.e., underline) where text is added for clarification.

**Chapter 4, Mitigation Monitoring and Reporting Program.** This chapter of the Final PEIR provides the mitigation monitoring and reporting program (MMRP) for the proposed project. The MMRP is presented in table format and identifies mitigation measures for the proposed project, the party responsible for implementing the mitigation measures, the timing of implementing the mitigation measures, and the monitoring and reporting procedures for each mitigation measure.

### 1.2 PUBLIC OUTREACH

Pursuant to Section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) dated November 4, 2016, was circulated to interested agencies, organizations, and individuals. The NOP was also sent to the State Clearinghouse at the California Governor’s Office of Planning and
Research. The State Clearinghouse assigned a state identification number (SCH No. 2016111016) to this PEIR.

A public scoping meeting was held on the Fullerton College campus on November 17, 2016, to gather additional public input on the scope of the environmental document. Eight staff members and approximately 100 community members attended the scoping meeting. The 30-day public scoping period ended on December 3, 2016. All comments received during the NOP public notice period and scoping meeting were considered during the preparation of this PEIR. Copies of the comment letters are included in Appendix A of the Draft PEIR and are summarized in Table 2-1 of the Draft PEIR.

In addition to the CEQA distribution list, which included the Fullerton Public Library, the State Clearinghouse, and web posting, the District distributed the Notice of Availability of the Draft PEIR to a 1-mile radius around Fullerton College. Lastly, Chapter 2, Responses to Comments Received, will be mailed out to public agencies that commented 10 days prior to the District’s Board of Trustees hearing on the project, per CEQA Guidelines Section 15088.
CHAPTER 2
RESPONSES TO COMMENTS RECEIVED

This chapter of the Final Program Environmental Impact Report (PEIR) includes a copy of all comment letters that were submitted during the 45-day public review period for the Draft PEIR, along with responses to comments in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15088. The 45-day public review period for the Draft PEIR began on August 18, 2017, and ended on October 1, 2017. Late letters were accepted by the District.

All written comments received on the Draft PEIR have been coded with an alphabetical comment letter designation to facilitate identification and tracking (see Table 2-1). These letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers. Each lettered and numbered comment document is the submittal of a single individual, agency, or organization. To aid readers and commenters, electronically bracketed comments have been reproduced in this document with the corresponding responses provided immediately following the comments. The following interested parties submitted letters during the public review period for the Draft PEIR.

Table 2-1
Comments Received on the Draft PEIR

<table>
<thead>
<tr>
<th>Comment Letter Designation</th>
<th>Commenter</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Native American Heritage Commission</td>
<td>September 12, 2017</td>
</tr>
<tr>
<td>B</td>
<td>Fullerton Heritage</td>
<td>September 20, 2017</td>
</tr>
<tr>
<td>C</td>
<td>Department of Toxic Substances Control</td>
<td>September 27, 2017</td>
</tr>
<tr>
<td>D</td>
<td>Orange County Clerk-Recorder</td>
<td>September 29, 2017</td>
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<tr>
<td>E</td>
<td>City of Fullerton</td>
<td>September 29, 2017</td>
</tr>
<tr>
<td>F</td>
<td>Mary Frances Gable, Resident</td>
<td>September 29, 2017</td>
</tr>
<tr>
<td>G</td>
<td>Damion Planchon, Resident</td>
<td>October 2, 2017</td>
</tr>
<tr>
<td>H</td>
<td>Martin and Maria Chavez, Residents</td>
<td>October 1, 2017</td>
</tr>
<tr>
<td>I</td>
<td>Molly McClanahan, Board of Trustees Member</td>
<td>October 2, 2017</td>
</tr>
<tr>
<td>J</td>
<td>Wayne Dalin, Resident</td>
<td>October 3, 2017</td>
</tr>
<tr>
<td>K</td>
<td>Amy Foust, Resident</td>
<td>October 3, 2017</td>
</tr>
</tbody>
</table>

To finalize the PEIR for the Fullerton College Facilities Master Plan, the following responses have been prepared to comments that were received during the public review period. These responses will be distributed to the public agency commenters as required by the CEQA Guidelines (Section 15088 (b)) and the North Orange County Community College District (District) as the lead agency.
RESOURCES TO COMMENTS RECEIVED

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 N. Harbor Blvd., Suite 400
West Sacramento, CA 95691
Phone (916) 373-0710
Fax (916) 373-0547

September 12, 2017

Richard Williams, District Director
North Orange County Community College District
1930 A.W. Nortenea Drive
Anaheim, CA 92801

Re: SCHF 2016111016, Fullerton College Facilities Master Plan Project, City of Fullerton; Orange County, California

Dear Mr. Williams:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Introduction and Project Description, the Environmental Analysis section 4.3 Cultural Resources, and Appendix C, Cultural Resources Report, prepared by DeltaC for the North Orange County Community College District. We have the following concerns:

1. There is no Tribal Cultural Resources section or subsection in the Environmental Analysis as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form." [http://resources.ca.gov/sites/appendixG/CleanText-NA-52-ApG-Text Submitted.pdf]

2. Lack of contact with Tribes does not mean there may not be impacts to Tribal Cultural Resources.

3. There are no mitigation measures specifically addressing inadvertent finds of Tribal Cultural Resources separately and distinctly from Archaeological Resources. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, with or without consultation occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources.

The California Environmental Quality Act (CEQA), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 82. AB 82 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 82 created a separate category for "tribal cultural resources," that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. Your project may also be subject to Senate Bill 18 (SB 18) (Stout, Chapter 805, 2004, Government Code §50522.2). If it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both AB 52 and AB 82 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Footnotes:
1 Pub. Resources Code § 21084.1
2 Pub. Resources Code § 21084.1 (c).
4 CEQA Guidelines Section 15064.5 (b).
7 CEQA Guidelines § 15068.9 (d).
9 Pub. Resources Code § 21084.3.
10 Pub. Resources Code § 21084.3, subd. 2.
11 42 U.S.C. §§ 4321 et seq.
Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timelines provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Letters and Sacred Lands File searches from the NAHC. The request forms can be found online at [http://nahc.ca.gov/tribalconsultationform/](http://nahc.ca.gov/tribalconsultationform/). Additional information regarding AB 52 can be found online at [http://nahc.ca.gov/tribalconsultationform/](http://nahc.ca.gov/tribalconsultationform/) and downloaded as [Tribal Consultation Under AB 52: Requirements and Best Practices](http://nahc.ca.gov/tribalconsultationform/).

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC’s recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 375-3710 if you have any questions.

Sincerely,

Gayle Totton, B.S., M.A., Ph.D.
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse
Pertinent Statutory Information;

Under AB 52;
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A lead agency shall begin the consultation process within 90 days of receiving a request for consultation from a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, consultation shall have the same meaning as provided in Gov. Code § 21062.4 (SB 15). 11

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project;
b. Recommended mitigation measures;
c. Significant effects; 12

I. The following topics are discretionary topics of consultation:

a. Type of environmental review necessary;
b. Significance of the tribal cultural resource;
c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. 13

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6504.1 and 6504.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

If a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource;
b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21062.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. 14

Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. 15

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21062.3 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21062.3, subdivision (b), paragraph 9, and shall be fully enforceable. 16

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed-upon mitigation measures after the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21062.3 (b). 17

An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21062.3 and 21062.32 and concluded pursuant to Public Resources Code section 21080.3.2;
b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

11 Pub. Resources Code § 21062.3.5, subdivision (b) and (c)
12 Pub. Resources Code § 21062.3.5, subdivision (d)
13 Pub. Resources Code § 21062.3.5, subdivision (e)
14 Pub. Resources Code § 21062.3.5, subdivision (f)
15 Pub. Resources Code § 21062.3.5, subdivision (g)
16 Pub. Resources Code § 21062.3.5, subdivision (h)
17 Pub. Resources Code § 21062.3.5, subdivision (i)
c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21092.3 (d) and the tribe failed to request consultation within 60 days. This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:
- Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described § 6087.9 and § 6091.303 of the Public Resources Code that are located within the city or county’s jurisdiction. Government Code § 65356 (c), (d), and (e) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 6087.9 and 6091.303 of the Public Resources Code.
- SB 16 applies to local governments and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor’s Office of Planning and Research’s Tribal Consultation Guidelines, which can be found online at: https://www.gopr.ca.gov/tribalguidelines.
- Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribe(s) identified by the NAHC by requesting a “Tribal Consultation List.” If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.
- There is no Statutory Time Limit on Tribal Consultation under the law.
- Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 6087.9 and 6097.993 that are within the city’s or county’s jurisdiction.
- Consultation Tribal Consultation: Consultation should be concluded at the point in which:
  o the parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  o either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures for preservation or mitigation.
- NAHC Recommendations for Cultural Resources Assessments:
  - Contact the NAHC for:
    o A Sacred Land File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Land File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project’s APE.
    o A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, if necessary, mitigation measures.
  - Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://www.californiahistoricalresearch.com) for an archaeological survey. The site search will determine:
    o if part of the entire APE has been previously surveyed for cultural resources;
    o if any known cultural resources have been recorded on or adjacent to the APE;
    o if the probability is low, moderate, or high that cultural resources are located in the APE;
    o if a survey is required to determine whether previously unrecorded cultural resources are present.
  - An archaeologically oriented survey is required, the final step is the preparation of a professional report detailing the findings and recommendations of the site search and field survey.
    o The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    o The final written report should be submitted within 90 days after work has been completed to the appropriate regional CHRIS center.
Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning green space, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, involving, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resources.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a finally recognized California Native American tribe or a non-finally recognized California Native American tribe that is on the contact list maintained by the NARA to protect a California prehistoric, archaeological, cultural, religious, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.
- Please note that it is the policy of the State that Native American remains and associated grave artifacts shall be repatriated.

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring program plans provisions for the identification and evaluation of subsurface discovered archaeological resources. In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring program plans provisions for the disposition of recovered cultural items that are not buried associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring program plans provisions for the treatment and disposition of macabrely discovered Native American human remains. Health and Safety Code section 7055.5, Public Resources Code section 5097.94, and Cal. Code Regs., tit. 14, section 15094.5, subdivisions (d) and (9) (CEQA Guidelines section 15064.5, subd. (8) and (9)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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2 (Civ. Code § 8153 (b))
3 (Pub. Resources Code § 5097.94)
4 (Cal. Code Regs., tit. 14, section 15094.5, subd. (9 and (6) (CEQA Guidelines section 15094.5, subd. (8)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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Fullerton College Facilities Master Plan Final PEIR
December 2017
9422.0001

2-7
Response to Comment Letter A

Native American Heritage Commission
Gayle Totton, BS, MA, PhD, Associate Governmental Project Analyst

A-1

Thank you for your letter pursuant to the proposed project at Fullerton College. Assembly Bill (AB) 52 efforts and Native American coordination are discussed in Section 4.3, Cultural Resources, page 4.3-84, of the Draft Program Environmental Impact Report (PEIR). Additional information regarding AB 52 consultation is provided in Chapter 3, Changes to the Draft PEIR, of this Final PEIR.

As described in Section 4.3 and Appendix C of the PEIR, the Native American Heritage Commission (NAHC) was contacted to request a review of the Sacred Lands File. The NAHC emailed a response on January 19, 2017, which stated that the Sacred Lands File search was completed with negative results. Because the Sacred Lands File search does not include an exhaustive list of Native American cultural resources, the NAHC suggested contacting Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the project site. The NAHC provided the contact list along with the Sacred Lands File search results. Documents related to the NAHC Sacred Lands File search are included in Appendix C to the Draft PEIR.

On behalf of the North Orange County Community College District (District), letters were prepared and sent to each of the nine persons and entities on the contact list requesting information about cultural sites and resources in or near the project site. These letters, mailed on February 16, 2017, contained a brief description of the proposed project, a summary of the Sacred Lands File and South Central Coastal Information Center search results and survey results, and a reference map. Recipients were asked to reply within 15 days of receipt of the letter should they have any knowledge of cultural resources in the area.

One response was received to the coordination letters. On February 24, 2017, Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians–Kizh Nation responded via email. Mr. Salas stated that the proposed project site is in an area where the ancestral territories of Kizh Gabrieleño villages overlapped during the Late Prehistoric and Protohistoric periods. For this reason, Mr. Salas considers the project site to be highly sensitive for cultural resources and recommends the presence of both a Native American monitor and an archaeological monitor on site during all ground-disturbing activities. However, no archaeological resources were identified on or adjacent to the project site as a result of the South Central Coastal Information Center
records search or the Native American coordination efforts described above. Because it is always possible that intact archaeological deposits are present at subsurface levels and could be uncovered during ground-disturbing activities, Mitigation Measure (MM) CUL-4 (see Section 4.3.5 of the Draft PEIR and Chapter 4, Mitigation Monitoring and Reporting Program, of this Final PEIR) is included to reduce impacts to archaeological resources that are significant under the California Environmental Quality Act (CEQA; California Public Resources Code, Section 21082), as specified in the CEQA Guidelines (14 CCR 15064.5(f)) to a less than significant level.

The District sent an AB 52 consultation letter to Mr. Salas on September 25, 2017. Mr. Salas responded on October 2, 2017, and requested consultation. His letter stated that the proposed project site is in sensitive area for tribal cultural resources and he recommends the presence of both a Native American monitor and an archaeological monitor on site during all ground-disturbing activities. Consultation between Mr. Salas and the District occurred on November 7, 2017. The District listened to Mr. Salas’s concerns and agreed to notify Mr. Salas prior to demolition and earth-moving activities. Because of the developed nature of the campus, the extent of previous ground disturbance, and the negative results of the archaeological survey, the District has determined that revisions to MM-CUL-4 are not warranted. The District therefore considers consultation to be concluded.

The District understands that any project that may result in a significant impact on the environment, including historic resources, would be required to prepare an environmental impact report (EIR). The proposed project would result in significant and unavoidable impacts to historic resources, as well as traffic and circulation, and cumulative land use; therefore, an EIR (the Draft PEIR) was prepared. The Draft PEIR identified whether the proposed project would cause substantial adverse changes in the significance of a historical resource within the project area, and complies with CEQA.

As described in Section 4.3 and Appendix C of the Draft PEIR, extensive archival research, combined with an intensive pedestrian survey of the Fullerton College grounds, indicates that the Fullerton College campus has three areas that appear to be eligible as historic districts: the Fullerton Junior College Campus Historic District, the Mid-Century Modern Campus Expansion Historic District, and the Wilshire Junior High School Historic District. In addition, the Music Building 1100 was identified as being potentially eligible for individual listing at the local level. Therefore, MM-CUL-1

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through MM-CUL-3 (see Section 4.3 of the Draft PEIR) would be implemented. Although this mitigation would not reduce impacts below a level of significance, CEQA requires implementation of all feasible mitigation to reduce project impacts.

**A-3**

The District understands that because the Notice of Preparation for the proposed project was filed after July 1, 2015, the proposed project is subject to AB 52. Because the proposed project would not require an amendment to a General Plan or Specific Plan, or the designation of an area as open space, the proposed project would not be subject to Senate Bill (SB) 18. The proposed project is not subject to the National Environmental Policy Act.

The District received one request from California Native American tribes for AB 52 project notification. The request came from Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians–Kizh Nation. As part of the Fullerton College Facilities Master Plan, the District reached out to Mr. Salas on September 25, 2017. The consultation is described further in Response A-1 as well as in Chapter 3 of this Final PEIR.

**A-4**

The comment indicates that agencies can initiate AB 52 consultation with tribes earlier than the time frames described in AB 52. As described in Response A-1, AB 52 consultation between the District and the one responding tribe, the Gabrieleño Band of Mission Indians–Kizh Nation, represented by Mr. Salas, occurred and has been concluded. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**A-5**

This comment outlines the consultation requirements under AB 52. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**A-6**

This comment outlines the consultation requirements under SB 18. Because the proposed project would not require an amendment to a General Plan or Specific Plan, or the designation of an area as open space, the proposed project would not be subject to SB 18. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**A-7**

This comment outlines NAHC recommendations for Cultural Resource Assessments. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**A-8**

This comment outlines examples of mitigation measures to minimize impacts to tribal cultural resources. The comment does not state a specific concern or question.
regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.
September 20, 2017

Mr. Richard Williams
North Orange County Community College District
1835 W. Romneya Drive, Building A
Anaheim, CA 92801-4919

Re: Draft Program EIR for the Fullerton College Facilities Master Plan

Dear Mr. Williams:

The proposed campus land uses and new construction as shown with Figure 4 and described by the Initial Study of the draft Program EIR for the Fullerton College Facilities Master Plan impacts a number of historic buildings on or near the Fullerton College campus. The Draft Program EIR adequately describes the proposed action with its possible impacts to these identified historic buildings and provides appropriate mitigation measures to the stated action for the following buildings:

- The "renovation" of Wilshire Theatre (Auditorium) at 311 N. Lemon St., a structure designated as a Local Landmark by the city of Fullerton. This building qualifies for listing on the National Register of Historic Places.

- The "renovation" of the Historic 100 Building (Administration), 300 Building (Business), 600 Building (Math), and 840 Building (Campus Services); all of these buildings qualify for listing on the National Register of Historic Places as a historic district.

Additionally, the proposed Facilities Master Plan has been revised from its initial 2016 plan so that no new buildings are now proposed in proximity to the John Hetrick House at 515 E. Chapman Avenue, a structure that is listed on the National Register of Historic Places. This is a welcome revision, and the proposed Master Plan now appears not to compromise the integrity of that structure’s historic setting.

However, there remains a potential issue with the Master Plan’s proposed removal of four residential structures on the south side of Chapman Avenue, east of Newell Place, and in their place, the construction of surface parking and an instructional building. First, Fullerton Heritage believes that two of these residential structures – 434 and 438 E. Chapman Avenue – are associated with important people from the city’s 1930s-era development and may qualify as a city Historic (Local) Landmark and thus should be preserved, not demolished. The enclosures accompanying this letter provide documentation on the significance of these properties.

Secondly, the Master Plan describes the future use of this area as surface parking and a new instructional building with the “removal” of the four, presently vacated, structures. Fullerton Heritage would like the Master Plan to clarify what “removal” means, specifically, the Master Plan needs to state that the four residential structures will be removed from the
Mr. Richard Williams

Page 2

...land and relocated on vacant properties owned by the District on the south side of Wilshire Avenue, east of Lawrence Avenue. Ultimately, these relocated residential structures should be restored and used for housing, in keeping with the historic neighborhood that surrounds this site.

The Master Plan has identified a Junior College Campus Historic District, consisting of five buildings of the original construction of the campus: Administration (100), Business (300), Mach (600), Campus Services (840) and Technology and Engineering (900). The Master Plan proposes to renovate four of these buildings to provide up-to-date facilities.

Fullerton Heritage would like the NOCCCD to make an official request to the city of Fullerton to have these five buildings recognized as Fullerton Local Landmarks. Wilshire Junior High School and the Wilshire Theatre (Auditorium) are already designated Fullerton Local Landmarks, as are the historic buildings (Science Buildings 1, 2, and Plummer Auditorium) and walkway on the nearby Fullerton High School campus. The five buildings that compose the Junior College Campus Historic District should be given the same recognition; this can only be done with a letter from the NOCCCD requesting such a designation. Please note: there is no cost or fee associated with making such a request.

Lastly, the Master Plan is essentially silent with regard to the historic layout and landscape plan developed for the campus in 1927, by landscape architect Ralph D. Connell. The Master Plan should discuss Connell’s plan of the campus and state how the proposed development adheres to or ignores the original layout. It should be mentioned that Connell’s plans are at UCLA where they can be easily obtained, and the plan for the college is also on the Calisphere database.

Thank you for providing an opportunity to state our interest and concerns for inclusion in the draft Program EIR.

In addition to me, please feel free to contact Kate Dalton and Deb Richey, both board members of Fullerton Heritage, to discuss the above comments.

Sincerely,

Ernie Kalsoy
President

enclosures

Ernie Kalsoy: Email: con5805@yahoo.com; Phone: (610) 486-8015
Kate Dalton: Email: kandtdalton@earthlink.net; Phone: (714) 325-6658
Deb Richey: Email: drichey@fullerton.edu; Phone: (714) 325-9411
The single-family residence at 434 E. Chapman constructed in 1922 in the Craftsman bungalow style, is largely intact and retains most of its original architectural features. The residence was converted to an office use in 1985, with alterations and additional features constructed on the structure’s east side to accommodate ADA requirements for accessibility and openings on the west side were filled and plastered over to comply with building code requirements.

Built with a concrete foundation, the rectangular-shaped structure features a defined front porch, a low-pitched gable roof with wide, exposed roof eaves, and horizontal wood siding— all typical features of Craftsman bungalow architecture. At each end of the porch, three wooden columns stop a stuccoed pilaster support the roof structure at the front. The raised porch is accessed by concrete steps. The front (south) elevation features two, tripartite windows consisting of multi-light fixed sash and multi-light wood casement. The main entrance is a solid wood door with three small glass lights. Existing doors and windows on all sides of the

*P2. Location: □ Not for Publication □ Unrestricted
   "a. County [Orange]
   "b. U.S.G.S. 7.5' Quad [Fullerton]
   "c. Address [434 E. Chapman Avenue]
   "d. UTM: [Data more than one for large area or from measured zone]
   "e. Other [Locational Data e.g., parcel #, directions to resources, elevation, declination degrees, etc.] [56W]

*P3a. Description: Describes resources and its major elements. Include design, materials, conditions, alterations, size, setting, and boundaries.

*P3b. Resource Attributes: (List attributes and coded)

*P4. Resources Present: □ Building □ Structure □ Object □ Site □ District □ Element of District □ Other (indicate, etc.)
   "a. Description of Photo: below, data, accessions # North elevation, Oct 2013
   "b. Data Constructed/Age and Source: □ Historic □ Prehistoric
   "c. Built: 1922, city of Fullerton building permit
   "d. Owner and Address: North Orange County Community College District
   "e. Recorded by: (name, affiliation, and address)
   "f. Recorded: 11/9/2013
   "g. Data Recorded: 11/9/2013

*P10. Survey: (Describe intensive)

*P11. Report Completion: Site survey

*Required information

Fullerton College Facilities Master Plan Final PEIR

December 2017

9422.0001

2-15
The dwelling at 414 East Chapman was designed and constructed by an important early local developer: Oliver Symmes C. Compton (1863–1947). At the time of Compton’s arrival in Fullerton in 1912, the city was transitioning from Colonial Revival and Victorian-styled houses toward more comfortable Craftsman bungalows, and Compton quickly became known for specializing in Craftsman bungalows noted for their “useful and palliating detail.” Compton’s early Craftsman bungalows were distinguished by their elegant and simple styling, but over time, his work became more detailed and complex. The residence on East Chapman Avenue is a fine representative example of his work in the 1920s, and it now may be the only one still standing in Fullerton.

Architectural Context

Constructed in 1922, at an estimated cost of $5,300 (a huge amount for the time), the Craftsman bungalow and contributing garage at 414 E. Chapman Avenue were constructed for Timothy L. Sullivan (1871–1958), a worker with the Rich Oil Company in Brea, A Pennsylvania native, Sullivan would remain in the house until his death in 1958. The dwelling was designed and constructed for...

B.11. Additional Resource Attributes: List attributes and codes

B.12. References

B.13. Remarks:

B.14. Evaluator: Deborah Richly & Rob W. Losen

Fullerton Heritage
F.O. Box 6059
Fullerton, CA 92834

*Data of Evaluation: October 2015

(Permission to enter was obtained from Chula Vista Historic Review Board)

DPR 533B (9/2013)
Continuation of File

structure retains the original wood frame. The east elevation, although altered with ADA-compliant ramp and entrance in 1989, still retains the original windows, brick stairs and porch, and a modest composite gable roof. The back (south) side is fully intact and unaltered. The structure is boarded up and the inside is not accessible. It appears that the interior contains fine wood detailing and built-in cabinet work that the contractor (Oliver Compton) is known to have included in his construction.

As a contributing feature, a detached garage structure is situated behind (south) of the residence; built at the same time as the residence, it is unaltered, retaining its horizontal wood siding and a front-gable roof with exposed roof beams, similar to the residence. The remaining back portion of the property is paved for use as a parking area.

Although neglected for some time, the house and garage appear to be in solid condition. Importantly, the alterations made to the house in 1989 are reversible, and a full restoration of the original design is quite possible.

Continuation of B10
Sullivan by notable local builder Oliver S. Compton. Born March 19, 1862 in Waterloo, Indiana, during the Civil War, Compton was employed as a clerk in the Chatham, Indiana local hardware store operated by James A. Riley in 1885, and later worked as an implement dealer. In 1895, he and his wife, Ada A. Bennett (1867-1974), moved to Pasadena (711 S. Grand), joining a large influx of Indiana natives who had moved to the area. He quickly established a successful contractor business in Pasadena before moving to Fullerton in 1912. At the time, Fullerton had a pressing need for housing but no certified architects (Frank Boshardt would become the city's only formally trained architect in the 1920s), and the town relied on a small handful of general contractors for new housing stock. As one of the town's first developers, Compton quickly established a solid reputation for the construction of sturdy and comfortable bungalows for the working class. Unlike developers such as Richard Gregory and Harry Cottle, who would purchase small tracts of land to develop, Compton built individual residences initially in the central core of the town laid out by town founders Edward and George Amos in 1877. By the 1920s, local developers began to concentrate on ways to differentiate their homes from each other. Harry McCorkell specialized in Spanish Colonial Revival; Ernest S. Gregory built Craftsman bungalows. His bungalows (e.g., 202 West Whiting, 315 North Malden) were both compact and well-built and popular with new arrivals working in the oil and citrus industries. His clientele was primary from the working and middle class.

Oliver Compton's son, Earl Perry Langston ("Eddie") Compton (1889-1969), was the chief colorist and assistant to famed tile artist Ernest A. Batchelder, and had his house at 745 East Rio Grande Street (1918), a Pasadena Landmark, is noted for its polychrome of beautifully designed and colored tiles. (The house would also be featured in the 1939 issue of "The Ladies' Homemakers.") Oliver Compton would see Batchelder tiles in some of his Fullerton projects, most notably his own two-story residence at 202 West Whiting, which was featured in the city's 1978-79 survey, City of Fullerton Historical Building Survey, Heritage Revitalized. The survey noted the home's "intricate details" including small stained glass panels on the north side and a stained Batchelder tile set in the chimney. Earl Compton, a graduate of Throop Polytechnic Institute (now the California Institute of Technology), continued to work for the Batchelder-Wilson Tile Company until its closing in 1932, but also worked with his father on projects both in Fullerton and Pasadena.

Oliver and Ada Compton were charter members of the Independent Order of Odd Fellows (IOOF) and opened their Pasadena and Fullerton homes to any member of the fraternal organization passing through town. When the couple moved to Fullerton, they became charter members of the Independent Order of Odd Fellows Lodge Number 103 (the Lodge meets in the Whitney Hotel). When the Lodge needed a formal building for its meetings, Compton volunteered to both design and construct the new Fullerton Odd Fellows Temple (112 East Commonwealth Avenue). Situated in a prominent location in the historic central business district, the Odd Fellows Temple, constructed in 1927-28, has an unusual arrangement of functions for the time. Lodge members reserved the second floor for their secret and
exclusive use while leasing and renting the first floor for office and retail space and the third floor to other local patristic, fraternal, and women's organizations. The Temple was identified in the City's 1978-79 historic survey as “one of the most outstanding of Fullerton's brick buildings,” and was designated Local Historic Landmark #15 by the Fullerton City Council in November 1980 “because of its character and interest as part of the heritage of the City, its exemplification of the best remaining unaltered architectural type in the area, and its established and familiar visual part of the area.” The Fullerton Odd Fellows Temple (now the Williams Building) was placed on the National Register of Historic Places in 2002.

After Compton retired, he and his wife moved back to Pasadena (459 N. Euclid) in 1932. He passed away on March 16, 1943, in Pasadena at the age of 84.

Bibliographical References:


Other References:

Building Permits, 434 East Chapman. On file, City of Fullerton, Community Development Dept. Internet


Image Log:
Image 1: Building Permit, issued in 1922; On file, City of Fullerton, Community Development Department, Internet.
Image 2: Photo of Ida and Oliver Compton
Image 3: 454 E. Chapman Avenue, exterior. 1978 Fullerton Historic Survey. On file, Fullerton Public Library, Local History Room

Photo Log:
Photo 1: North (Chapman Ave) elevation, looking southwest
Photo 2: North (Chapman Ave) elevation, looking south
Photo 3: East elevation, looking southwest
Photo 5: South elevation
Photo 6: West elevation, looking northeast, showing solid stuccoed wall with no openings
Photo 7: Interior (taken from outside), showing wood detailing and in-place cabinet work
Photo 8: Detached garage, north elevation

Image 1: Building Permit, issued in 1922; On file, City of Fullerton, Community Development
Image 2: Ida and Oliver Compton

Image 3: 434 E. Chapman Avenue, front (north) elevation
Source: 1978 Fullerton Historic Survey; on file, Fullerton Public Library, Local History Room

DPR 523L (5/2013)
Photo 1: North (Chapman Avenue) elevation, looking southwest

Photo 2: North (Chapman Ave.) elevation, looking south

DPR 523L (5/2013)
Photo 3: East elevation, looking southwest

Photo 4: Partial east elevation, showing porch area
Photo 7: Interior (taken from outside), showing wood detailing and in-place cabinet work

Photo 8: Detached garage, north elevation

DPR 523L (5/2013)
## Responses to Comments Received

### State of California – The Resources Agency
**DEPARTMENT OF PARKS AND RECREATION**

### PRIMARY RECORD

<table>
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<td>Review Code</td>
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<td>Reviewer</td>
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</tr>
<tr>
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</tr>
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</table>

*Resource Name or #: (designated by records)*

### 922
**Location:**
- **Not for Publication**
- **Unrestricted**

**UGGS 7.8 Quad Date**
- **Y**
- **T**
- **R**
- **M**

**Address**
- **338 E. Chapman Avenue**

**City**
- **Fullerton**

**Zip**
- **92831**

**UTM:** ( fou more than one for large and/or linear resources)
- **Zone: 1**
- **Easting: 10**
- **Northing: 11**

**Other Locational Data:**
- (e.g., proven if, directions to resource, elevation, declination, etc., as appropriate)

### 93b
**Description:**
- (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

**Constructed in 1921, the single-family residence at 438 E. Chapman Avenue features Craftsman style architecture that is still well preserved. The initial construction, issued with an address of 438 E. Chapman Avenue, consisted of the house with a rectangular footprint and a detached garage, both placed over 120 ft. back from the street on its 175-foot-deep lot. In 1949, a 385-sq.-ft. addition to the front of the structure was undertaken. The added construction replicated the initial architectural style of the house, and there is a seamless connection between the addition and the original construction of the residence. Composed of horizontal wood siding, a modified big roof that has wide eaves with exposed rafters, double hung wood windows, and a centered chimney, the residence still retains classic Craftsman features.**

The main entrance, located on the west side of the house, is part of the addition completed in 1949. It consists of a wood panel door with multi-light wood sidelights and wood sconces. Its wood surround in made up of fluted wood pilasters and entablature.

### 93b
**Resource Attributes:**
- (List attributes and codes)

**P92. Resources Present:**
- **Building**
- **Structure**
- **Object**
- **Site**
- **Element**
- **Other (specify, etc.)**

**P92. Description of Photo:**
- **In Use:**
- **Date:**
- **Accession #:**
- **North elevation:**
- **Oct. 2015**

**P93. Data Recorded:**
- **Built:**
- **Added:**
- **Historic**
- **Prehistoric**
- **Both**

**1921, city of Fullerton building permit**

**P97. Owner and Address:**
- **North Orange County Community College District**
- **1130 W. Chapman Ave**
- **Anaheim, CA 92801**

**P98. Data Recorded:**
- **11/20/2015**

**P96. Survey Type:**
- **Intensive**

**P91. Report Citation:**
- **(Title, name, report, and other sources, if any, here)**

### DPR 923A (9/2013)

*Required information*
State of California
The Resources Agency
DEPARTMENT OF PAGES AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (assigned by recorder) ____________________________  *NRHP Status Code

Page 2 of 14

B1. Historic Name: Kelley House
B2. Common Name: 418 E. Chapman Avenue residence
B3. Original Use: Single-family residence
B4. Present Use: Vacated/broadened
*B5. Architectural Style: Craftsman bungalow
*B6. Construction History: (Construction date, alterations, and dates of alterations)
The residence was constructed in 1921. In 1940, a desirable addition was made to the front of the structure and the main entrance was placed on the west side. In 1987, the residence was converted to an office use; alterations or additions required for this change are included transforming part of the west side of the structure to a solid stucco wall with an opening and the placement of an ADA-compliant ramp on the east side of the structure. Presently, the structure is unoccupied and boarded-up.

*B7. Moved? No  Yes  Unknown  Date: ____________  Original Location: ____________
*B8. Related Features: Detached garage at rear of the property built at the same time as the residence (marked)

B9a. Architect: None  b Builder: Frank Benschley
*B10. Significance: Theme 1920s residential development
Area Fullerton
Period of Significance: 1920-1929  Property Type: Residential
Applicable Criteria: N/A

Statement of Significance:

Frank Benschley was the most significant local architect in Fullerton history. In the 1920s, he was the city’s only licensed architect and one of the few in Orange County. He designed some of the most significant and impressive buildings in Fullerton and Orange County, a number of which are recognizable landmarks to residents. Four of Benschley’s buildings—these in Fullerton and one in Portland, Oregon—are listed on the National Register of Historic Places. These others—the California Hotel (now Villa del Sol), the Edward K. Benschley House, and the Chapman Avenue House—are Fullerton Local Landmarks. He employed a variety of architectural styles and designed a wide array of building types: a hotel, a bungalow court, a jail, a fruit packing house, fraternal lodges, commercial buildings, apartment buildings, and both modest and stately homes. The residence at 418 East Chapman, which would qualify for Fullerton Local Landmark status, was constructed after Benschley returned from World War I military service and was attempting to restart his practice. He designed and constructed a handful of modest California bungalows before transitioning to more expensive and luxurious houses for politicians, businessmen, and civic leaders. The Chapman Avenue residence is a representative example of the bungalows Benschley briefly designed from 1919 to 1921 before moving into Mission

B11. Additional Resource Attributes: ___ attributes and credits

*B12. References:

B13. Remarks:

*B14. Evaluator:  Debora Fike & Bell Linnell
Fullerton Heritage
P.O. Box 609
Fullerton, CA  92834

*Date of Evaluation: October, 2015

(This space reserved for official comments.)

*Required information

DPR 522B (9/2013) 9422.0001

Fullerton College Facilities Master Plan Final PEIR
December 2017 9422.0001

2-26
Continuation of P34

Other doors include a wood paneled door and wood paneled screen on the south elevation, two multi-light French doors on the east elevation, and a wooden door, now boarded up, facing north on the west side of the house. All wood windows on the east and west elevations retain their original wood frames.

The front (north) elevation, part of the 1949 addition, features a wooden bay window, multi-paned on all three sides. A small octagonal window, framed in wood, is also featured on the front facade. A 2-foot high red brick base extends the entire breadth of the front facade, wrapping around the west side to the main entrance. These features, along with the design of the west-facing main entrance, are characteristic of post-WWII architecture, yet is fully complimentary to the Craftsman style of the 1920s.

A non-original ADA-compliant ramp with metal railing is situated on the east elevation. Other alterations to the original structure include the replacement of several windows with metal one-over-one and sliding sash, the replacement of the doors on the east elevation, and the removal of wood siding and the use of stucco on the back portion of the west elevation. Most of these alterations were completed when the house was converted to an office use in 1983, with building code requirements dictating these changes. It is important to note that all of these alterations are reversible, so a substantial restoration of the house’s original design is quite feasible.

A detached garage, built with the house in 1921, is no longer on the property.

Continuation of B10

Revival, Spanish Colonial Revival and other period styles.

Historical Context

The Craftsman bungalow at 438 (formerly 436) East Chapman Avenue was designed and built by architect Frank Batchley for Harold J. Kelley (1879-1964) in 1921. In 1933, Kelley was employed by the Batchley Fruit Company, where he most likely became familiar with Frank Batchley. Kelley, 46, married Emma T. Schmitz, 33, a member of the Fullerton pioneer Schmitz family, in December 1921, and the residence was most likely a gift to his bride. The Kelloggs lived next door at 440 East Chapman Avenue before moving into their new home. The couple would remain in the house until the early 1960s.

In 1919, Kelley was employed as a foreman, then manager, of the Charles C. Chapman Ranch, a 2,480-acre citrus ranch. A leader in the incorporation of both Orange County and Fullerton, and Fullerton's first mayor, Charles C. Chapman (1853-1944) earned the moniker "Father of the Citrus Industry" by developing and marketing Valencia oranges from his Fullerton ranch. Kelley would manage the Chapman Ranch until 1933, when he accepted a position as manager of the Randolpfi Marketing Company (216 W. Trabuco), a prominent citrus packing house established in 1929. He would remain with the company until his retirement in 1957. Kelley’s son, Harold Johnstone Kelley (1922-1959), a lifelong resident of Fullerton, would also become well-known in the citrus-packing industry and be employed by the Chapman Ranch Company as a financial controller.

Architectural Context

Frank Keith Batchley (1884-1962) was Fullerton’s only architect and one of the most prominent and impression architects in Orange County in the 1920s. Batchley was born in Ventura County on January 25, 1884, spending his early years in Los Angeles, before his family moved to Fullerton in 1893, where he received his education in the
grammer and high schools. His father, Edward K. Benchley (1854-1934), established the highly successful Benchley Fruit Company, served as president of the Farmers and Merchants National Bank, and was elected Fullerton's second mayor, serving from 1906 to 1908. Along with Charles C. Chapman, Edward K. Benchley helped initiate and promote the orange packing industry in Orange County.8

After graduating from Fullerton Union High School in 1905, Frank Benchley enrolled in the Timnop Polytechnic Institute (now the California Institute of Technology) in Pasadena for a two-year course of study. On April 3, 1906, he married Ruby Way (1886-1964), and the couple had one daughter, Jane Dorothy (Farley), born in Fullerton on December 18, 1906. Upon graduation in 1906, Benchley spent the next four years in Los Angeles offices as an architectural draftsman, while also establishing a building construction business (250 South Spring Street, Room 407), and designing a number of modern Chapman bungalows, including his own residence (2319 West 30th), in what is now the Jefferson Park neighborhood of Los Angeles. In 1929, he took up independent practice in Portland, Oregon, where his wife had been raised, staying until 1932. While in Portland, he designed the luxury Villa Saint Clair Apartments (908 SW 12th Avenue), now the Gandy Apartments, listed on the National Register of Historic Places in 2003.5

In 1913, Benchley returned to Fullerton, establishing himself as a general contractor, first working out of his residence (317 N. Pomona, 708 N. Harbor), then establishing an office in the E. K. Benchley Building (3106 North Harbor Blvd., north). During this early period, he designed and built a number of homes, including in 1916, an impressive Chapman bungalow for his father, the Edward K. Benchley House (604 N. Harbor Blvd.), a Fullerton Local Landmark, as well as a reservoir station in Brea in 1914.6 Despite having wives and small children, Frank Benchley and his brother William L. volunteered for military service in World War I.7 After his return, Benchley was elected commander of the American Legion, Fullerton Chapter 142, in 1923.8

After his World War I service, Benchley, trying to restart his Fullerton practice, designed and constructed a handful of Chapman bungalows in Fullerton (e.g., 526 West Mahala, 661 N. Harbor, 708 N. Harbor, 132 W. Brookdale, 137 W. Brookdale). The unpretentious homes— including the dwelling at 438 East Chapman — were constructed in a brief period, primarily from 1919 to 1921, for middle-class clients. While modest in size, the bungalows were unmistakable Benchley designs: the houses typically display a central porch and entry, protected and framed with its own roof; with windows and doors; a gabled roof; and low-pitched gabled roofs are usually clipped at the eaves to add definition and give interest to the sides of the structure. Ironically, the Kelby House at 438 E. Chapman does not exhibit these signature features due to the substantial addition in 1949 on the north (front) side of the structure.)

Benchley would be at the peak of his architectural career in the 1920s, designing dozens of impressive buildings in Fullerton and Orange County. He was one of only a few licensed architects in Orange County, and one of only two in Fullerton. Many of the structures he designed in Fullerton—situated in prominent locations throughout the city—have become familiar landmarks to residents. In 1919, he was commissioned to design the Spanish Colonial Revival Masonic Temple (601 N. Harbor) in Fullerton, now the Spring Field Banquet Centre, listed on the National Register of Historic Places in 1999.9 That major commission would quickly be followed by others in Fullerton: the Pomona Bungalow Court (314 N. Pomona) in 1920; the California Hotel, now Villa del Sol, a Fullerton Local Landmark, in 1922; and the Fullerton Grammar School (1929) in 1921.10 The Fullerton Masonic Temple led to a commission to draw up plans for the Brea Park Masonic Temple (1001 S. Game) in 1918, followed by the Amherst Arms Lodge (453 N. Los Angeles) for $150,000 in 1921.11 In 1922, Benchley's father hired him to add Beaux Arts embellishments to the Farmers and Merchants Bank (122 N. Harbor), listed on the National Register of

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RESPONSES TO COMMENTS RECEIVED

State of California - The Resources Agency
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CONTINUATION SHEET
Property Name: Edley House

B-7 Cont.

Historic Places in 1984, and the following year, his brother asked him to prepare plans for a modern parking house for the Anaheim Valencia Growers' Association (605 S. Center). He was often asked to design brick stores and offices for local businessmen including the James P. Glenn Furniture Store (124-126 W. Wilson) in Fullerton; the Sam Sodiq Grocery Store (139 W. Center) in Anaheim; and a medical office for Walter J. Biggs (495 W. Center) in Anaheim.

In 1922, the Orange County Board of Supervisors hired Beuchly to design a new Hall of Records, a two-story, yellow-brick building which provided a new home for the county records, the tax collector, the superintendent of schools, the road department, the county surveyor, the probate office, the law library, health department, and headquarters for the county free public library. When completed, the impressive complex, located in downtown Santa Ana, would give Beuchly's career a major boost, and he began receiving commissions around Orange County. Pleased with the Hall of Records, the Supervisors hired Beuchly to design a new $200,000 jail across the Courthouse on the west side of Sycamore Street. Before constructing the facility, Beuchly made a trip to Cincinnati with members of the Board of Supervisors to inspect the latest locking systems in modern jails. The new jail opened in 1924, with rooms for 250 prisoners as well as offices for the Sheriff and his staff. In 1925, he would again be hired by Orange County to develop plans and specifications for the addition of a Psychiatric Ward to the Orange County Hospital, with a bridge connecting the ward with the main building.

Beuchly's important and distinctive architectural projects gained him much notice, and as a member of a prominent family, he was able to obtain residential commissions from wealthy and prominent clientele. From 1920 to 1926, Beuchly moved into designing more opulent and significantly larger homes, including his own in the Hollywood Hills, and also began to incorporate different architectural styles and elements. His last Craftsman-styled project would be the Pomona Bungalow Court in 1922. In 1924, he designed and built a Mission Revival dwelling for Fullerton mayor Richard S. Gregory (130 Hildreth Drive, destroyed by fire, a similarly styled home the following year for Otto and Anita Shepardson (144 Hildreth Drive), designated a Fullerton Local Landmark in 2015); and in 1924, designed the residence controlled by his mentor in Fullerton: the Walter and Adella Muckenthaler home in the Golden Hills area. Commissioned for $35,000 in 1924, the 18-room villa reflects Walter Muckenthaler's interest in Mission-style architecture and Italian villas. Situated on a hill overlooking the ranch, the house exceeded "the design of a normal ranch house with its spectacular architectural details, including the orchestra and the front of the house." In 1925, the Muckenthalers donated the house and grounds to the City of Fullerton with the condition that it be developed into a cultural center. The Muckenthaler Cultural Center was placed on the National Register of Historic Places in 1980.

In addition to the houses he designed in Fullerton during this later period, Beuchly also completed homes in Santa Ana and Anaheim, most notably a Lush Pueblo Revival home (501 N. Clemente) for Charles Hooge, Anaheim City Treasurer and vice president of the First National Bank. At the time of construction, the Hooge residence, which cost $8,000, was one of Anaheim's most elegant homes.

In 1926, Beuchly began construction of an expansive Mediterranean Revival house for himself and his family in the Hollywood Hills (6315 Langview). Aside from a brief period in Alhambra (1208 Fourth Street), he would remain in Los Angeles for the remainder of his life. On January 18, 1927, he was elected to membership on the Los Angeles Stock Exchange (LASE), establishing a brokerage firm, Wiggins & Beuchly, with his brother-in-law, Wallace P. Wiggins (1877-1970), who had previously worked for his uncle's construction firm, Wiggins & Company. In 1928, the company, located in the Stock Exchange Building, was renamed Frank Beuchly & Company. Beuchly also began investing in oil fields in Los Angeles and Orange County.
2 – RESPONSES TO COMMENTS RECEIVED

Because LASI officials indicated all incriminating records, it is difficult to ascertain the full extent of the involvement of Frank Bendhey & Company, but Bendhey and members of his wife's family became embroiled in the massive Julian Petroleum Scandal, a Los Angeles stock swindle that predated the 1929 Depression. When the bubble burst on March 5, 1927, thousands of investors, holding worthless stocks, lost their life's savings. In a well-publicized case, shareholders, hoping to recoup their lost money, filed a $12 million lawsuit on October 8, 1929, against the Los Angeles Stock Exchange and forty-six brokers, including Wallace Wagy and Frank Bendhey (only $39,000 was recovered). On January 2, 1930, the LASI expelled Wagy and Bendhey for failing to adhere to new procedural changes and for "violations of the constitution and by-laws" of the stock exchange. Frank Bendhey & Company was quickly sold to lawyer Lyndol F. Young on February 18, 1930.

After his expulsion from the stock exchange, Bendhey suffered a reversal of fortune. He returned to architecture, designing and constructing buildings in Los Angeles, including a Colonial Revival apartment building (4010-4021 W. Los Feliz) but failed to renew his architectural license. By the late 1930s, he was working as a draftsman and carpenter. By the 1940s, he was working as a construction engineer for Water Projects Administration (WPA) school projects in Anaheim. During World War II, he worked for the Federal Housing Administration (12th & Maple). Bendhey passed away in 1962, while living in an apartment (424 Catalina Street, #3), and along with his wife, is buried in the Loma Vista Cemetery in Fullerton.

Bibliographical References


4"Last Tribute to Its Paid Saturday; Prominent Figure in Civic Affairs Brevities Last as Twilight Closes.” Fullerton News Tribune August 1, 1934, p. 1, 6. "Edward K. Bendhey Dies at Fullerton; Pioneer Broker Served as City’s Second Mayor.” Los Angeles Times August 1, 1924, p. A11.


6"Irrigation and Water Supply.” Western Mining & Steel World vol. 4, no. 1 January 1944, p. 77.

7William L. Bendhey. "History of Orange County with Biographical Sketches of the Leading Men and Women of the County Who Have Been Identified with Its Growth and Development from the Early Days to the Present.” Ed. Samuel Amuse. Los Angeles: Historic Record Co., 1921: 174, 379. William L. Bendhey would serve as president and owner of the Bendhey Fruit Company. His wife, Belle Jennings Bendhey, would be the first woman elected to a Fullerton school board. She would later build the San Diego Zoo from a small establishment with a few hundred animals into one of the largest zoos in the world, becoming the first woman curator of a major zoo.

8To The Colors.” Fullerton News March 21, 1918.


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State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET
Property Name: Juliay House

2

Mayer, Vicki. Email Regarding Frank Bencley's Architectural License, December 12, 2014. On file, Local History Room, Fullerton Public Library. Bencley's license number was B-1809.


Citizen Subscribes to Community Hotel.” Los Angeles Times September 29, 1921, p. 18; “Big Hotel to Rise at Fullerton.” Los Angeles Times October 16, 1921, p. V7. At the time of construction, Fullerton had no hotels, and the Spanish Colonial Revival building was constructed by subscriptions from local residents for $130,000.

Lodge and Club.” Southwest Builder and Contractor.” June 11, 1920, p. 17.


Contract for Plant Awarded: Fullerton Contractor to Build new Packing House for Grocers Association.” Los Angeles Times January 21, 1923, p. V2; “Construction News.” Journal of Electricity and Western Industry vol. 56, No. 3 (February 1, 1923), p. 120.


Sheraton House Local Landmark Nomination. 2015. On file, Local History Room, Fullerton Public Library.


“Bencley Voted to Membership on Local Mont.” Los Angeles Times January 30, 1927, p. 16.

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CONTINUATION SHEET
Property Name: Kelley House
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Image 1: Building Permit, issued in 1921; on file, City of Fullerton, Community Development Department.

Image 2: Benchley Building, 310 N. Spadra (Harbor) Blvd., (now razed)

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CONTINUATION SHEET
Property Name: Butler House
Page: 10 of 11

Image 3: 438 E. Chapman Avenue, north (front) elevation
Source: 1978 Fullerton Historic Survey on file, Fullerton Public Library, Local History Room

Photo 1: North (front) elevation

DPR 523L (9/2013)
Responses to Comments Received

State of California - The Resources Agency
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CONTINUATION SHEET

Property Name: Kirby House
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Photo 2: Partial east elevation (back portion of structure)

Photo 3: Partial east elevation (front portion of structure)

DPR 523L (9/2013)
Photo 4: Partial east elevation (central porch area)

Photo 5: Partial south (back) elevation, looking northwest

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state of california - the resources agency
department of parks and recreation
continuation sheet

property name: kelby house
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photo 6: partial west elevation (front portion of structure)

photo 7: partial west elevation (back portion of structure)

dpr 523l (5/2013)
Response to Comment Letter B

Fullerton Heritage
Ernie Kelsey, President

B-1 Thank you for your letter pursuant to the proposed project at Fullerton College. This comment summarizes the findings of the Draft Program Environmental Impact Report (PEIR).

As mentioned in the comment, the North Orange County Community College District (District) plans to renovate the Administration Building 100, Business 300, Math Building 600, and the Campus Services Building 840, which are all contributors to the Fullerton Junior College Campus Historic District. The proposed project would also include renovation of the Wilshire Theatre Building 2100, which is a contributor to the Wilshire Junior High School Historic District. Additionally, the project would involve the renovation of the Physical Education Building 1200 and the Fine Arts Gallery Building 1000 and the demolition of the Berkeley Center Building 3000, Music Building 1100, and the Theatre Arts Building 1300, which are contributors to the Mid-Century Modern Campus Expansion Historic District. All three districts were determined to appear to be eligible as historic districts under the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and local criteria.

The District acknowledges that there are no plans to construct new facilities in proximity to the John Hetebrink House. However, it should be noted that no new construction was proposed to occur proximate to the John Hetebrink House in the Initial Study or the Facilities Master Plan; therefore, this is not a revision to the original Facilities Master Plan.

B-2 As described in Section 4.3, Cultural Resources, and Appendix C of the Draft PEIR, in 2015, GPA Consulting (GPA) evaluated three properties on the project site located at 428, 434, and 438 East Chapman Avenue and reached the following conclusions from their evaluations:

None of the properties at 428, 434, or 438 East Chapman Avenue are currently designated under any national, state, or local landmark programs. They were evaluated in this report as part of the CEQA compliance process. None of the properties appear to be eligible for listing in the National Register, California Register, or for designation as a Fullerton Historical Landmark due to a lack of historical or architectural significance. In the case of the property at 438 East Chapman Avenue, its eligibility is also affected by its lack of integrity.
Additionally, none of the properties appear to contribute to a potential historic district. The recommended evaluation code for all properties on the project site is 6Z, ineligible for designation at the national, state, and local levels through survey evaluation. Therefore, the properties at 428, 434, and 438 East Chapman Avenue are not historical resources subject to CEQA. As the project will have no impact on historical resources, no further study is recommended or required.³

Dudek conducted a pedestrian survey of the exterior of these properties and reviewed the GPA report from 2015. Dudek’s qualified architectural historians concur that none of these properties appear eligible for NRHP, CRHR, or local designation. As noted in the GPA 2015 report, 428, 434, and 438 East Chapman Avenue are adjacent to two potential City of Fullerton (City) landmark districts (the East Townsite District and the College Park District). “The parcels along East Chapman Avenue were not included within the boundaries of these districts because the majority of these lots have been zoned commercial” (GPA 2015, page 2). Further, and more significant, is the fact that the properties in question were deliberately not included in the historic district boundaries because “this portion of East Chapman Avenue lacks the visual cohesion necessary to qualify as a potential historic district” (GPA 2015, page 3).

The comment notes that Fullerton Heritage believes these properties “are associated with important people from the city’s 1920s-era development and may qualify as a city Historical (Local) Landmark and this should be preserved, not demolished.” The comment letters include two sets of California Department of Parks and Recreation (DPR) forms for 434 and 438 East Chapman Avenue.

Dudek’s qualified architectural historians reviewed the DPR forms provided by Fullerton Heritage and offer the following notes: the DPR forms provided do not constitute significance evaluations. No significance criteria (NRHP, CRHR, or City Landmark) are evaluated in these forms and no statements are made concerning the buildings’ eligibility. The forms present a physical description of the buildings as well as an architectural context but do not analyze any eligibility criteria. The Building, Structure, and Object Record on both sets of forms reads “N/A” under “Applicable Criteria.” Further, the comment states that “Fullerton Heritage believes that two of these residential structures – 434 and 438 E. Chapman Avenue – are associated with important people.” However, the DPR forms seem to be focusing on the significance of the builders (Criterion C/3), not important individuals (Criterion B/2) associated with the property (note that this is an important distinction).

Although the documentation provided by Fullerton Heritage does appear to present new information concerning the builders that was not included in the GPA 2015 report, it does not constitute an evaluation under CEQA because it does not address any evaluation/designation criteria. Finally, despite the new information presented by Fullerton Heritage, the subject properties do not qualify as contributors to any existing historic districts, nor do they retain the requisite integrity to be eligible at the individual level.

B-3

As discussed in Chapter 3, Project Description, of the Draft PEIR, the College proposes to remove the four single-family residences located at 428, 434, and 438 East Chapman Avenue and 400 North Newell Place and replace them with an instructional building. To clarify further, “removal” of these buildings would involve their removal from their current location to another location. This would occur if a prospective buyer owns property to which to relocate these residences. The District is considering moving the homes located at 434 and 438 East Chapman Avenue to the vacant District property located at Amerige Avenue, if a developer is identified.

B-4

The District acknowledges Fullerton Heritage’s recommendation for the District to request that the City consider the Administration Building 100, Business 300, Math Building 600, Campus Services Building 840, and Technology and Engineering Building 900 for designation as Fullerton Historical Landmarks. However, it should be clarified that the Technology and Engineering Building 900 was not determined to be a contributor to the Fullerton Junior College Campus Historic District. Should the District decide to request that the City consider the Fullerton Junior College Campus Historic District contributor buildings for designation as Fullerton Historical Landmarks, this would be coordinated with the City.

B-5

Section 4.3, pages 4.3-6, 4.3-7, 4.3-11, 4.3-12, and Appendix C, pages 48, 49, 85, 86, and 111 of the Draft PEIR provide a discussion of Ralph D. Cornell and the original Fullerton College landscape design. These landscape design components were determined to be contributors to the Fullerton Junior College Campus Historic District in the Draft PEIR.

However, as discussed in the Draft PEIR, the original landscape design and layout appears to be compromised:

Although the 1930s and 1940s buildings are unified by their Spanish Colonial Revival style and shared character-defining features, and they remain functionally related buildings, the original landscape design of the campus master plan has been altered over time (as seen in historic
aerials c. 1953–1963, c. 2004, and after 2012 (NETR Online 2017). The front of campus, facing onto East Chapman Avenue, was originally a broad expanse of flat lawn with ornamental, curvilinear plantings near the Administrative Building and the anticipated footprint of another L-shaped building in the southeastern corner; a wide, north–south oriented pathway separated the two buildings and formed the grand entrance into the heart of the original campus. Between 1953 and 1963, modern additions to the two buildings infilled approximately half of the open lawn, eliminating the curvilinear planting beds, and several ancillary paved pathways further segmented the lawns. A distinctive and prominent feature of the original campus was the arrangement of the central courtyard into parterres (i.e., flat gardens arranged in a formal design), delineated by a grid of walkways. The grid of north–south and east–west oriented walkways served a functional use, facilitating movement within and around campus. The symmetry of the strict spatial organization created by the grid, and positioning of the library at the northern end, opposite the main entrance to campus, symbolized the power and success imparted by knowledge and learning. The expansion of the library in 2004 resulted in foreshortening the length of the original courtyard space and introduced a curved element in the shape of the hardscaping fronting the library. Additionally, at some point after 2012, the original pattern of the courtyard parterres was altered by removing the existing two north–south pathways and replacing them with one central north–south pathway leading directly from the main campus entrance to the library’s door, and by introducing more circular hardscaped areas at the site of formerly right-angle intersections (Draft PEIR, Section 4.3, page 4.3-45).

It was determined in the Draft PEIR that the demolition or alteration of the buildings, structures, objects, features, and landscape elements that compose the Fullerton Junior College Campus Historic District, the Mid-Century Modern Campus Expansion Historic District, and the Wilshire Junior High School Historic District would result in a substantial adverse change to the historic properties (the historic districts) and the environment, which cannot be mitigated to a less than significant level.

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The Draft PEIR has been revised, as shown in Chapter 3, Changes to the Draft PEIR, to explain that Ralph D. Cornell’s landscape plans are available at the University of California, Los Angeles, campus, and the Calisphere database.

**B-6**

Thank you for your letter pursuant to the District’s proposed project at Fullerton College. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**B-7**

The DPR Primary Record forms for 434 East Chapman Avenue and 438 East Chapman Avenue are provided as an attachment to the comment letter. The DPR forms were prepared by Fullerton Heritage and are not the same as the forms in the GPA report that was reviewed in the Draft PEIR. The DPR forms prepared by Fullerton Heritage were provided in a scoping comment letter from the City; however, certain pages of these forms were missing.

Please see Response B-2 regarding the DPR forms.
Mr. Richard Williams
District Director
Facilities Planning and Construction
North Orange County Community College District
1830A West Romneya Drive
Anaheim, California 92801
rwilliams@nocccd.edu

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR FULLERTON COLLEGE FACILITIES MASTERPLAN PROJECT (SCH# 2016111016)

Dear Mr. Williams:

The Department of Toxic Substances Control (DTSC) has reviewed the subject EIR. The following project description is stated in the EIR: "To accommodate course and program demands and overall campus growth, Fullerton College proposes construction of a new Welcome Center at the corner of East Chapman Avenue and North Lemon Street; two new instructional buildings, one south of Classroom Office Building 1400 and one south of East Chapman Avenue; new additions to the Horticulture Lab Complex; a new 840-space parking structure located west of Sherbeck Field; a new pedestrian bridge connecting the new parking structure to Classroom Office Building 1400; new parking lots north of Berkeley Avenue adjacent to Academic Computing Building 3100 and south of the Lemon Street parking structure; realignment of campus access to the Centennial Parking Structure; a new Maintenance and Operations facility located north of the chiller plant and a thermal storage addition to the south of the chiller plant; new storage and a small shower/locker room building to the north of the existing pool; and a new Performing Arts Complex in the south campus quad at the southeastern corner of East Chapman Avenue and North Lemon Street. Renovation of the existing Wilshire Theatre Building 2100; Math Building 600; Physical Education Building 1200 (to include a third sand volleyball court; Health Services Center; faculty offices, and the Wellness Center); Business Building 300; Humanities Building 500; Campus Services Building 840; Administration Building 100; and the Fine Arts Gallery 1000 is also proposed. The proposed project would also include new signage at key entry and exit points of the campus."
Based on the review of the submitted document DTSC has the following comments:

1. The EIR states, “Based on this review, 13 sites are identified in the GeoTracker database as leaking underground storage tank (LUST) sites, all of which have received case closure from the SWRCB (SWRCB 2017). DTSC is unable to evaluate whether vapor sampling and/or potential vapor intrusion risk was adequately addressed due to lack of relevant detailed information in the EIR. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from soil vapor intrusion to indoor air.

2. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

If you have any questions regarding this letter, please contact me at (714) 484-5476 or email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,

Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Brownfields and Environmental Restoration Program - Cypress

cc: See next page.
Mr. Richard Williams
September 27, 2017
Page 3

cc: Governor’s Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Brownfields Restoration and School Evaluation Branch
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2016111016
Response to Comment Letter C

Department of Toxic Substances Control
Johnson P. Abraham, Project Manager,
Brownfields Restoration and School Evaluation Branch

C-1 Thank you for your letter pursuant to the proposed project at Fullerton College. This comment provides a description of the proposed project. The description provided is accurate and the North Orange County Community College District (District) has no further response.

C-2 As discussed in Section 4.6, Hazards and Hazardous Materials, of the Draft Program Environmental Impact Report (PEIR), 13 sites are identified in the GeoTracker database as leaking underground storage tank sites, all of which have received case closure from the State Water Resources Control Board (SWRCB). Case closure means that the SWRCB has determined that the site no longer poses a significant threat to the environment (i.e., through a determination the contaminants of concern have been adequately contained and pose little risk of migration) or that the site has been adequately remediated.

However, Mitigation Measure (MM) HAZ-3 (see Section 4.6.5 of the Draft PEIR and Chapter 4, Mitigation Monitoring and Reporting Program, of this Final PEIR) has been revised to incorporate a hazardous material contingency plan for areas with potential soil vapor intrusion risks. The revised mitigation is provided in Chapter 3, Changes to the Draft PEIR, of this Final PEIR.

C-3 As discussed in Section 4.7, Hydrology and Water Quality, of the Draft PEIR, due to the estimated depth to groundwater (estimated to be between 50 and 120 feet below ground surface), it is unlikely that construction crews would need to undertake construction-related dewatering discharges. However, because groundwater levels fluctuate and because there could be pockets of groundwater perched atop less permeable soil layers near the surface, it is possible that construction excavations would encounter groundwater. The purpose of construction dewatering is to provide a dry work area if there is seepage of groundwater or if stormwater runoff enters excavations. Dewatering discharges are most likely during rainy periods and, for deeper subgrade excavations (such as basement levels, underground parking, and utility vaults), associated with new building construction and renovations.

For activities that involve dewatering, discharge to the land surface would need to comply with the provisions of the stormwater pollution prevention plan (SWPPP) that will be required to describe and implement procedures for making non-stormwater discharges. Discharging non-stormwater containing sediment or other pollutants from a trench or excavation directly to a sanitary sewer, storm drain, creek bed, or other receiving water is prohibited under the terms of the Construction General Permit.

If there is evidence that other pollutants are present in the groundwater, the District would be required to obtain a separate permit from the Regional Water Quality Control Board (RWQCB) or local jurisdiction. In such cases, the District may be required to use a vacuum truck and haul the water to an authorized discharge location or implement various methods of treatment on site (e.g., baker tanks) prior to discharging the water. The contractor's implementation of the SWPPP provisions would ensure that non-stormwater discharges from construction site dewatering would not violate Basin Plan objectives or substantially degrade water quality. Implementation of MM-HAZ-1 through MM-HAZ-5 (see Section 4.6 of the Draft PEIR) would further ensure that potential contaminants are identified and handled properly (i.e., treated on site or collected and disposed of at an authorized facility).

As discussed in Section 4.7 of the Draft PEIR, there is one site within the project boundary identified in California Government Code, Section 65962.5 (i.e., the Cortese List). The Fullerton College site references a prior release of petroleum (spillage from overfilling) discovered during underground storage tank closure in 1993. A cleanup action addressed the issue, and a no further action letter was issued by the RWQCB in 2004. However, release cases can be closed with residual contamination in place in soils, and there may be locations on campus with previously unidentified contamination. In order to reduce any impacts from potentially contaminated soils, a hazardous materials contingency plan would be prepared prior to the commencement of construction activities (MM-HAZ-3). Upon implementation of MM-HAZ-3, impacts would be less than significant.

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Hugh Nguyen
Orange County Clerk – Recorder
P.O. Box 228 Santa Ana, CA 92701
12 Civic Center Plaza, Room 108 Santa Ana, CA 92701
Phone: (714) 834-2500
www.ocrecorder.com

NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
183 WEST ROMNEYA DR. # A
ANAHEIM, CA 92801

Office of the Orange County Clerk-Recorder
Memorandum

SUBJECT: NOTICE OF AVAILABILITY

The attached notice was received, filed and a copy was posted on 08/18/2017.

It remained posted for 30 (thirty) days.

Hugh Nguyen
Clerk – Recorder
In and for the County of Orange

By: ALObaidi Nadia
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 underlines, deletions by ***
POSTED
AUG 18 2017

NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

To: Distribution List
From: North Orange County Community College District
1830 West Romana Drive, Building A
Anaheim, California 92801-1819

Subject: Notice of Availability of a Draft Program Environmental Impact Report for the Fullerton College Facilities Master Plan

North Orange County Community College District (District) is the lead agency under the California Environmental Quality Act (CEQA) for the Program Environmental Impact Report (EIR) for the Fullerton College Facilities Master Plan. The District is updating its Facilities Master Plan, which provides an analysis of the evolving student body and makes planning recommendations based on their education needs.

Project Description

Fullerton College is generally bounded by Berkeley Avenue to the north and east, Chapman Avenue to the south, and Lemon Street to the west. New academic, auxiliary, and general administrative uses would be constructed as part of the proposed project, which also includes the expansion of existing buildings. The proposed project would also involve the demolition, removal, and rehabilitation of existing buildings and facilities. Approximately 840 parking spaces would be created from construction of a new parking structure. In total across the campus, 1,198 parking spaces would be added and 741 would be lost, resulting in a net gain of 457 spaces. New signage at campus entryways, clear and safe vehicular drop-offs and creation of more pedestrian pathways would occur. For more information, Chapter 3 of the Program EIR includes a detailed project description. The Facilities Master Plan no longer includes the proposed improvements to Sherbeck Field, which will be evaluated under a separate CEQA document. All comments related to the Sherbeck Field project will be addressed in that specific CEQA document and will not be addressed in this EIR.

Potentially Significant Environmental Impacts

Based on analysis provided in the Draft Program EIR, it was determined that there would be no impacts or less than significant impacts related to agricultural and forestry resources, air quality, geology and soils, greenhouse gas emissions, mineral resources, population and housing, public...
Notice of Availability

services, and recreation. There would be less than significant impacts with mitigation related to aesthetics, hazards and hazardous materials, hydrology and water quality, land use, noise, and utilities and service systems. The Draft Program EIR also determined that the proposed project would have significant and unavoidable environmental impacts that cannot be mitigated to below a level of significance related to cultural resources (historic resources) and traffic and circulation.

Public Comment Period

The Draft Program EIR is available through the District’s website (http://www.mecd.ore.edu) and the Fullerton College website (www.fullcoll.edu/campusprojects) for a 45-day public comment period from August 18, 2017, through October 01, 2017. A copy of the Draft Program EIR is also available for public review at the Fullerton Public Library, 353 West Commonwealth Avenue, Fullerton, California 92832, and at the Administrative Offices, North Orange County Community College District, Anaheim campus, located at the address above. Comments on the Draft Program EIR may be made in writing, with a contact name and return address or email, and should be sent to Richard Williams at the address shown above. Due to the time limits mandated by state law, your response must be sent at the earliest possible date but no later than 45 days after receipt of this notice.

Richard Williams
District Director, Facilities Planning and Construction

POSTED
AUG 18 2017
HUGH NGUYEN, CLERK-RECORDER

D-4 Cont.
Fullerton College Facilities Master Plan Final PEIR
December 2017

2 – RESPONSES TO COMMENTS RECEIVED
## Reviewing Agencies Checklist

Local Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X." If you have already sent your document to the agency please denote that with an "S."

<table>
<thead>
<tr>
<th>Agency Name</th>
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<tr>
<td>X Air Resources Board</td>
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<td>X Office of Public School Construction</td>
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<td>X Parks &amp; Recreation, Department of</td>
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<td>California Emergency Management Agency</td>
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<td>California Highway Patrol</td>
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<td>X Caltrans District #12</td>
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<td>X Caltrans Division of Aeronautics</td>
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<td>X Colorado River Board</td>
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<td>X Delta Protection Commission</td>
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<td>X Education, Department of</td>
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<td>X Fish &amp; Game Region #5</td>
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<td>X Housing &amp; Community Development</td>
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<td>X Native American Heritage Commission</td>
</tr>
</tbody>
</table>

**Local Public Review Period (to be filled in by lead agency)**

| Start Date: August 18, 2017 | End Date: October 1, 2017 |

**Lead Agency (Complete if applicable):**

Consulting Firm: Frick
Address: 7737 E Calle Arroyo
City/State/Zip: San Juan Capistrano, CA 92675
Contact: Rachel Struglia
Phone: 949.375.8333

Signature of Lead Agency Representative: Rachel Struglia
Date: 5-18-17

Response to Comment Letter D

Orange County Clerk-Recorder
Hugh Nguyen, Orange County Clerk-Recorder

D-1 Thank you for your letter pursuant to the proposed project at Fullerton College. This comment confirms that the Orange County Clerk-Recorder posted the Notice of Availability (NOA) on the public review start date, August 18, 2017. The comment states that the NOA was posted for 30 days after the public review start date; however, it should be noted that the NOA was resubmitted to the Orange County Clerk-Recorder for reposting on September 18, 2017, to ensure that the NOA was posted for the entire 45-day public review period.

D-2 The North Orange County Community College District (District) understands that California Public Resources Code 21092.3 states that a notice for an environmental impact report (EIR) shall be posted in the office of the County Clerk of the county in which the project is located, which is consistent with the District and County Clerk-Recorder’s actions. Although California Public Resources Code 21092.3 states that an EIR shall be posted for a period of 30 days, it should be noted that Section 15105 of the California Environmental Quality Act Guidelines states that “The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days, unless a shorter period, not less than 30 days, is approved by the State Clearinghouse.” Because the Draft Program Environmental Impact Report (PEIR) was submitted to State Clearinghouse, the public review period for the Draft PEIR was 45 days. It should be noted that the NOA was resubmitted to the Orange County Clerk-Recorder for reposting on September 18, 2017, to ensure that the NOA was posted for the entire 45-day public review period.

D-3 The District understands that California Public Resources Code 21152 states that the County Clerk shall return the notice to the local lead agency within a notation of the period it was posted. The District understands that this comment letter serves as that notice. The District has no further response.

D-4 The NOA is provided as an attachment to the comment letter. The District has no further response.

8 14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.
INTENTIONALLY LEFT BLANK
September 29, 2017

North Orange County Community College District
1830A West Romneya Drive
Anaheim, CA 92801-1819

Subject: City of Fullerton Comments on Draft Program Environmental Impact Report for the Fullerton College Facilities Master Plan

Dear Mr. Williams,

Thank you for the opportunity to review and comment on the Draft Program Environmental Impact Report (DPEIR) for the Fullerton College Facilities Master Plan. The City of Fullerton is supportive of the efforts of Fullerton College to better serve its growing student population. The DPEIR is very thorough and addresses all topics in detail. The City’s comments, for your consideration, are included below.

Chapter 1 - Summary

This chapter includes a general description of the Sherbeck Field Project, noting that it will be assessed in a separate CEQA Document. No timeframe for implementation of the Sherbeck Field Project or its CEQA review is given. Under the CEQA Statute and Guidelines, a Program EIR should address any reasonably foreseeable projects or activities that are related geographically or parts in the chain of contemplated events (Guidelines §15168). Please address the timing for the expected evaluation of the Sherbeck Field Project and how its deletion from the DPEIR is consistent with the purposes of CEQA.

Chapter 2 - Introduction

No comments

Chapter 3 - Project Description

The DPEIR states that “Using a Program EIR to assess a Facilities Master Plan provides the advantage of looking at the whole of the action in a more thorough manner than might be possible on an individual project basis, the examination of cumulative impacts in a more comprehensive manner than on an individual basis, and the consideration of program-wide mitigation measures.” It also states that “When the term “proposed project” is used in this Program EIR, it refers to all the individual building projects proposed as part of the Facilities Master Plan over the next 10 years. Therefore, the proposed project is the entirety of the Facilities Master Plan projects envisioned over the planning horizon...” As the Sherbeck Field Project is identified in the DPEIR as a future project, we believe it should at a minimum be included in the list of cumulative projects found in Table 3-4, and evaluated in the cumulative impacts analyses of relevant environmental topic areas.
In Table 3-5, Facilities Master Plan Program EIR Project Approvals, please note that the City of Fullerton will need to issue permits for any work in the public right of way, as may be required for intersection improvements at Fullerton College driveway access points along Berkeley, Chapman and Wilshire Avenues.

Please clarify the distinction between “removal” and “demolition” of structures as used in this document, including Figure 3-5.

Chapter 4 - Environmental Analysis

4.1 Aesthetics

The City believes that the removal of the existing residential buildings and construction of the proposed parking lot 11 creates a substantial change in the visual character of Chapman Avenue and Newell Place, and should be characterized as significant in Table 4-1-1 New Construction of Buildings and Facilities. An additional mitigation measure is requested that landscape setbacks be provided along street frontages for the proposed parking lot 11 on the south side of Chapman Avenue east of Newell Place, and that street trees be incorporated in setbacks. This would be consistent with the O.P. (Office Professional) zoning of the property, provide continuity of setbacks that exist along Chapman and Newell to the east, west and south, and help soften/screen views of the proposed parking lot as necessary to reduce the visual impact.

4.2 Air Quality

No comments

4.3 Cultural Resources

This section identifies removal of four residential structures in the 400 block of East Chapman Avenue, east of Newell Place. The City requests that the DPEIR clarify what is meant by “removal” of the structures. The DPEIR bases its analysis of these structures on the 2015 GPA Consulting evaluation. Further research and documentation has been prepared that should also be considered in the analysis of their cultural significance and was provided to you with the City’s comments on the Notice of Preparation of the DPEIR. Documentation is also attached to this letter for your consultants’ use (Attachments 1 and 2). In light of the further evaluation of the residential structures the “Less than significant” finding as shown in Table 4.3-5 is not appropriate, and the City supports action to preserve these structures.

Table 4.3-1, Fullerton College Campus Buildings and Structures Surveyed, includes residences located at 325–327 and 409 North Newell Place and 416-420 East Chapman Avenue. These properties are within the campus boundaries as depicted on Figure 3-2, but no future uses are identified. Please identify how these structures relate to the Facilities Master Plan.

Residential Preservation zones adjacent to the campus include the Townsite East/College Park Residential Preservation Zone south of East Chapman Avenue and the Hillcrest Preservation Zone.
City of Fullerton comments DPEIR

Page 5

located west of Lemon and north of Berkeley Avenue (see Attachment 3). The EIR should address potential impacts to these preservation zones with implementation of the Facilities Master Plan.

The Fullerton Plan identifies four potential historic landmark districts that are immediately adjacent to, or in close proximity to, the Fullerton College campus (see Attachment 4). Each of these districts is characterized by houses constructed primarily in the early 1900s. The proposed intensification of development and uses at Fullerton College has the potential to adversely impact these historic resources. Please include an analysis of potential impacts.

4.4 Geology and Soils

No comments

4.5 Greenhouse Gas Emissions

No comments

4.6 Hazards and Hazardous Materials

No comments

4.7 Hydrology and Water Quality

No comments

4.8 Land Use Planning

The City would note that the location of the proposed instructional building south of Chapman Avenue, between Newell Place and Balcom Avenue abuts the Twomne-East/College Park Residential Preservation Zone, established in 1999. The proposed Instructional is significantly larger in scale than the existing single family residences. Recognizing that the building has not yet been designed, the City supports the inclusion of mitigation measures identified in 4.8.5 to minimize impacts on the adjacent residents, as well as an additional mitigation measure similar to AES-1 that addresses the design of the proposed Instructional Building. The City also requests that the adjacent properties be notified at such time as the Instructional Building design moves through its approval process to provide an opportunity for public input prior to a final decision.

4.9 Noise

The preparation of a construction noise mitigation program prior to initiation of construction per MM NOI-1 defers mitigation to a time that does not provide for public input. Construction noise mitigation should be included in this PEIR, for purposes of full information and disclosure.

4.10 Population and Housing

No comments
4.11 Public Services

No comments

4.12 Traffic and Circulation

The City of Fullerton appreciates the communication and coordination between the City Traffic Engineer and the CEQA consultants on the traffic analysis. After reviewing the DPEIR, the City offers the following additional recommendations for consideration and implementation by Fullerton College:

4.12.3.1 Lawrence/Chapman Avenues. This section notes that the pedestrian activity on west leg of the Chapman/Lawrence intersection is clearly more dominant. This suggests that removal of the crosswalk on the eastbound leg could be feasible, which would eliminate conflicts between pedestrians and northbound right turn activity onto Chapman. In addition, restriping Chapman to provide an eastbound right turn lane to southbound Lawrence could also alleviate pedestrian/ vehicle conflicts at the west leg of the Chapman Lawrence intersection. Further analysis of these potential improvements should be done to determine feasibility and potential to minimize, to the extent feasible, conflicts between pedestrians and vehicles.

4.12.3.3 Lemon Street at Chapman Avenue: The analysis of this intersection indicates that the improvements suggested by the City do not adjoin Fullerton College. It should be noted that the intersection experiences heavy pedestrian activity which is largely attributable to the College, as most of the parking in the Plamner Structure during school hours is utilized by Fullerton College parking permit holders, who must cross Lemon and/or Chapman to reach campus facilities. The location of the proposed Performing Arts Complex southeast of the Lemon/Chapman intersection may further increase pedestrian activity at the intersection. Further analysis of this intersection is requested to include review of accident history, as the concerns at this location are not simply traffic volumes but relate to pedestrian and vehicular conflicts.

4.12.3.5 and 4.12.3.8 Lot 7: These sections indicate that turning volumes at the existing Lot 7 access at Chapman Avenue are extremely small. The City believes this is because the proximity of the driveway to the Chapman/Berkeley intersection makes turning movements difficult and potentially unsafe. The City recommends that this driveway be closed, and that all access to and from Lot 7 be made at the Berkeley driveway.

4.12.3.6 and 4.12.3.7: These sections discuss the intersections of Berkeley at Centennial Way and Lot 6 (north of Brookdale) but make no mention of traffic signals at these locations. The Facilities Master Plan identifies both as signalized intersections. Please clarify whether the Master Plan includes the addition of traffic signals at these locations. If so, this will require review and approval by the City, and may include related improvements to the public right of way.

4.13 Utilities and Service Systems

4.13.1 Existing Conditions: This section notes that there are no private sewer lines on the project site. However Fullerton College owns and maintains sewer lines onsite that convey waste water to the City of Fullerton sewer mains in Lemon Street and Chapman Avenue.
City of Fullerton comments DPEIR
Page 5

We request that the following mitigation measures be added to address improvements that may be necessary to utility systems and public infrastructure:

1. If new connections to City’s sewer and water lines are needed, they shall be installed per City of Fullerton Standards under a City of Fullerton Public Works encroachment permit.
2. College shall comply with all City mandated water conservation ordinances and regulations.
3. During construction operations that impact public right of way, the project shall minimize inconvenience to the public. The project shall provide and maintain all necessary flag persons, barricades, delineators, signs, flashers and any other safety equipment as set forth in the latest edition of the State of California, Manual of Uniform Traffic Control Devices, or as required by the Fullerton Public Works Department or Engineering Permit requirements to ensure safe passage of pedestrian and vehicular traffic.
4. During site improvement, all deliveries to the project site that are overweight or oversize require a transportation (haul route) permit from the Public Works Department.
5. Sidewalks and driveways along the site street frontage shall comply with current ADA standards. All deficiencies shall be addressed including removal and replacement of non-compliant hardscape improvements within public street right of way.

Chapter 5 - Other CEQA Considerations

No comments

Chapter 6 - Alternatives

No comments

The City of Fullerton appreciates the opportunity to review and comment on the DPEIR. If you have any questions regarding the comments above, please contact Joan Wolff, Senior Planner at (714) 738-6837 or joanw@cf.fullerton.ca.us.

Best regards,

Matt Foulkes
Planning Manager

Attachments:
1. DPR forms for 434 E. Chapman Ave.
2. DPR forms for 438 E. Chapman Ave.
3. Map of Residential Preservation Zones
4. The Fullerton Plan Exhibit 5: Historic Districts
2 – RESPONSES TO COMMENTS RECEIVED

Fullerton College Facilities Master Plan Final PEIR
December 2017
9422.0001

| 455 | City of Fullerton, California | 92635 |

The single-family residence at 455 E. Chapman, constructed in 1922 in the Craftsman bungalow style, is largely intact and retains most of its original architectural features. The residence was converted to an office use in 1989, with alterations and additional features constructed on the structure's east side to accommodate ADA requirements for accessibility and openings on the west side were filled and plastered over to comply with building code requirements.

Built with a concrete foundation, the rectangular-shaped structure features a defined front porch, a low-pitched gable roof with wide, exposed roof eaves, and horizontal wood siding—all typical features of Craftsman bungalow architecture. All eves of the porch, three wooden columns atop a planked structural support the roof structure at the front. The raised porch is accessed by concrete steps. The front (north) elevation features two, tripartite windows consisting of multi-light fixed sash and multi-light wood casements. The main entrance is a solid wood door with three small glass lights. Existing doors and windows on all sides of the residence are intact.
2 – RESPONSES TO COMMENTS RECEIVED

State of California | The Resources Agency | Primary # |
DEPARTMENT OF PARKS AND RECREATION | Building, Structure, and Object Record |

**Resource Name or # (assigned by record)**

**NHRP Status Code**

**B1. Historic Name:** None

**B2. Common Name:** 434 E. Chapman Avenue residence

**B3. Original Use:** Single-family residence

**B4. Present Use:** Vacated, boarded up

**B5. Architectural Style:** Craftsman bungalow

**B6. Construction History:** Construction date, alterations, and date of alterations

The residence was constructed in 1922. In 1989, the residence was converted to an office use; alterations or additions required for this change included transforming the west side of the structure to a solid stucco wall with no openings, the installation of an ADA-compliant ramp and two French doors for entry on the east side of the structure. Presently, the structure is unoccupied and boarded-up.

**B7. Moved? Site Yes Unknown Date: Original Location:**

**B8. Related Features:** Detached garage at the rear of the property built at the same time as the residence

**B9a. Architect:** None

**b. Builder:** Oliver Compton

**B10. Significance:** Theme 1920-1929 Property Type: Residential Applicable Criteria: N/A

Period of Significance: 1920-1929

The dwelling at 434 East Chapman was designed and constructed by an important early local developer: Oliver Summervell Compton (1862-1947). At the time of Compton’s arrival in Fullerton in 1912, the city was transitioning from Colonial Revival and Victorian-styled homes toward more comfortable Craftsman bungalows, and Compton quickly became known for specializing in Craftsman bungalows noted for their “careful and painstaking detail.” Compton’s early Craftsman bungalows were distinguished by their direct and simple styling, but over time, his work became more detailed and complex. The residence on East Chapman Avenue is a fine representative example of his work in the 1920s, and it now may be the only one still standing in Fullerton.

**Architectural Context:**

Constructed in 1922, at an estimated cost of $5,300 (a huge amount for the time), the Craftsman bungalow and contributing garage at 434 E. Chapman Avenue were constructed for Timothy L. Sullivan (1871-1958), a worker with the Birch Oil Company in Brea. A Pennsylvania native, Sullivan would remain in the house until his death in 1958. The dwelling was designed and constructed for

**B11. Additional Resource Attributes:** List attributes and codes

**B12. References:**

**B13. Remarks:**

**B14. Evaluator:** Deborah Richey & Bob Linnell

Fullerton Heritage

P.O. Box 6052

Fullerton, CA 92834

**Date of Evaluation:** October, 2015

(This space reserved for official comments.)

DPR 523B (9/2013)

*Required Information*
Continuation of 2-3

2-4

As a contributing feature, a detached garage structure is situated behind (south) of the residence; built at the same time as the residence, it is unheated, retaining its horizontal wood siding and a front-gable roof with exposed roof rafters, similar in design to the residence. The remaining back portion of the property is paved for use as a parking area.

Although neglected for some time, the house and garage appear to be in solid condition. Importantly, the alterations made to the house in 1989 are reversible, and a full restoration of the original design is quite possible.

Continuation of 2-4

Sullivan by notable local builder Oliver S. Compton. Born March 19, 1862 in Waterford, Indiana, during the Civil War, Compton was employed as a clerk in the Goshen, Indiana local hardware store operated by James A. Riley in 1885, and later worked as an implement dealer. In 1905, he and his wife, Ida A. Barkley (1866-1974), moved to Pasadena (704 S. Grand), joining a large influx of Indiana natives who had moved to the area. He quickly established a successful contractor business in Pasadena before moving to Fullerton in 1912. At the time, Fullerton had a pressing need for housing but no certified architects. Frank B. Smalley would be the city's first formally trained architect in 1920s, and the town relied on a small handful of general contractors for new housing stock. As one of the town's first developers, Compton quickly established a solid reputation for his construction of sturdy and comfortable bungalows for the working class. Unlike developers such as Richard Gregory and Harry Crooke, who would purchase small tracts of land to develop, Compton built individual residences initially in the central core of the town laid out by town founders Edward and George Armstong in 1887. By the 1920s, local developers began to concentrate on ways to differentiate themselves from each other. Harry Maxwell specialized in Spanish Colonial Revival, Ernest S. Gregory built English cottage homes, and Oliver S. Compton constructed Ordmann bungalows. His bungalows (e.g., 202 West Whiting, 315 North Malden) were both compact and well-built and popular with new arrivals working in the oil and citrus industries. His clientele was primary from the working and middle class.

Oliver Compton's son, Faustino Langstroth ("Fats") Compton (1890-1989), was the chief colorist and assistant to famed tile artist Ernest A. Batchelder, and Paul's home at 745 East Rio Grande Street (1916), a Pasadena Landmark, is noted for its prolification of beautifully designed and colored tiles. The home would also be featured in the June 1919 issue of The Ladies' Home Journal. Oliver Compton would use Batchelder tiles in some of his Fullerton projects, most notably his own two-story residence at 202 West Whiting, which was featured in the city's 1978-79 survey, City of Fullerton Historical Building Survey, Heritage Revealed. The survey noted the house's "numerous details," including small stained glass panels on the north side and a glazed Batchelder tile set on the chimney. Fats Compton, a graduate of Throop Polytechnic Institute (now the California Institute of Technology), continued to work for the Batchelder-Wilson Tile Company until its closing in 1932, but also worked with his father on projects both in Fullerton and Pasadena.

Oliver and Ida Compton were charter members of the International Order of Odd Fellows (IOOF) and opened their Pasadena and Fullerton homes to any member of the fraternal organization passing through town. When the couple moved to Fullerton, they became charter members of the Independent Order of Odd Fellows Lodge Number 103 (Ida was a Rebekah). When the Lodge needed a formal building for its meetings, Compton volunteered to both design and construct the new Fullerton Odd Fellows Temple (112 East Commonwealth Avenue). Situated in a prominent location in the historic central business district, the Odd Fellows Temple, constructed in 1927-28, had an unusual arrangement of functions for the time. Lodge members reserved the second floor for their secret and

DPR 523L (9/2013)
exclusive use while leasing and renting out the first floor for office and retail space and the third floor to other local patriotic, fraternal, and women's organizations. The Temple was identified in the City's 1976-79 historic survey as “one of the most outstanding of Fullerton's brick buildings,” and was designated Local Historic Landmark 915 by the Fullerton City Council in November 1980 because of its character and interest as part of the heritage of the City, its exemplification of the best remaining unaltered architectural type in the area, and its established and familiar visual part of the area.” The Fullerton Odd Fellows Temple (now the Williams Building) was placed on the National Register of Historic Places in 2002.

After Compton retired, he and his wife moved back to Pasadena (439 N. Euclid) in 1992. He passed away on March 10, 1997 in Pasadena at the age of 81.

Bibliographical References:


Other References:

Building Permit, 484 East Chapman. On file, City of Fullerton, Community Development Dept. Internet


Image Log:
Image 1: Building Permit, issued in 1922. On file, City of Fullerton, Community Development Department. Internet.
Image 2: Photo of Ida and Oliver Compton
Image 2: 434 E. Chapman Avenue, exterior. 1978 Fullerton Historic Survey. On file, Fullerton Public Library, Local History Room

Photo Log:
Photo 1: North (Chapman Ave.) elevation, looking southwest
Photo 2: North (Chapman Ave.) elevation, looking south
Photo 3: East elevation, looking southwest
Photo 4: Partial east elevation, showing porch area
Photo 5: South elevation
Photo 6: West elevation, looking north, showing solid stucco wall with no openings
Photo 7: Interior (taken from outside), showing wood paneling and in-place cabinet work
Photo 8: Detached garage, north elevation

DPR 523L (9/2013)
Image 2: Ida and Oliver Compton

Image 3: 434 E. Chapman Avenue, front (north) elevation
Source: 1978 Fullerton Historic Survey; on file, Fullerton Public Library, Local History Room

DPR 523L (9/2013)
RESPONSES TO COMMENTS RECEIVED

Photo 1: North (Chapman Avenue) elevation, looking southwest

Photo 2: North (Chapman Ave.) elevation, looking south

DPR 523L (5/2013)
Photo 5: South elevation

Photo 6: West elevation, looking northeast

DPR 523L (9/2013)
Responses to Comments Received

Fullerton College Facilities Master Plan Final PEIR

December 2017

2-74
State of California
The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) *NRHP Status Code
Page 2 of 14

B1. Historic Name: Kelley House
B2. Current Name: 438 E. Chapman Avenue residence
B3. Original Use: Single-family residence
B4. Present Use: Vacated, boarded-up
B5. Architectural Style: Craftsman bungalow
B6. Construction History: Construction dates, alterations, and dates of alterations

The residence was constructed in 1921. In 1949, a sizable addition was made to the front of the structure and the main entrance was placed on the west side. In 1967, the residence was converted to an office use; alterations or additions required for this change of use included transforming part of the west side of the structure to a solid stucco wall with no openings and the placement of an ADA-compliant ramp on the east side of the structure. Presently, the structure is unoccupied and boarded-up.

B7. Moved? No
B8. Related Features: Detached garage at the rear of the property built at the same time as the residence (razed)
B9a. Architect: None
B9b. Builder: Frank Bensley

B10. Significance: Theme 1920s residential development

Period of Significance: 1920-1929
Property Type: Residential
Applicable Criteria: N/A

Statement of Significance:

Frank Bensley was the most significant local architect in Fullerton history. In the 1920s, he was the city's only licensed architect and one of the few in Orange County. He designed some of the most significant and impressive buildings in Fullerton and Orange County, a number of which are recognizable landmarks to residents. Four of Bensley's buildings—three in Fullerton and one in Portland, Oregon—are listed on the National Register of Historic Places. Three others—the California Hotel (now Villa del Sol), the Edward S. Bensley House, and the Stadium House—are Fullerton Local Landmarks. He employed a variety of architectural styles and designed a wide array of building types: a school, a hotel, a bungalow court, a jail, a fraternal lodge, commercial buildings, apartments, and both modest and stately houses. The residence at 438 E. Chapman Avenue, which would qualify for Fullerton Local Landmark status, was constructed after Bensley returned from World War I military service and was attempting to restart his practice. He designed and constructed a handful of modest California Bungalows before transitioning to more expansive and luxurious homes for politicians, businessmen, and civic leaders. The Chapman Avenue residence is a representative example of the bungalows Bensley briefly designed from 1919 to 1923 before moving into Mission

B11. Additional Resource Attributes: (List attributes and codes)

B12. References:

*B14. Evaulator: Dakorn Hickey & Rob Ehnoll
Fullerton Heritage
P.O. Box 6509
Fullerton, CA 92834

*Date of Evaluation: October, 2015

(This space reserved for official comments.)

DPR 5238 (5/2013)

* Required Information
Continuation of P9a

Other doors include a wood paneled door and wood paneled screen on the south elevation, two multi-light French doors on the east elevation, and a wooden door, now boarded up, facing north on the west side of the house. All wood windows on the east and west elevations retain their original wood frames.

The front (north) elevation, part of the 1949 addition, features a wooden bay window, multi-paned on all three sides. A small rectangular window, framed in wood, is also featured on the front facade. A 2-foot high red brick base extends the entire breadth of the front facade, wrapping around the west side to the main entrance. These features, along with the design of the west-facing main entrance, are characteristic of post-WWII architecture, yet is fully complimentary to the Craftsman style of the 1920s.

A non-original ADA-compliant ramp with metal railing is situated on the east elevation. Other alterations to the original structure include the replacement of several windows with metal on-center-and sliding sash, the replacement of the doors on the east elevation, and the removal of wood siding and the use of stucco on the back portion of the west elevation. Most of these alterations were completed when the house was converted to an office use in 1985, with building code requirements dictating these changes. It is important to note that all of these alterations are reversible, so a substantial restoration of the house's original design is quite feasible.

A detached garage, built with the house in 1921, is no longer on the property.

Continuation of TE10

Revival, Spanish Colonial Revival and other period styles.

Building History

The Craftsman bungalow at 436 (formerly 434) East Chapman Avenue was designed and built by architect Frank Bunchley for Harold H. Kelley (1879-1964) in 1921. In 1933, Kelley was employed by the Bunchley Fruit Company, where he most likely became familiar with Frank Bunchley. Kelley, 40, married Emma T. Schreiner, 32, a member of the Fullerton pioneer Salveson family, in February 1921, and the residence was likely a gift to his bride. The Kellys lived next door at 440 East Chapman Avenue before moving into their new home. The couple would remain in the home until the early 1960s.

In 1919, Kelley was employed as a foreman, then manager, of the Charles C. Chapman Ranch, a 140-acre citrus ranch. A leader in the incorporation of both Orange County and Fullerton, and Fullerton's first mayor, Charles C. Chapman (1853-1944) earned the moniker “Father of the Citrus Industry” by developing and marketing Valencia oranges from his Fullerton ranch.1 Kelley would manage the Chapman Ranch until 1933, when he accepted a position as manager of the Randolph Marketing Company (219 W. Traslow), a prosperous citrus packing house established in 1923. He would remain with the company until his retirement in 1957.2 Kelley's son, Harold Johnstone Kelley (1923-1959), a lifelong resident of Fullerton, would also become well-known in the citrus-packing industry and be employed by the Chapman Ranch Company as a financial counselor.3

Architectural Context

Frank Keith Bunchley (1884-1962) was Fullerton's only architect and one of the most prominent and impressive architects in Orange County in the 1920s. Bunchley was born in Ventura County on January 25, 1884, spending his early years in Los Angeles, before his family moved to Fullerton in 1893, where he received his education in the

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grammer and high schools. His father, Edward K. Bendich (1854-1924), established the highly successful Bendich Bros. Company, served as president of the Farmers and Merchants National Bank, and was elected Fullerton's second mayor, serving from 1906 to 1908. Along with Charles C. Chapman, Edward K. Bendich helped initiate and promote the orange packing industry in Orange County.¹

After graduating from Fullerton Union High School in 1903, Frank Bendich enrolled in the Throop Polytechnic Institute (now the California Institute of Technology) in Pasadena for a two-year course of study. On April 3, 1906, he married Ruby Wagen (1886-1960), and the couple had one daughter, Jane Dorothy (Farley) born in Fullerton on December 18, 1906. Upon graduation in 1906, Bendich spent the next four years in Los Angeles offices as an architectural drafter, while also establishing a building construction business (258 South Spring Street, Room 407), and designing a number of modest Craftsman bungalows, including his own residence (2319 West 30th), in what is now the Jefferson neighborhood of Los Angeles. In 1909, he took up independent practice in Portland, Oregon, where his wife had been raised, staying until 1912. While in Portland, he designed the luxury Villa St. Clare Apartments (609 SW 12th Avenue), now the Genes Apartments, listed on the National Register of Historic Places in 2002.²

In 1913, Bendich returned to Fullerton, establishing himself as a general contractor, first working out of his residences (317 N. Pomona, 708 N. Harbor), then establishing an office in the E.K. Bendich Building (3101 North Harbor Blvd., 3rd fl.). During this early period, he designed and built a number of homes, including in 1916, an impressive Craftsman bungalow for his father; the Edward K. Bendich House, 604 N. Harbor Blvd, a Fullerton Local Landmark, as well as a reservoir station in Riverside in 1914.³ Despite having wives and small children, Frank Bendich and his brother William Jr. volunteered for military service in World War I.⁴ After his return, Bendich was elected commander of the American Legion, Fullerton Chapter 142, in 1923.⁵

After his World War I service, Bendich, trying to restart his Fullerton practice, designed and constructed a handful of Craftsman bungalows in Fullerton (e.g., 126 West Malvern, 601 N. Harbor, 708 N. Harbor, 132 W. Brookdale, 137 W. Brookdale). The unpretentious homes—including the dwelling at 438 East Chapman—were constructed in a broad period, primarily from 1919 to 1921, for middle class clientele. While modest in size, the bungalows were unmistakable Bendich designs: the houses typically display a central porch and entry, protected and framed with its own roof structure; well-proportioned tripartite wood-framed windows are placed on either side of the entry; and low pitched gabled roofs are usually clipped at the ends to add definition and give interest to the sides of the structure. (Ironically, the Kelley House at 438 E. Chapman does not exhibit these signature features due to the substantial addition in 1949 on the north (front) side of the structure.)

Bendich would be at the peak of his architectural career in the 1920s, designing dozens of imposing buildings in Fullerton and Orange County. He was one of only a few licensed architects in Orange County, and the only one in Fullerton. Many of the structures he designed in Fullerton—situated in prominent locations throughout the city—have become familiar landmarks to residents. In 1919, he was commissioned to design the Spanish Colonial Revival Masonic Temple (501 N. Harbor) in Fullerton, now the Spring Field Banquet Center, listed on the National Register of Historic Places in 1995.⁶ That major commission would quickly be followed by others in Fullerton: the Pomona Banquet Court (314 N. Pomona) in 1922; the California Hotel, now Villa del Sol, a Fullerton Local Landmark, in 1925;⁷ and the Fullerton Grammar School (ruined) in 1925.⁸ The Fullerton Masonic Temple led to a commission to draw up plans for the Buena Park Masonic Temple (1000 S. Grand) in 1919, followed by the Anaheim Elks Lodge (423 N. Los Angeles) for $50,000 in 1921.⁹ In 1922, Bendich's father hired him to add Beaux Arts embellishments to the Farmers and Merchants Bank (122 N. Harbor), listed on the National Register of...
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Historic Places in 1994, and the following year, his brother asked him to prepare plans for a modern packing house for the Anaheim Valencia Growers' Association (805 E. Center). He was often asked to design brick stores and offices for local businesses, including the James P. Glenn Furniture Store (124-126 W. Wilshire) in Fullerton, the Sam Sedgley Grocery Store (139 W. Center) in Anaheim, and a medical office for Walter J. Bingham (449 W. Center) in Anaheim.

In 1922, the Orange County Board of Supervisors hired Bendley to design a new Hall of Records, a two-story, yellow-brick building which provided a new home for the county records, the tax collector, the superintendent of schools, the road department, the county surveyor, the probation office, the law library, health department, and headquarters for the county free public library. When completed, the impressive complex, located in downtown Santa Ana, would give Bendley's career a major boost, and he began receiving commissions around Orange County. Pleased with the Hall of Records, the Supervisors hired Bendley to design a new $200,000 jail across from the Courthouse on the east side of Sycamore Street. Before constructing the facility, Bendley made a trip to Cincinnati with members of the Board of Supervisors to inspect the latest locking systems in modern jails. The new jail opened in 1924, with rooms for 260 prisoners as well as offices for the Sheriff and his staff. In 1923, he would again be hired by Orange County to develop plans and specifications for the addition of a Psychopathic Ward to the Orange County Hospital, with a bridge connecting the ward with the main building.

Bendley's important and distinctive architectural projects gained him much notice, and as a member of a prominent family, he was able to obtain residential commissions from wealthier and more influential clientele. From 1920 to 1926, Bendley moved to designing more opulent and significantly larger homes, including his own in the Hollywood Hills, and also began to incorporate different architectural styles and elements. His last Craftsman-styled project would be the Pomona Bungalow Court in 1922. In 1920, he designed and built a Mission Revival dwelling for Fullerton mayor Richard S. Gregory (130 Hillcrest Drive, destroyed by fire), a similarly styled home the following year for Otto and Anna Sheperdson (114 Hillcrest Drive), designated a Fullerton Local Landmark in 1982.52 and in 1924, designed the residence considered his masterpiece in Fullerton, the Walter and Adella Muckenthaler home in the Golden Hills area. Commissioned for $35,000 in 1924, the 18-room villa reflects Walter Muckenthaler's interest in Mission-style architecture and Italian villas. Situated on a hill overlooking the ranch, the house exceeded "the design of a normal ranch house with its spectacular architectural details, including the sonoma and the front of the house. In 1925, the Muckenthalers donated the home and grounds to the City of Fullerton with the condition that it be developed into a cultural center. The Muckenthaler Cultural Center was placed on the National Register of Historic Places in 1980. In addition to the homes he designed in Fullerton during this later period, Bendley also completed homes in Santa Ana and Anaheim, most notably a lavish Pueblo Revival home (500 N. Clementine) for Charles Boege, Anaheim City Treasurer and vice president of the First National Bank. At the time of construction, the Boege residence, which cost $8,000, was one of Anaheim's costliest homes.

In 1926, Bendley began construction of an expansive Mediterranean Revival home for himself and his family in the Hollywood Hills (6641 La Cienega). Aside from a brief period in Alhambra (203 Fourth Street), he would remain in Los Angeles for the remainder of his life. On January 18, 1927, he was elected to membership on the Los Angeles Stock Exchange (LASE), establishing a brokerage firm, Way & Bendley, with his brother-in-law, Wallace P. Way (1897-1963), who had previously worked for his uncle's corrupt firm, Way & Company. In 1928, the company, located in the Stock Exchange Building, was renamed Frank Bendley & Company. Bendley also began investing in oil fields in Los Angeles and Orange County.
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Because LASE officials incriminated all incriminating records, it is difficult to ascertain the full extent of the involvement of Frank Bendschley & Company, but Bendschley and members of his wife’s family became embroiled in the massive Julian Petroleum Scandal, a Los Angeles stock swindle that presaged the 1929 Depression. When the bubble burst on March 5, 1927, thousands of investors, holding worthless stock, lost their life’s savings. In a well-publicized case, shareholders, hoping to recoup their lost money, filed a $12 million lawsuit on October 8, 1929, against the Los Angeles Stock Exchange and forty-six brokers, including Wallace Wyly and Frank Bendschley (only $371,000 was recovered). On January 2, 1930, the LASE expelled Wyly and Bendschley for failing to adhere to new procedural changes and for “violation of the constitution and by-laws” of the stock exchange. Frank Bendschley & Company was quickly sold to lawyer Lyndal L. Young on February 18, 1930.

After his expulsion from the stock exchange, Bendschley suffered a reversal of fortune. He returned to architecture, designing and constructing buildings in Los Angeles, including a Colonial Revival apartment building (4019-4021 W. Los Feliz), but failed to renew his architectural license. By the late 1940s, he was working as a draftsman and carpenter. By the 1940s, he was working as a construction engineer for WPA school projects in Alhambra. During World War II, he worked for the Federal Housing Administration (12th & Maple). Bendschley passed away in 1962, while living in an apartment (424 Catalina Street, 91), and along with his wife is buried in the Losa Vista Cemetery in Fullerton.

#### Bibliographical References


7. William L. Bendschley, "History of Orange County with Biographical Sketches of the Leading Men and Women of the County Who Have Been Identified with Its Growth and Development from the Early Days to the Present." Samuel Armor, Los Angeles: Historic Record Co., 1921: 375, 379. William L. Bendschley would serve as president and owner of the Bendschley Fruit Company. His wife, Belle Jennings Bendschley, would be the first woman elected to a Fullerton school board. She would later build the San Diego Zoo from a small establishment with a few hundred animals into one of the largest zoos in the world, becoming the first woman curator of a major zoo.


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22"Julian DeBenedictis in Suit, Action for $12,000,000 Filed for Shareholders Group," Los Angeles Times, October 9, 1929, p. A5.

Other References
Cities of Fullerton and Los Angeles City Directories, 1906-1960.
City of Fullerton building permits. Internet.
McFarland, J. W. "Frank K. Bunchley, Contractor and Builder." The Orange County Review, November 1921, p. 41.

Image Log
Image 1: Building Permit, issued in 1921; on file, City of Fullerton, Community Development Department. Internet.
Image 2: Bunchley Building, 310 S. Sycamore (Harbor) Blvd. (now razed)
Image 3: 438 E. Chapman Avenue, exterior. 1978 Fullerton Historic Survey; on file, Fullerton Public Library, Local History Room

Photo Log
Photo 1: North (front) elevation
Photo 2: Partial east elevation (back portion of structure)
Photo 3: Partial east elevation (front portion of structure)
Photo 4: Partial east elevation, central porch area
Photo 5: Partial south (back) elevation, looking northwest
Photo 6: Partial west elevation (front portion of structure)
Photo 7: Partial west elevation (back portion of structure)
Photo 8: Partial west elevation showing main entrance
Photo 9: Eave detail on front portion of structure
Photo 10: Eave detail on back portion of structure

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Property Name: Kelley House

Image 1: Building Permit, issued in 1921; on file, City of Fullerton, Community Development Department.

Image 2: Benchley Building, 310 N. Spadra (Harbor) Blvd. (now razed)

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Image 3: 438 S. Chapman Avenue, north (front) elevation
Source: 1978 Fullerton Historic Survey; on file, Fullerton Public Library, Local History Room

Photo 1: North (front) elevation

DPR 523L (9/2013)
Photo 2: Partial east elevation (back portion of structure)

Photo 3: Partial east elevation (front portion of structure)

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Photo 4: Partial east elevation (central porch area)

Photo 5: Partial south (back) elevation, looking northwest

DPR 523L (9/2013)
Photo 6: Partial west elevation (front portion of structure)

Photo 7: Partial west elevation (back portion of structure)
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Photo 8: Partial west elevation showing main entrance

Photos 9: Eave detail, front portion of structure
Photo 10: Eave detail, back portion of structure

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Response to Comment Letter E

City of Fullerton
Matt Foulkes, Planning Manager

E-1 Thank you for your letter pursuant to the proposed project at Fullerton College.

E-2 Although the exact scheduling of the Sherbeck Field Improvements project California Environmental Quality Act (CEQA) process is unknown, it is likely that it would begin in 2018.

The North Orange County Community College District (District) originally envisioned the Sherbeck Field Improvements project as a separate project from the Master Plan. In fact, the two projects have independent utility; in other words, the Sherbeck Field Improvements project is not reliant on any of the projects in the Master Plan to move forward and the Master Plan is not reliant on the Sherbeck Field Improvements project to move forward. Furthermore, the funding for the Sherbeck Field Improvements project and the Master Plan are separate. The Sherbeck Field Improvements project is not funded by bond dollars, whereas the Master Plan projects are.

In 2015, when the District initiated the Facilities Master Plan Program Environmental Impact Report (PEIR), it was decided that the Master Plan evaluation should include the Sherbeck Field Improvements project, mostly from the standpoint of the schedule. In addition, specific details of the Sherbeck Field Improvements project were not known at the time, and as a result, it was decided that it was appropriate to include the project under the Master Plan. However, at the scoping meeting held in November 2016 on the Facilities Master Plan, given the number and content of community comments almost solely focused on the Sherbeck Field Improvements project, the District decided that a separate CEQA process for the Sherbeck Field Improvements project was warranted.

Because the Sherbeck Field Improvements project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed in project-level detail as a part of the Facilities Master Plan, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

Additionally, a separate CEQA process for Sherbeck Field Improvements project would afford the District the opportunity to fully define the Sherbeck Field Improvements project and the purpose and need for the project and provide multiple additional opportunities for public review and input. In addition, it would provide a
separate scoping meeting for the Sherbeck Field Improvements project, which will allow the District to discuss the proposed Sherbeck Field Improvements project in more detail (events, scheduling, and a preliminary design) and allow the community multiple opportunities to comment. This separate CEQA process would also afford the District the opportunity to analyze project-level alternatives to Sherbeck Field Improvements that focus on reducing the potential impacts related to that project only, rather than the Master Plan as a whole.

In summary, the District believes that circulating a separate EIR for the Sherbeck Field Improvements project provides more opportunities for public comment and collaboration with the City of Fullerton (City).

E-3 The District understands that the City has no comment on Chapter 2, Introduction, of the Draft PEIR. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

E-4 The District originally envisioned the Sherbeck Field Improvements project as a separate project from the Master Plan. In fact, the two projects have independent utility; in other words, the Sherbeck Field Improvements project is not reliant on any of the projects in the Master Plan to move forward and the Master Plan is not reliant on the Sherbeck Field Improvements project to move forward. Furthermore, the funding for the Sherbeck Field Improvements project and the Master Plan are separate.

Because details of the Sherbeck Field Improvements project are not yet known and the project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed as a part of the Facilities Master Plan at a project level, or as a cumulative project in the Facilities Master Plan EIR. However, the Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

E-5 As shown in Section 3 of this Final PEIR, Table 3-5 in Chapter 3, Project Description, of the Draft PEIR has been updated to clarify that the City would be responsible for issuing permits for any work in the public right-of-way.

E-6 As discussed in Chapter 3, Project Description, page 3-15 of the Draft EIR, the College proposes to remove the four single-family residences located at 428, 434, and 438 East Chapman Avenue and 400 North Newell Place and replace them with an instructional building. To clarify further, “removal” of these buildings would involve their removal from their current location to another location. This would
occur if a prospective buyer owns property to which to relocate these residences. The District is considering moving the homes located at 434 and 438 East Chapman Avenue to the vacant District property located at Amerige Avenue, if a developer is identified. Several temporary buildings and classrooms are also recommended for removal. Because these buildings are not permanent structures, they would be removed from the site and transported to a facility where they can be reused. The remaining facilities would be demolished, which would mean that facilities would be disassembled on site and the building material would be removed from the project site.

E-7 Table 4.1-1 of Section 4.1 of the Draft PEIR currently calls visual character/quality impacts from the construction of the Chapman–Newell Instructional Building significant, prior to incorporation of Mitigation Measure (MM) CUL-2 (see Section 4.3, Cultural Resources, of the Draft PEIR, and Chapter 4, Mitigation Monitoring and Reporting Program, of this Final PEIR).

As stated on page 4.1-24 of Section 4.1, Aesthetics, of the Draft PEIR, removal of 428, 434, and 438 East Chapman Avenue and 400 North Newell Place would create a visual void along a segment of Chapman Avenue fronted by church and single-family residential uses. Although the removal of existing buildings would be noticeable, the design of the development proposed at the site (i.e., the Chapman–Newell Instructional Building) would be sensitive to the proximity to an existing historic district, the East Townsite Historic District, and would conform with the Secretary of the Interior’s Standards for the Treatment of Historic Properties such that a visual impact to historic properties would be avoided. As such, plans would be reviewed by a qualified architectural historian. MM-CUL-2 would ensure that the architectural style and features of the new Chapman–Newell Instructional Building consider the scale and design of the adjacent residences and that visual contrast between new and existing uses is minimized. However, because detailed information regarding the Chapman–Newell Instructional Building is unknown, this component would be subject to further CEQA review when a specific development plan is known.

E-8 The District understands that the City has no comment on Section 4.2, Air Quality. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

E-9 As discussed in Chapter 3, Project Description, page 3-15 of the Draft PEIR, the College proposes to remove the four single-family residences located at 428, 434, and 438 East Chapman Avenue and 400 North Newell Place and replace them with an instructional building. To clarify further, “removal” of these buildings would involve
their removal from their current location to another location. This would occur if a prospective buyer owns property of which to relocate these residences. The District is considering moving the homes located at 434 and 438 East Chapman Avenue to the vacant District property located at Amerige Avenue, if a developer is identified.

The Department of Parks and Recreation (DPR) Primary Record forms for 434 East Chapman Avenue and 438 East Chapman Avenue are provided as an attachment to the comment letter. The DPR forms were prepared by Fullerton Heritage and are not the same as the forms in the GPA Consulting (GPA) report that was reviewed in the Draft PEIR.

Dudek’s qualified architectural historians reviewed the DPR forms provided by Fullerton Heritage and offer the following notes: the DPR forms provided do not constitute significance evaluations. No significance criteria (National Register of Historic Places, California Register of Historical Resources, or City Landmark) are evaluated in these forms and no statements are made concerning the buildings’ eligibility. The forms present a physical description of the buildings as well as an architectural context but do not analyze any eligibility criteria. The Building, Structure, and Object Record on both sets of forms reads “N/A” under “Applicable Criteria.”

Although the documentation provided by Fullerton Heritage does appear to present new information concerning the builders that was not included in the GPA 2015 report, it does not constitute an evaluation under CEQA because it does not address any evaluation/designation criteria. Finally, despite the new information presented by Fullerton Heritage, the subject properties do not qualify as contributors to any existing historic districts, nor do they retain requisite integrity to be eligible at the individual level. As noted in the GPA 2015 report, the properties on East Chapman Avenue are adjacent to two potential City landmark districts (the East Townsite District and the College Park District). “The parcels along East Chapman Avenue were not included within the boundaries of these districts because the majority of these lots have been zoned commercial” (GPA 2015, page 2). Further, and more significant, is the fact that the properties in question were deliberately not included in the historic district boundaries because “this portion of East Chapman Avenue lacks the visual cohesion necessary to qualify as a potential historic district” (GPA 2015, page 3).

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E-10  During the 1980s and 1990s, Fullerton College acquired residential properties to the south of the main Fullerton College Campus on Chapman Avenue as part of their campus expansion plan. Three of the residential properties (428 East Chapman Avenue, 434 East Chapman Avenue, and 438 East Chapman Avenue) were previously evaluated by GPA in 2015 and did not require additional evaluations for the Draft PEIR. Dudek evaluated all remaining properties on the project site, which include 325–327 North Newell Place, 409 North Newell Place, 416 East Chapman Avenue, 418 East Chapman Avenue, and 420 East Chapman Avenue. Although there are no plans to modify the residences located at 325–327 and 409 North Newell Place and 416–420 East Chapman Avenue under the proposed Facilities Master Plan, these properties were surveyed because of their proximity to the proposed Chapman–Newell Instructional Building, to determine whether indirect impacts would occur from the construction of the Instructional Building.

E-11  As discussed in Section 4.3, Cultural Resources, page 4.3-77, and Appendix C, page 175, of the Draft PEIR, the proposed site of the Chapman–Newell Instructional Building is adjacent to the northern boundary of the East Townsite Historic District, which includes a concentration of California Bungalow style residences. The entire block on which the subject property is located is intentionally excluded from the adjacent historic district due to its commercial zoning classification. Adjacent buildings within the district have been zoned as R-2P, a residential preservation zone classification. Construction of the proposed Chapman–Newell Instructional Building has the potential to adversely impact adjacent historic buildings. The new building’s design will take into account the massing, size, scale, and architectural features in relation to the southerly adjacent East Townsite Historic District. Most of the impacts associated with new construction adjacent to historic buildings will be less than significant with incorporation of mitigation; specifically, conformance with the Secretary of the Interior’s Standards for Rehabilitation (MM-CUL-2 in Section 4.3.5 of the Draft PEIR; see also Chapter 4 of this Final EIR). Further, it is strongly recommended that a preservation plan be developed that includes protection measures for adjacent historic buildings during demolition, renovation, and new construction activities (MM-CUL-3). However, because detailed design information regarding the Chapman–Newell Instructional Building is unknown, this component would be subject to further CEQA review when a specific development plan is known.

E-12  The EIR does include an analysis of the potential for new construction proximate to existing historic districts to have an impact. As discussed in Section 4.3, page 4.3-77, and Appendix C, page 175, of the Draft PEIR, construction of the proposed Chapman–Newell Instructional Building has the potential to adversely impact
adjacent historic buildings. The new building’s design will take into account the massing, size, scale, and architectural features in relation to the southerly adjacent East Townsite Historic District. Most of the impacts associated with new construction adjacent to historic buildings will be less than significant with incorporation of mitigation; specifically, conformance with the Secretary of the Interior’s Standards for Rehabilitation (MM-CUL-2). Further, it is strongly recommended that a preservation plan be developed that includes protection measures for adjacent historic buildings during demolition, renovation, and new construction activities (MM-CUL-3). However, because detailed information regarding the Chapman–Newell Instructional Building is unknown, this component would be subject to further CEQA review when a specific development plan is known.

E-13 The District understands that the City has no comment on Section 4.4, Geology and Soils, Section 4.5, Greenhouse Gas Emissions, Section 4.6, Hazards and Hazardous Materials, and Section 4.7, Hydrology and Water Quality, of the Draft PEIR. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

E-14 The District recognizes that the proposed site of the Chapman–Newell Instructional Building is adjacent to the northern boundary of the East Townsite Historic District. As discussed in Section 4.3, page 4.3-77, and Appendix C, page 175, of the Draft PEIR, construction of the proposed Chapman–Newell Instructional Building has the potential to adversely impact adjacent historic buildings. The new building’s design will take into account the massing, size, scale, and architectural features in relation to the southerly adjacent East Townsite Historic District. Most of the impacts associated with new construction adjacent to historic buildings would be less than significant with incorporation of mitigation; specifically, conformance with the Secretary of the Interior’s Standards for Rehabilitation (MM-CUL-2). Further, it is strongly recommended that a preservation plan be developed that includes protection measures for adjacent historic buildings during demolition, renovation, and new construction activities (MM-CUL-3). However, because detailed information regarding the Chapman–Newell Instructional Building is unknown, this component would be subject to further CEQA review when a specific development plan is known. The District will notify surrounding property owners when the CEQA process begins for the Chapman–Newell Instructional Building.

E-15 Construction noise mitigation is provided in Section 4.9, pages 4.9-17 and 4.9-18, of the Draft PEIR, as follows:
MM-NOI-1  Prior to initiation of construction on the Fullerton College campus, the North Orange County Community College District shall approve a construction noise mitigation program to include the following:

- Construction equipment shall be properly outfitted and maintained with feasible noise-reduction devices to minimize construction-generated noise.
- Stationary noise sources such as generators shall be located away from noise-sensitive land uses if feasible.
- Laydown and construction vehicle staging areas shall be located away from noise-sensitive land uses if feasible.
- Whenever possible, academic, administrative, and residential areas that will be subject to construction noise shall be informed 1 week before the start of each construction project.
- All construction projects pursuant to the proposed project shall be required to implement the above measures for control of construction noise.

Because MM-NOI-1 outlines specific measures to be implemented during construction, the EIR does not defer mitigation. The term “mitigation program” is another term to describe a set of mitigation measures.

E-16  The District understands that the City has no comment on Section 4.10, Population and Housing, and Section 4.11, Public Services. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

E-17  As discussed in Section 4.12, page 4.12-8, and Appendix E, pages 38 and 39, of the Draft PEIR, AM and PM peak hour pedestrian traffic counts were conducted at the intersection of Lawrence Avenue/Chapman Avenue to determine the existing level of pedestrian activity across Chapman Avenue. The pedestrian traffic counts revealed the following existing AM and PM peak hour information:

- Crosswalk on the west leg of the intersection = 261 AM peak hour pedestrians and 211 PM peak hour pedestrians
- Crosswalk on the east leg of the intersection = 56 AM peak hour pedestrians and 86 PM peak hour pedestrians
It should be noted that existing pedestrian activity on the south leg of the intersection totals 53 AM peak hour pedestrians and 90 PM peak hour pedestrians (refer to Appendix F of the Traffic Study, which is Appendix E to the Draft PEIR). As shown, the crossings of the west leg are clearly more dominant, noting further that Fullerton College’s pedestrian overcrossing of Chapman Avenue lies approximately 150 feet west of the west crosswalk. Based on review of the above pedestrian data, the Lawrence Avenue/Chapman Avenue pedestrian crossing is significantly utilized. Because this location is signalized with pedestrian indications, and vehicle turning traffic to/from Lawrence Avenue is restricted to only northbound right turns (i.e., 25 AM peak hour and 47 PM peak hour existing northbound right-turn traffic volumes) and eastbound right turns (i.e., 55 AM peak hour and 50 PM peak hour existing eastbound right-turn traffic volumes), vehicular-pedestrian conflicts are considered minimal.

It should be noted that adding an eastbound right-turn lane on Chapman Avenue as suggested by the commenter will remove eastbound right-turning vehicles from the Chapman Avenue through lanes; however, this improvement would not eliminate vehicular/pedestrian conflicts at the intersection. It should be further noted that this improvement is not necessary based on the low amount of existing and future vehicular volume making an eastbound right turn during the peak hours. Therefore, these improvements would not be required under CEQA and the District has no plans to change the design or operation of this location at this time.

E-18  As discussed in Section 4.12, page 4.12-9 and 4.12-10, and Appendix E, pages 39 and 40, of the Draft PEIR, the proposed project would not have a significant impact at the key study intersection of Lemon Street/Chapman Avenue, based on the significance criteria contained within the City of Fullerton traffic study guidelines.

The intersection of Lemon Street/Chapman Avenue is forecast to operate at acceptable level of service (LOS) D during the AM and PM peak hours under existing plus project traffic conditions, as well as under Year 2030 Buildout Plus Project traffic conditions. Therefore, improvements at this location are not required as part of the Facilities Master Plan. Although project mitigation improvements are not required at the intersection of Lemon Street/Chapman Avenue, the City of Fullerton suggested consideration of two potential future improvements at the project’s February 2017 follow-up meeting. These conceptual future improvements are expected to require the acquisition of additional right-of-way, but would allow for the provision of an exclusive southbound right-turn lane and an exclusive eastbound right-turn lane at the intersection.
Due to existing heavy pedestrian-crossing activity at the intersection, these improvements were proposed to help traffic flow through the intersection by removing the southbound and eastbound right-turning traffic from through lanes. The southbound and eastbound right-turning vehicles must yield to pedestrian crossings at the intersection as they complete their turn and therefore have the potential to intermittently block through traffic in the curb lane.

Figure 4.12-6 in Section 4.12 of the Draft PEIR illustrates existing AM and PM peak hour vehicular and pedestrian traffic volumes at the intersection of Lemon Street and Chapman Avenue. These volumes were used to test for any potential improvement in delay or LOS due to these conceptual right-turn lane additions. Using Figure 4.12-6 data, the potential implications/benefit of adding the two right-turn lanes were tested with supplemental existing plus project LOS calculations prepared for the following scenarios: (1) with the addition of only the southbound right-turn lane, (2) with the addition of only the eastbound right-turn lane, and (3) with the addition of both right-turn lanes. It should be noted that the location of each conceptual improvement does not adjoin Fullerton College property. It should be further noted that the Highway Capacity Manual LOS calculations account for pedestrian crossing times and the reported intersection delay accounts for a pedestrian activation during every cycle.

It was determined that the delay at the intersection of Lemon Street/Chapman Avenue improves incrementally under each improvement scenario. It is also noted that delay values for the southbound right-turn lane alone and the eastbound right-turn lane alone achieve a very similar delay reduction to that calculated based on the addition of both turning lanes. Although the intersection delay only slightly improves, the proposed improvements would shift vehicular turning traffic out of the through travel lanes, thus potentially improving the motorists’ experience at the intersection.

The District understands that the City is concerned about pedestrian and vehicular conflicts, which was considered to the extent possible through traffic calculations. Although a review of accident history may describe the existing conditions, it is not possible to project the conceptual right-turn lane additions’ contribution to an increase or decrease in accidents at the intersection. Neither the City nor the County has developed a methodology to project the potential for accidents to occur, because such forecasting would be speculative and is dependent on several other variables. Therefore, these improvements would not be required under CEQA; however, the District recommends that Fullerton College staff coordinate with the City of Fullerton should the City choose to pursue these or similar improvements.
As discussed in Section 4.12, pages 4.12-11 and 4.12-12, and Appendix E, page 42, of the Draft PEIR, AM and PM peak hour traffic counts were conducted at the existing driveway along Chapman Avenue serving Parking Lot 7 to determine the amount of vehicular traffic currently using the existing driveway. The traffic counts revealed the following existing AM and PM peak hour turning movements at the driveway:

- Exiting southbound left-turn = zero AM peak hour vehicles and four PM peak hour vehicles
- Exiting southbound right-turn = seven AM peak hour vehicles and nine PM peak hour vehicles
- Entering eastbound left-turn = six AM peak hour vehicles and seven PM peak hour vehicles
- Entering westbound right-turn = nine AM peak hour vehicles and ten PM peak hour vehicles

Based on a review of the existing peak hour traffic data, turning volumes at the existing driveway on Chapman Avenue serving Parking Lot 7 are extremely small. However, due to the close proximity of this driveway to the intersection of Berkeley Avenue/Chapman Avenue, it is recommended that outbound movements at this driveway be restricted to right-turn-only movements as part of the Facilities Master Plan. With this restriction, vehicles desiring to travel eastbound on Chapman Avenue will be required to exit Parking Lot 7 from the existing driveway on Berkeley Avenue, travel south on Berkeley Avenue, and make a southbound left turn at the intersection of Berkeley Avenue/Chapman Avenue.

In the abstract, entering eastbound left turns at Parking Lot 7’s Chapman Avenue driveway might be problematic due to the driveway’s close proximity to the Berkeley Avenue/Chapman Avenue intersection. Given the very low volume now making this movement, it is concluded that this entering left turn could remain a permitted movement, but that it should be monitored for possible future prohibition. Such a prohibition would result in right-turn-in/right-turn-out movements only at this Parking Lot 7 Chapman Avenue driveway.

The proposed project would not include the addition of traffic signals at the intersection of Berkeley Avenue and Centennial Way or the intersection of Berkeley Avenue and Driveway No. 3 (Parking Lot 6). The 2011 Facilities Master Plan originally proposed these traffic signals; however, the Facilities Master Plan was updated in 2017 and the traffic signals were removed. As analyzed in the Draft PEIR,
Section 4.12, traffic signals are not required at these two locations, because no significant impacts would occur based on the significance criteria contained within the City of Fullerton traffic study guidelines. The two key study intersections are forecast to operate at acceptable LOS B during the AM peak hour and PM peak hour under Existing Plus Project traffic conditions and under Year 2030 Buildout Plus Project traffic conditions as side-street stop-controlled locations.

**E-21**

As shown in Chapter 3 of this Final PEIR, Section 4.13, page 4.13-2, of the Draft PEIR, has been updated to reflect that private sewer lines are located on site.

Although the District would implement the following as part of the proposed project, it is not suggested that the following be included as mitigation measures, because they are regulatory requirements:

- The District would install new connections to the City’s sewer and water lines per the City of Fullerton Standards under a City of Fullerton Public Works encroachment permit.
- The District would comply with the City’s Water Supply Shortage Conservation Plan, where possible.
- Any construction that occurs in the public right-of-way would comply with the Fullerton Public Works Department and Engineering Permit requirements.
- If an oversize or overweight haul truck is required for project construction, the District would require a transportation (haul route) permit from the City Public Works Department.
- Any proposed sidewalk and driveway improvements would comply with Americans with Disabilities Act (ADA) standards.

**E-22**

The District understands that the City has no comment on Chapter 5, Other CEQA Considerations, and Chapter 6, Alternatives, of the Draft PEIR. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

**E-23**

Thank you for your letter pursuant to the District’s proposed project at Fullerton College.

**E-24**

The Department of Parks and Recreation (DPR) Primary Record forms for 434 East Chapman Avenue and 438 East Chapman Avenue are provided as an attachment to the comment letter. The DPR forms were prepared by Fullerton Heritage and are not the same as the forms in the GPA report that was reviewed in the Draft PEIR. The
DPR forms prepared by Fullerton Heritage were provided in a scoping comment letter from the City of Fullerton; however, certain pages of these forms were missing.

See Response E-9 for further discussion of the DPR forms.

E-25  The Fullerton Residential Preservation Zones Map is provided as an attachment. No further response is required.

E-26  The Fullerton Historic Resources Map is provided as an attachment. No further response is required.
09/29/2017

Mr. Richard Williams, District Director, Facilities Planning & Construction
North Orange County Community College District
1830A West Romneya Drive
Anaheim, CA 92801-1819

Dear Mr. Williams,

Thank you for the opportunity to comment on the Draft Program Environmental Impact Report for the Fullerton College Facilities Master Plan. My comments are included below.

**Chapter 1 - Summary**

As neighbors of Fullerton College since 1992, my husband and I were happy when we were told that the college chose to remove the plans for a stadium from this DPEIR. Unfortunately, the project has again been included in the Chapter 1 Summary, 1.5 on page 21. Neighbors were also alerted to this fact in conversation with President Schultz as well as at the 07/07/17 President's Meeting when they were told that a new CEQA process would begin in 2018 specifically for the construction of a stadium on Sherbeck Field. This is illegal. I was given to understand that this DPEIR included all projects cumulatively that were meant to be constructed during this 10 year period.

**Separating this project from the others precludes the evaluation of the cumulative effect of all the planned projects combined.** The enormous scope of the current project coupled with previous building and renovations funded by Measure X less than 10 years ago, has reached its reasonable limit of expansion given its close proximity to residential neighborhoods. Construction of the proposed stadium mentioned in the Summary under Project Description 1.5 says, "Sherbeck Field Improvements Project will be assessed in a separate CEQA document" and will, "involve installation of 4,500 bleacher seats, a sound system, and additional lighting to allow Instructional classes and athletic events to extend past sunset." This installation of 4,500 bleacher seats, a sound system, and additional lighting will surely create negative spillover effects on neighboring residential values. The college would then be forced to consider setting aside "mitigation funds" in order to compensate surrounding homeowners for negative externalities including diminishment of quality of life and loss of property value. A stadium on Sherbeck Field was rejected in 1973. A stadium has been adamantly opposed by neighbors and twice removed from an EIR, in 2009 and in 2017. These facts alone demonstrate that this location is unsuitable for the proposed stadium mentioned in 1.5. The DPEIR must be amended to include analysis of the Sherbeck field improvements and recirculated as a draft. Please do not continue to press for this project.
Part of the process of this DPEIR is to identify options that have less impact on the surrounding environment. Why hasn’t Fullerton College fully explored the option of purchasing and expanding the Plummer parking structure and partnering with the city on their new parking structure behind McDonald’s? Two city council members with whom I met, said the city had no problem with either option. One council member believed that the Plummer structure was initially built so that it could add another level. Doing so would net an additional 210 spaces. The city council members said they were willing to permit above or below ground expansion of the Plummer parking structure and also said that the city would be willing to share expense of building a parking structure behind McDonalds. This structure could easily add more than the net gain of 457 parking stalls Fullerton College would obtain from it’s planned Centennial Structure. Neither option has been fully explored. Therefore, North Orange County Community College District has not met its obligations per CEQA to explore all possible alternatives and mitigation measures for the project.

4.12 Traffic and Circulation
4.12.3.6 and 4.12.3.7
The environmental effect on traffic and circulation noted in section 4.12.3.6 and 4.12.3.7 of the study will have significant negative impact both within the campus and on surrounding streets from the proposed Centennial Structure. Fullerton College's Master Plan indicates that the intersections at Centennial Way at Berkeley (Key Intersection #27) and at Lot 6, North of Brookdale and Berkeley (Key Intersection # 31) will have stoplights. This will then mean that there will be a total of 5 traffic signals on Berkeley between Chapman and Lemon in the course of 0.7 miles and 6 traffic signals on Berkeley in the 0.55 miles between Chapman and Harbor. The addition of these two stoplights will completely negate the very reason Berkeley was created in the first place. The City of Fullerton Master Plan's intention for Berkeley Ave. was to: 1) provide significant relief to downtown Fullerton’s traffic congestion problems and 2) significantly speed up traffic flow from North to East Fullerton and vice versa, doing so by providing a convenient route circumventing the downtown (Harbor Blvd.) area. The addition of these two stoplights on Berkeley between Chapman and Lemon, will also make it next to impossible for residents of the neighborhood east of the college to turn left out of Brookdale onto Berkeley. A prior Environmental Impact Report for the Fullerton College Master Plan noted that previously planned Berkeley Parking Structure would increase traffic flow on Berkeley by 6,300 vehicles/day. The EIR also warned that “a traffic signal at the entrance to the parking structure at Berkeley Avenue would add to the queuing and idling times along Berkeley Avenue.” The study also estimated that if the parking structure is built, the Average Daily Traffic volume on southern Berkeley would become 22,100 vehicles/day. The structure referenced in the prior Fullerton College Master Plan
has merely been moved from the corner of Chapman and Berkeley to behind the field house and is now called the Centennial Structure.

4.2 Air Quality

Table 4.2-13

If two traffic signals are added at Centennial Way at Berkeley (Key Intersection #27) and at Lot 6, North of Brookdale and Berkeley (Key Intersection #31) to accommodate traffic to the new Centennial Parking Structure, then I believe you have greatly underestimated the ICU/HCM (av) and LOS for each intersection in Table 4.2-13, Year 2030 Peak Hour Intersection Capacity Analysis. (Page 170 - 173) If, as noted in FC’s previous EIR, the volume of vehicles/day would be 22,100, then the LOS would be higher and these two intersections would require CO Hotspot Analysis.

With an increase in vehicular traffic and idle automobiles waiting at signals, residents living near Fullerton College will experience harmful-to-health vehicle emissions, noise, and intrusive lighting. All things taken into consideration, the proposed Centennial Structure will have significant negative impact on traffic and circulation as well as on aesthetics, air quality, noise, health and overall quality of life.

On a personal note, for 105 years college employees and teachers have been living in the homes surrounding FC. “College Park” neighborhood to the west of Fullerton College was built in the early 1950s, over 65 years ago. The homes were built to house the teachers and employees of Fullerton College. Many Fullerton College employees still reside in College Park. This neighborhood houses teachers and staff who serve the student population of the city schools and state colleges as well as those who serve the students of Fullerton College and the School of Continuing Education. For 105 years the college and the faculty and staff have enjoyed living in community with one another. Don’t mess this up. Please respect the faculty and staff who live in the neighborhood and serve the college faithfully. Please do not build this stadium. Please remove mention of it from this DPEIR and lay this idea to rest for good. Please explore the purchase and expansion of the existing Plummer Parking Structure and a shared use agreement with the city’s planned parking structure behind McDonalds on Ellis Street. These parking options would serve both the college and the community.

Sincerely,

Mary Frances Gable
Property Owner, Resident
637 Princeton Circle, West
Fullerton, CA 92831
Response to Comment Letter F

Fullerton Resident
Mary Frances Gable

F-1 Thank you for your letter pursuant to the proposed project at Fullerton College.

F-2 The North Orange County Community College District (District) originally envisioned the Sherbeck Field Improvements project as a separate project from the Master Plan. In fact, the two projects have independent utility; in other words, the Sherbeck Field Improvements project is not reliant on any of the projects in the Master Plan to move forward and the Master Plan is not reliant on the Sherbeck Field Improvements project to move forward. Furthermore, the funding for the Sherbeck Field Improvements project and the Master Plan are separate. The Sherbeck Field Improvements project is not funded by bond dollars, whereas the Master Plan projects are.

In 2015, when the District initiated the Facilities Master Plan Program Environmental Impact Report (PEIR), it was decided that the Master Plan evaluation should include the Sherbeck Field Improvements project, mostly from the standpoint of the schedule. In addition, specific details of the Sherbeck Field Improvements project were not known at the time, and as a result, it was decided that it was appropriate to include the project under the Master Plan. However, at the scoping meeting on the Facilities Master Plan held in November 2016, and given the number and content of community comments almost solely focused on the Sherbeck Field Improvements project, the District decided a separate California Environmental Quality Act (CEQA) process for the Sherbeck Field Improvements project was warranted.

Because details of the Sherbeck Field Improvements project are not yet known and the project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed as a part of the Facilities Master Plan at a project level, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

Additionally, a separate CEQA process for Sherbeck Field Improvements project would afford the District the opportunity to fully define the Sherbeck Field Improvements project and the purpose and need for the project and provide multiple additional opportunities for public review and input. In addition, it would provide a
RESPONSES TO COMMENTS RECEIVED

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CEQA does not require that a lead agency explore all possible alternatives. Rather, Section 15126.6 of the CEQA Guidelines states the following:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to the project.”

Therefore, the District is only required to consider a reasonable range of alternatives that would avoid or lessen significant impacts associated with the proposed project. According to the Draft PEIR, the construction and operation of the Centennial Parking Structure would not result in significant impacts. Fullerton College and the District have considered many options to address the parking space deficit. The District believes that the construction and operation of the Centennial Parking Structure, which is included as part of the proposed project, is the best option. The District discussed the possibility of purchasing the Plummer Structure from the City of Fullerton (City); however, the City does not intend to sell the Plummer Structure, because the City did not want to lose the public parking. Additionally, there is a current agreement with the City that allows students to park at Plummer Structure. Thus, the purchase of the Plummer Structure would not offset the parking deficit, because it is currently used by Fullerton College students. Therefore, no feasible alternative has been determined that could meet Fullerton College’s parking needs.

The proposed Centennial Structure would not result in significant traffic and circulation impacts. Significant traffic and circulation impacts would occur at the state-controlled (California Department of Transportation (Caltrans) intersection of State Route 57 northbound ramps at Chapman Avenue. The implementation of Mitigation Measure (MM) TRA-1 (see Section 4.12, Traffic and Circulation, of the Draft PEIR, and Chapter 4, Mitigation Monitoring and Reporting Program, of this Final PEIR) is proposed, which would require that the District pay a proportional
“fair share” of the improvement costs of the impacted intersection to mitigate the project’s traffic impacts. However, because the implementation of improvements at a Caltrans intersection are not guaranteed and are not within the jurisdiction of the District, this cumulative impact would be significant and unavoidable. This impact would be a result of student growth associated with the Facilities Master Plan, not of the construction and operation of the Centennial Parking Structure.

The proposed project would not include the addition of traffic signals at the intersection of Berkeley Avenue and Centennial Way or the intersection of Berkeley Avenue and Driveway No. 3 (Parking Lot 6). The 2011 Facilities Master Plan originally proposed these traffic signals; however, the Facilities Master Plan was updated in 2017 and the traffic signals were removed. As analyzed in the Draft PEIR, Section 4.12, traffic signals are not required, because no impacts would occur at those intersections.

F-5 The proposed project would not include the addition of traffic signals at the intersection of Berkeley Avenue and Centennial Way or the intersection of Berkeley Avenue and Driveway No. 3 (Parking Lot 6). The 2011 Facilities Master Plan originally proposed these traffic signals; however, the Facilities Master Plan was updated in 2017 and the traffic signals were removed. As analyzed in the Draft PEIR, Section 4.12, traffic signals are not required, because no impacts would occur at those intersections. Therefore, the Draft PEIR did not underestimate the level of service or traffic volumes at those intersections, and a quantitative carbon monoxide (CO) hotspot analysis is not required.

F-6 The Draft PEIR did not identify any significant aesthetics, air quality, traffic and circulation, or noise impacts associated with the Centennial Parking Structure that could not be mitigated. MM-AES-1 (see Section 4.1, Aesthetics, of the Draft PEIR, and Chapter 4 of this Final PEIR) is proposed to mitigate visual character impacts associated with the parking structure. Upon implementation of MM-AES-1, impacts would be less than significant.

F-7 Thank you for your letter pursuant to the District’s proposed project at Fullerton College. The Sherbeck Field Improvements project will be analyzed in a separate EIR. The Centennial Parking Structure would provide a net increase of 538 parking spaces on campus. The District discussed the possibility of purchasing the Plummer Structure from the City; however, the City does not intend to sell the Plummer Structure, because the City does not want to lose the public parking. Additionally, there is a current agreement with the City that allows students to park at Plummer Structure. Thus, the purchase of the Plummer Structure would not offset the parking deficit, because it is currently used by Fullerton College students.
The parking structure on Ellis Street is not a feasible option to address the shortfall of parking at the campus, because the demand for public City parking would still exist and would not cover the parking deficit at Fullerton College. The District is trying to solve the parking deficit by providing parking spaces on campus, because students may instead park in the neighborhoods surrounding the campus to avoid walking from an off-site parking structure to the campus. Therefore, the District believes that the construction and operation of the Centennial Parking Structure is the best option to address the College’s parking deficit.
Paul Williams
North Orange County Community College District
1580 West Romneya Drive, Building A
Anaheim, California 92801-1819

 Comments to be included in the Draft PEIR for Fullerton College’s Master Plan

Dear Mr. Williams,

While we do not oppose giving our students every opportunity to learn via the newest technology and learning classrooms, we vehemently oppose an additional $20 million parking structure dubbed “The Centennial Parking Structure.” A structure that will not just add 660 new parking spots and that will be a permanent source of artificial LED light, powered on 24 hours per day. There are already 2160 spaces there now the college will gain just over 660 new spaces at an astronomical cost of $49,000 per new parking space. This is an excessively high cost to provide one new space for a single student’s automobile.

This parking structure will also require the installation of two new traffic signals on Berkeley Ave, a street that was built by the city of Fullerton to aid North-West bound travelers avoid the busy intersections of Chapman Ave and Chapman/Harbor. Now, Fullerton’s beautiful downtown around the busy downtown intersections will be no more. Just so the college can gain 660 new parking spaces for automobiles (10 million cars will be autonomous by 2020). Has the college worked with any ride sharing apps (Uber, Lyft) or OCTA to maybe figure out a solution to alleviate the parking issue? Why is the college’s answer to always build something new? Just throw a bunch of money at a serious problem and hope it goes away?

The projects you propose in your OPEIR are permanent and will have a permanent effect on our neighborhood’s peace & quiet, not to mention reducing home values, as I cannot imagine a home’s value going up after a noisy street and $20 Million parking structure are built just 80’ from one’s property line. Has the college fully explored expanding the Plummer Parking Structure? We understand the city is more than willing to work with the college to expand that structure. How about this time, instead of trying to sneak around CEQA laws, and bully your way into more new structures on campus that nobody wants, you actually try working with the city and concerned neighbors first? Besides, isn’t an EIR supposed to measure the entire cumulative negative effects a proposed project will have on the surrounding area? Breaking the EIR into separate parts and one specifically for the Shortest Field Improvements seems dodgy at best and goes against the spirit of CEQA laws.

As a resident of Princeton Circle for 10+ years, I strongly urge the college to consider all available alternatives to building a new $20 Million parking structure on campus. Please work with the city to build a thriving structure behind McDonald’s and expanding the Plummer Parking Structure. Both options should suffice until autonomous cars drop students off right at their building, part themselves off campus, and be available to the student within a few minutes via a few clicks of a smartphone app. Please stop this in-community like spirit. Work with the city and community first, $20 Million will not make a single student any smarter than they already are.

Sincerely,

Sharon Planchon
581 Princeton Circle W
Fullerton, CA 92831

email: damonlloyd.com
phone: 714-699-5947

Fullerton College Facilities Master Plan Final PEIR
December 2017

9422.0001

2-112
Response to Comment Letter G

Fullerton Resident
Damion Planchon

G-1
Thank you for your letter pursuant to the proposed project at Fullerton College. The Centennial Parking Structure would provide a net increase in 538 parking spaces at that location (the Centennial Parking Structure would provide 840 parking spaces, but 302 would be lost due to the construction of the Centennial Parking Structure). The current estimate for the parking structure is $28.9 million. The Centennial Parking Structure would be funded through Measure J funds. The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the environmental impact report (EIR), and no further response is necessary.

G-2
The proposed project would not include the addition of traffic signals at the intersection of Berkeley Avenue and Centennial Way or the intersection of Berkeley Avenue and Driveway No. 3 (Parking Lot 6). The 2011 Facilities Master Plan originally proposed these traffic signals; however, the Facilities Master Plan was updated in 2017 and the traffic signals were removed. As analyzed in the Draft Program Environmental Impact Report (PEIR), Section 4.12, traffic signals are not required, because no impacts would occur at those intersections.

Fullerton College has coordinated with Orange County Transportation Authority previously and currently offers discounted bus passes to students who are enrolled in nine or more units as an incentive for students to use public transportation. However, a parking deficit still remains. Additionally, the Centennial Parking Structure would offer parking spaces to offset the spaces lost due to the construction of new academic facilities.

G-3
The Centennial Parking Structure would provide a net increase of 538 parking spaces at that location. The North Orange County Community College District (District) discussed the possibility of purchasing the Plummer Structure from the City; however, the City does not intend to sell the Plummer Structure, because the City does not want to lose the public parking. Additionally, there is a current agreement with the City that allows students to park at Plummer Structure. Thus, the purchase of the Plummer Structure would not offset the parking deficit, because it is currently used by Fullerton College students.

The Sherbeck Field Improvements project will be analyzed in a separate EIR. The District originally envisioned the Sherbeck Field Improvements project as a separate project from the Master Plan. In fact, the two projects have independent utility; in other words, the Sherbeck Field Improvements project is not reliant on any of the
projects in the Master Plan to move forward and the Master Plan is not reliant on the Sherbeck Field Improvements project to move forward. Furthermore, the funding for the Sherbeck Field Improvements project and the Master Plan are separate. The Sherbeck Field Improvements project is not funded by bond dollars, whereas the Master Plan projects are.

In 2015, when the District initiated the Facilities Master Plan PEIR, it was decided that the Master Plan evaluation should include the Sherbeck Field Improvements project, mostly from the standpoint of the schedule. In addition, specific details of the Sherbeck Field Improvements project were not known at the time, and as a result, it was decided that it was appropriate to include the project under the Master Plan. However, at the scoping meeting held in November 2016 on the Facilities Master Plan, given the number and content of community comments almost solely focused on the Sherbeck Field Improvements project, the District decided a separate California Environmental Quality Act (CEQA) process for the Sherbeck Field Improvements project was warranted.

Because the Sherbeck Field Improvements project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed at a project level of detail as a part of the Facilities Master Plan, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

Additionally, a separate CEQA process for the Sherbeck Field Improvements project would afford the District the opportunity to fully define the Sherbeck Field Improvements project and the purpose and need for the project and provide multiple additional opportunities for public review and input. In addition, it would provide a separate scoping meeting for the Sherbeck Field Improvements project, which will allow the District to discuss the proposed field improvements project in more detail (events, scheduling, and a preliminary design) and allow the community multiple opportunities to comment. This separate CEQA process would also afford the District the opportunity to analyze project-level alternatives to the Sherbeck Field Improvements project that focus on reducing the potential impacts related to that project only, rather than the Master Plan as a whole.

G-4 The Centennial Parking Structure would provide a net increase of 538 parking spaces at that location. The City currently has a shared use agreement with the City for the Plummer Parking Structure but the demand for public City parking still exists, and this agreement does not cover the parking deficit at Fullerton College.
Comment Letter H
October 1, 2017

To: Richard Williams  
District Director, Facilities Planning and Construction  
And North Orange County Community College District

From: Martin and Maria Chavez  
625 Princeton Circle West  
Fullerton, CA 92831

Subject: Draft Program Environmental Impact Report for the Fullerton College Facilities Master Plan

Response: Regarding the Potentially Significant Environmental Impacts Outlined in Report for The Fullerton College Facilities Master Plan

Based on the report, the initial start of the demolition and construction of certain building and parking structures. It showed that there is a potential harm to the surrounding community on some of the hazardous materials that become airborne and can settle outside the actual contained area, such as lead. Plus with the addition of construction equipment in the area, it will raise pollution levels. Even if the decision to construct the parking structure will raise pollution levels since the college is set and surrounded by a housing community which will absorb this impact.

As the report stated “it would have a less-than-significant, which means there is still an impact on air quality, geology and soils, greenhouse gas emissions, mineral resources, population and housing, public services and recreation. Also with hazardous materials, noise, etc. can only be slightly mitigated.

The Draft Program EIR also determined that the project, “would have a significant and unavoidable impacts that cannot be mitigated to below level of significance”. Especially, as it relates to traffic and circulation.

We have been long time residents of Fullerton and are very supportive of the education system. We are strong believers to make sure can succeed and have all the tools needed to be successful. And that base start with good professors and they be supported. But as taxpayers we also want our money to spent wisely and in good conscious that this will benefit not just the students and the college, but also are good stowards to its community.

After seeing how the taxpayer money was spent on the last bond Measure X; elaborate library, parking structure that did follow building egress codes and the demolition in the early morning of the track and field. These projects have made us less supportive for the current projects planned. Living close to Fullerton College, we continue to notice that the current parking structure is used for racing cars through the parking in the middle of the night. The screeching can be heard as far to east end of the campus. Also it is used for setting off fireworks and when I walk through at times, have noticed broken bottles. Plus the Sherbeck Field has become more used on the weekends by outside leagues and schools. The problem is when these outsiders...
leave their trash on Berkleay Ave. The noise from PA system that used at times has been set loud and can disturb the neighbors that live along the perimeter of the FC.

Since I have lived here, this area has grown and continues to grow. So for the college not to find better ways to resolve its parking situation and what projects will have the greater good for the whole Fullerton College student body and the surrounding community. Essentially those projects will have an Environmental Impact and Quality of Life on our family and the surrounding community.

Sincerely,
Martin and Maria Chavez

[Signatures]
Response to Comment Letter H

Fullerton Residents
Martin and Maria Chavez

H-1 Thank you for your letter pursuant to the proposed project at Fullerton College. As discussed in Section 4.6, Hazards and Hazardous Materials, of the Draft Program Environmental Impact Report (PEIR), due to the age of buildings on the property, construction activities could result in exposure of workers and/or the public to lead-based paint and/or asbestos. Prior to construction or renovation activities, a lead-based paint and asbestos survey will be completed by a California Occupational Safety and Health Administration (Cal/OSHA)-certified asbestos assessor and a California Department of Public Health-certified lead-based paint assessor per Mitigation Measure (MM) HAZ-1 (see Section 4.6.5 of the Draft PEIR and Chapter 4, Mitigation Monitoring and Reporting Plan, of this Final PEIR). Depending on the findings of the survey, it may be necessary to prepare an abatement work plan that complies with all federal, state, and local laws and describes monitoring and abatement activities that need to be carried out as part of construction activities to prevent exposure to asbestos and lead-based paint. Upon implementation of MM-HAZ-1, impacts would be less than significant.

As discussed in Section 4.2, Air Quality, pages 4.2-35 through 4.2-43, of the Draft PEIR, construction activities associated with the proposed project would result in temporary sources of fugitive dust and construction vehicle emissions. Long-term operation of the proposed project would result in daily vehicular trips that would generate local emissions that could expose sensitive receptors to substantial pollutant concentrations.

The South Coast Air Quality Management District (SCAQMD) recommends the evaluation of localized nitrogen dioxide (NO₂), carbon monoxide (CO), fine particulate matter (PM₂.₅; particles less than or equal to 2.5 microns in diameter), and coarse particulate matter (PM₁₀; particles less than or equal to 10 microns in diameter) impacts as a result of construction activities to sensitive receptors in the immediate vicinity of the project site. It was determined that construction activities would not generate emissions in excess of SCAQMD site-specific localized significance thresholds during the respective construction phases.

If traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and is operating on roadways already crowded with non-project traffic, there is a
potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. In accordance with the SCAQMD recommendations, a site-specific CO hotspot analysis was performed for 32 intersections for the Year 2030 Buildout Plus Project traffic conditions scenario. Maximum CO concentrations predicted for the 1-hour averaging period would be 3.5 parts per million (ppm), which is below the state 1-hour CO standard of 20 ppm. Maximum predicted 8-hour CO concentrations of 2.1 ppm would be below the state CO standard of 9 ppm. Neither the 1-hour nor the 8-hour state standard would be equaled or exceeded at any of the intersections studied. Accordingly, CO hotspot impacts were determined to be less than significant.

Toxic air contaminants (TACs) are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. Due to the relatively short period of exposure at any individual sensitive receptor and minimal particulate emissions generated on site, TACs generated during construction would not be expected to result in concentrations causing significant health risks. Operation of the proposed project would not result in any non-permitted direct emissions (e.g., those from a point source such as diesel generators) or result in a substantial increase in diesel vehicles (e.g., delivery trucks) over existing baseline conditions. Therefore, the proposed project would not result in exposure of sensitive receptors in the vicinity of the project site to substantial TAC concentrations and impacts would be less than significant.

H-2 When it is determined that a project’s impacts would be above a threshold, the project would have a “significant impact.” Under the California Environmental Quality Act (CEQA), a project is required to mitigate a significant impact to a “less than significant impact,” otherwise the impact is considered “significant and unavoidable.” A “less than significant impact” occurs when a project’s impact is below a threshold, or mitigated to a level below a threshold; although the impact would still have some residual impact, it would not have a significant and unavoidable impact. A “no impact” determination applies in situations where the impact simply does not apply to the project. Because the analysis provided in the Draft PEIR is consistent with the principles described above, the Draft PEIR is consistent with the CEQA Guidelines.

H-3 There were three areas in which the proposed project was determined to have significant and unavoidable impacts: historic resources, traffic and circulation, and cumulative land use. Impacts would not be significant for any of the other resources areas, such as hazards and hazardous materials, noise, and air quality.
Fullerton College Facilities Master Plan Final PEIR
December 2017

2 – RESPONSES TO COMMENTS RECEIVED

H-4 The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

H-5 The comment does not state a specific concern or question regarding the adequacy of the environmental impact analysis in the EIR, and no further response is necessary.

H-6 Fullerton College and the North Orange County Community College District (District) have considered many options to address the parking space deficit. The District believes that the Centennial Parking Structure is the best option to address the parking deficit on campus. As discussed in the Draft PEIR, the construction and operation of the Centennial Parking Structure would not result in significant and unavoidable impacts.
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October 2, 2017

TO: Richard Williams, District Director, Facilities Planning and Construction
cc: Cheryl Marshall, Chancellor

FROM: Molly McClanahan

RE: Draft Fullerton College Facilities Master Plan Program EIR

1. Project Objectives 3.4.1. Concur with all of the stated objectives. However, it seems that they could also be expanded to include standards of sustainability in materials, utilities energy savings, landscaping, etc. Another objective is a positive interface with adjacent uses since we are a campus in an urban setting that seeks to blend and complement our campus within a City.

2. 4.1.22 Aesthetics. First complete sentence in top paragraph: “Students and faculty would experience reconfigured interior spaces and upgraded infrastructure and buildings systems; however these viewer groups are not considered sensitive as they are on campus voluntarily for higher education and employment purposes.” This statement is a complete mystery to me. First, we should add staff. The aesthetics of the interior improvements are important to all who are on our campuses. They create a sense of welcome and hospitality. To exclude this consideration doesn’t make sense.

3. Parking. Centennial Parking Structure. 3-6. I am pleased that a digital display would be located at the entrance of the parking structure to show parking spaces available, and hopefully on which level. Are we planning to retrofit the Lemon Street parking structure with a similar digital display? This would alleviate a lot of frustration for students and visitors looking for a space and where to find one.

4. Additional questions on parking. A comprehensive plan for parking should also include bicycle parking and bicycle access. If we want to encourage multi-modal transportation we need to give equal priority to alternatives. Has any thought been given to creating bicycle paths within the campus? If not, why not? Campus security could also use bicycles to cover the campus, and it is a lot friendlier.

If we are to make surface parking aesthetic with shade trees and solar panels that provide shade, what would this do to the number of parking spaces? I vote for aesthetic surface parking. People also need some kind of signage as to where they are parked so they can locate their vehicle.

Is Plummer Parking structure part of our master plan for parking in accounting for parking spaces? Should it be? What is our agreement with the City of Fullerton?

6. Transportation and Circulation. Questions. Are we contemplating including a pedestrian activated light from the North Berkeley area to the main campus? Where are pedestrians expected to cross and do so safely?

In looking at the intersection of Lemon Street and Chapman Avenue, it seems we should make a formal request to the City of Fullerton to evaluate and consider a diagonal crossing. This would save vehicle wait time and pedestrian time. In the Los Angeles Times, August 23, 2017, E5, there is an interesting article about doing art work.
on crosswalks. This one was done by Carlos Cruz-Diez, Venezuelan artist. Delightful and something that could tie the College to the community.

8. Landscaping. References are made throughout the EIR on landscaping. Hopefully there will be a master plan developed for the entire campus. When we developed the lemon streetscape and median, it was envisioned that the campus would have a landscaped perimeter like an "emerald necklace." See 4.1-17. There are many resources that would be valuable to tap into. The City is referenced in the above notation. Dan Oregel is the City’s landscape Director and is very knowledgeable. We also have Fullerton College Horticulture Dept., the Fullerton Arboretum at CSUF, Rancho Santa Ana Botanic Gardens in Claremont.

7. Instructional Buildings. The Chapman-Newell properties are listed for an instructional building: 2 stories, classrooms, offices, support spaces. Since we are committed to our Educational Master Plan as a guide for physical facilities, just which educational programs are anticipated here? Do we know? Shouldn’t we know? Given the replacement of buildings for the Horticulture/STEM area and the Child Development classrooms, we need to carefully consider the outdoor space available for both of these programs since they are integral to the classroom, and are indeed an extension of the built classroom. These areas should not be diminished.

8. Historic buildings. Buildings at 428, 434, and 438 E. Chapman - 4.3-84. "The study concluded that none of the properties appear eligible for listing in any of the three registration programs due a lack of historical significance." I was under the impression that further conversation took place with Deb Ritchey and Fullerton Heritage regarding moving these houses for restoration and reuse. Did I miss something? 4.3-82 1st Resource Description: Historic Fullerton Junior College, potential Local Landmark. We should go ahead with plans to list these significant WPA buildings with the City of Fullerton. Who decides? What is the process? 2nd Listing: Hatebrink House 515 E. Chapman Avenue. This was part of Measure X bond measure. An offer was made. What are our plans now? What is the discussion? Pete Heterbrink was Student Body President at Fullerton College. The Fullerton Foundation provided the funds for CSUF Oral History Department to do an oral history with Pete Hatebrink. We need to bring this to the forefront again.

9. New Maintenance and Operations Facility. 4.1-15,16. I hope we are looking at the M & O facility at Cypress College. It is a great model and we could learn from it. It did receive a special commendation.

10. Has any thought been given to the potential utilization of the Berkeley Center for student housing, instead of parking? We know there is a need on the part of our students who are shelter insecure, yet we are silent on that. The proximity to the campus would reduce the need for most parking. This is not a District or College project by itself. It would need to involve the City using possible HUD funds and perhaps a non-profit housing group. The history of the college’s response to housing needs is well documented in the EIR when they responded to the needs of WWII veterans and
Korean veterans. We know we have foster youth in transition, international students and regular students who couch surf or live in their cars.

We want to get away from silo planning when it comes to special programs. We also want to move ourselves out of silo thinking.

Thanks for listening.
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Response to Comment Letter I

Molly McClanahan  
North Orange County Community College District, Trustee

I-1  
The North Orange County Community College District (District) believes that the project objectives address energy conservation. In particular, one of the proposed project objectives is as follows (Draft Program Environmental Impact Report (PEIR), Section 1.4, Project Objectives, page 1-2):

- Implement health and safety repairs, energy-efficient enhancements, water conservation, Americans with Disabilities Act (ADA) access, building security, National Fire Protection Associations Life Safety Code requirement upgrades, mass communication system, lock-down capabilities, and other needed facility renovations.

The proposed project would involve the demolition of 178,487 gross square feet of existing facilities on the Fullerton College campus, which includes the Berkeley Center Building 3000, Horticulture Center Building 1600, Theatre Arts Building 1300, Music Building 1100, Student Services Building 2000, Media Services/Academic Computing/Maintenance and Operation Shops Building 2300, and temporary classrooms and office space. The proposed project would replace these buildings with more energy-efficient buildings. New facilities associated with the proposed project would be subject to the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of both residential and nonresidential buildings and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting.

As part of the proposed project, Fullerton College would construct a thermal energy storage tank system. The thermal energy storage tank would be located south of the chiller plant. The thermal energy storage tank system would result in a reduction in of electricity consumption; however, the amount of electricity savings is not yet known.

Additionally, future energy upgrades, as part of the Fullerton College Energy Plan (outside of the Facilities Master Plan), include new lighting upgrades to interior and exterior facilities; heating, ventilation, and air conditioning system upgrades; the installation of an automatic weather sensing irrigation system; and the installation of chiller water temperature reset controls.10

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Therefore, energy conservation has been considered as part of the Facilities Master Plan and beyond.

The District appreciates your comment; your early and timely input on the proposed project during public hearings to adopt the 2011 Facilities Master Plan and the 2017 updates to the Facilities Master Plan would have been very helpful because these comments could have been addressed and possibly integrated into the Facilities Master Plan at that time. Because the Draft PEIR has already circulated for public review, it is infeasible to change the project at the end of the California Environmental Quality Act (CEQA) process.

I-2

As stated in Section 4.1, Aesthetics, page 4.1-22, of the Draft PEIR, for the purposes of a CEQA analysis, on-site receptors are generally not considered in terms of aesthetic impacts, because impacts are assessed from public viewpoints when it comes to visual character. Because students and staff enter the campus and the associated visual environment voluntarily, they are not considered sensitive viewers for the purposes of this analysis.

According to Appendix G of the CEQA Guidelines, a significant impact related to visual character would occur if the project would “substantially degrade the existing visual character or quality of the site and its surroundings.” Therefore, this threshold does not entail the analysis of impacts to building interiors. The analysis did not consider interior improvements and the impacts to students and staff, because this is beyond the purview of CEQA.

I-3

The Facilities Master Plan does not propose to add a digital display to the Lemon Street Parking Structure, but it is a good recommendation that can be considered further by Fullerton College staff.

I-4

Although students and employees are encouraged to commute to campus on bicycles, bicycles must be dismounted on campus. The original layout of the campus does not provide enough space for bicycles to travel on campus without creating a hazard for pedestrians. Additionally, students and staff use the campus walkways; therefore, bicycles could not travel on campus without posing a risk to pedestrians. Because of this safety hazard, on-campus bike paths were not considered as part of the Facilities Master Plan. Shade trees and solar panels are not part of the Facilities Master Plan; however, should solar panels be desired for the proposed and existing parking lots, this can be done through a separate process, through a CEQA exemption. New campus signage would be provided along several entries along the exterior of the campus, to assist with wayfinding.
The District discussed the possibility of purchasing the Plummer Structure from the City of Fullerton (City); however, the City does not intend to sell the Plummer Structure, because the City does not want to lose the public parking. Additionally, there is a current agreement with the City that allows students to park at Plummer Structure. Thus, the purchase of the Plummer Structure would not offset the parking deficit, because it is currently used by Fullerton College students.

A crosswalk is currently located at the intersection of North Lemon Street and North Berkeley Avenue, which connects the north campus to the main campus. The Facilities Master Plan does not include a pedestrian-activated light from the main campus to the campus north of Berkeley Avenue. A diagonal crossing at Lemon Street and Chapman Avenue was not analyzed in the Draft PEIR, nor was it determined to be required to mitigate impacts. Therefore, it is not recommended that a diagonal crossing be included in the Facilities Master Plan PEIR at this time.

The intersection of Lemon Street and Chapman Avenue is in the City’s right-of-way. Therefore, adding artwork to an intersection would be the City’s decision. The Draft PEIR does not propose to make any alterations to the Lemon Street and Chapman Avenue intersection, including artwork; therefore, such a request should be handled outside of the Facilities Master Plan CEQA process.

A landscape improvements plan was developed as part of the original 2011 Facilities Master Plan and is provided in Chapter 5, Other CEQA Considerations, of the Draft PEIR, page 5-139. Because this comment does not address the adequacy of the Draft PEIR, no further response is required.

Some of the objectives of the Facilities Master Plan are to update and modernize existing building space to meet the District’s instructional needs, construct new buildings to meet current and future instructional needs and the District’s academic mission, and increase academic square foot efficiency through renovation and construction of new buildings and facilities to maximize functional space. Therefore, the goals of the Facilities Master Plan are to create the space to meet the instructional needs of the District. Programming and class scheduling are part of the Educational Master Plan. The Educational Master Plan informed the development of the Facilities Master Plan. However, specific programming and class scheduling fall into the scope of the Educational Master Plan.

As discussed in Chapter 3, Project Description, of the Draft EIR, the College proposes to remove the four single-family residences located at 428, 434, and 438 East Chapman Avenue and 400 North Newell Place and replace them with an
instructional building. To clarify further, “removal” of these buildings would involve their removal from their current location to another location. This would occur if a prospective buyer owns property to which to relocate these residences. The District is considering moving the homes located at 434 and 438 East Chapman Avenue to the vacant District property located at Amerige Avenue, if a developer is identified.

Should the District decide to request that the City consider the Fullerton Junior College Campus Historic District contributor buildings for designation as Fullerton Historical Landmarks, this would be coordinated with the City. However, this action is not connected to the Facilities Master Plan.

The Facilities Master Plan would not include renovations to the Hetebrink House. Because this comment does not address the adequacy of the Draft PEIR, no further response is required.

I-10 Detailed plans of the New Maintenance and Operations Facility have not yet been developed. However, the District will consider this comment upon preparation of the New Maintenance and Operations Facility plans.

I-11 Student housing was not proposed as part of the Facilities Master Plan. The Fullerton College campus is limited in space; therefore, there is no place to add student housing. The District believes that there is not adequate funding to support the construction and operation of student housing. Additionally, the District does not desire to take on the liability associated with the operation of student housing at this time.
Wayne Dalin
629 Princeton Circle East
Fullerton, Ca 92831
September 29, 2017

Mr. Richard Williams, District Director, Facilities Planning & Construction
North Orange County Community College District
1830A West Romneya Drive
Anaheim, CA 92801-1819

Dear Mr. Williams:

I’m writing to regarding the Pre-EIR and the colleges’ proposed expansion. I’m not much of a writer, but I am deeply opposed to this expansion. Some of the problems I think will occur are the following:

- Increased traffic caused by proposed traffic lights on Berkeley. Students will cut through neighborhoods filled with children to gain access to the school. Eventually a child will get hurt.
- Increased pollution caused by a multitude of lights. With most students arriving at the same time neighborhoods will be filled with pollutants caused by high density. These neighborhoods are filled with children and will suffer. If the proposed stadium is built, the traffic will be way out of proportion and spill over into the local neighborhoods. People racing around looking for a parking spot will eventually hurt a child.
- Light pollution caused by proposed stadium lighting, lighting for the new parking structures, and traffic signals.
- The sound system of the proposed stadium will be a nuisance for the neighborhoods. Already, when there are games on the weekends music is blasted loudly. There is NO ONE FROM THE SCHOOL SUPERVISING and when residents call to complain nothing is done. This noise is from small sound systems. A stadium sound system will make life in the neighborhood untenable.

The college can’t seem to understand that it bumps up against a neighborhood. The college used to care about the neighborhood, but now all it cares about is expansion. The college is in the suburbs, and they are treating neighborhoods like they are urban centers. There used to be a feeling of community with our neighborhood and the college. That feeling is gone now that the college only provides the façade of concern.

Sincerely,

Wayne Dalin
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Response to Comment Letter J

Fullerton Resident
Wayne Dalin

J-1 Thank you for your letter pursuant to the proposed project at Fullerton College. Please note that this comment is regarding the Draft Program Environmental Impact Report (PEIR), not the “Pre-EIR.” It is Fullerton College’s mission to serve the community. As the population grows within the Fullerton College service area, student generation at Fullerton College is also anticipated to increase. Therefore, to accommodate this student growth, and meet Fullerton College’s mission to serve the community, Fullerton College proposes to increase academic square foot efficiency through renovation and construction of new buildings and facilities to maximize functional space.

J-2 The proposed project would not include the addition of traffic signals at the intersection of Berkeley Avenue and Centennial Way or the intersection of Berkeley Avenue and Driveway No. 3 (Parking Lot 6). The 2011 Facilities Master Plan originally proposed these traffic signals; however, the Facilities Master Plan was updated in 2017 and the traffic signals were removed. As analyzed in the Draft PEIR, Section 4.12, Traffic and Circulation, traffic signals are not required, because no impacts would occur at those intersections.

J-3 As discussed in Section 4.1, Aesthetics, pages 4.1-26 and 4.1-27, of the Draft PEIR, the specific lighting plan and intensity of new lighting sources to illuminate new buildings, facilities, and associated outdoor areas have not yet been developed. Therefore, light and glare generated by these project-level elements may adversely affect day or nighttime views in the surrounding area. Additionally, new lighting may be installed along interior Fullerton College campus roadways. However, significant impacts associated with light and glare would be less than significant upon implementation of Mitigation Measure (MM) AES-2 and MM-AES-3 (see Section 4.1.5 of the Draft PEIR and Chapter 4, Mitigation Monitoring and Reporting Plan, of this Final PEIR).

As discussed in Section 4.2, Air Quality, pages 4.2-35 through 4.2-43, of the Draft PEIR, construction activities associated with the proposed project would result in temporary sources of fugitive dust and construction vehicle emissions. Long-term operation of the proposed project would result in daily vehicular trips that would generate local emissions that could expose sensitive receptors to substantial pollutant concentrations.
The South Coast Air Quality Management District (SCAQMD) recommends the evaluation of localized nitrogen dioxide (NO₂), carbon monoxide (CO), coarse particulate matter (PM₁₀), and fine particulate matter (PM₂.₅) impacts as a result of construction activities to sensitive receptors in the immediate vicinity of the project site. It was determined that construction activities would not generate emissions in excess of SCAQMD site-specific localized significance thresholds during the respective construction phases.

If traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and is operating on roadways already crowded with non-project traffic, there is a potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. In accordance with the SCAQMD recommendations, a site-specific CO hotspot analysis was performed for 32 intersections for the Year 2030 Buildout Plus Project traffic conditions scenario.

Maximum CO concentrations predicted for the 1-hour averaging period would be 3.5 parts per million (ppm), which is below the state 1-hour CO standard of 20 ppm. Maximum predicted 8-hour CO concentrations of 2.1 ppm would be below the state CO standard of 9 ppm. Neither the 1-hour nor the 8-hour state standard would be equaled or exceeded at any of the intersections studied. Accordingly, CO hotspot impacts were determined to be less than significant.

Toxic air contaminants (TACs) are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. As described in Section 4.6, Hazards and Hazardous Materials, page 4.6-13, of the Draft PEIR, due to the age of some of the existing buildings, demolition activities could result in the release of contaminated materials and hazardous substances such as lead-based paint or asbestos. Demolition activities could result in airborne entrainment of asbestos, particularly where structures built prior to 1980 would be demolished. However, these materials would be removed in accordance with regulatory requirements prior to demolition pursuant to SCAQMD Rule 1403–Asbestos Demolition and Removal, which establishes survey, notification, and work practice requirements to prevent asbestos emissions during building demolition. In addition, implementation of MM-HAZ-1 (see Section 4.6.5 of the Draft PEIR and Chapter 4 of this Final PEIR) would ensure that SCAQMD Rule 1403 would be enforced and that any potential lead-based paint or asbestos materials would be handled appropriately.
Due to the relatively short period of exposure at any individual sensitive receptor and minimal particulate emissions generated on site, TACs generated during construction would not be expected to result in concentrations causing significant health risks.

Operation of the proposed project would not result in any non-permitted direct emissions (e.g., those from a point source such as diesel generators) or result in a substantial increase in diesel vehicles (e.g., delivery trucks) over existing baseline conditions. Therefore, the proposed project would not result in exposure of sensitive receptors in the vicinity of the project site to substantial TAC concentrations and impacts would be less than significant.

Because the Sherbeck Field Improvements project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed at a project level of detail as a part of the Facilities Master Plan, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project will be analyzed in a separate CEQA process. The Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

**J-4**

As discussed in Section 4.1, pages 4.1-26 and 4.1-27, of the Draft PEIR, the specific lighting plan and intensity of new lighting sources to illuminate new buildings, facilities, and associated outdoor areas have not yet been developed. Therefore, light and glare generated by these project-level elements may adversely affect day or nighttime views in the surrounding area. Additionally, new lighting may be installed along interior Fullerton College campus roadways. However, significant impacts associated with light and glare would be less than significant upon implementation of MM-AES-2 and MM-AES-3.

Because the Sherbeck Field Improvements project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed at a project level of detail as a part of the Facilities Master Plan, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project will be analyzed in a separate CEQA process. The Sherbeck Field Improvements project EIR will analyze the Facilities Master Plan as a cumulative project.

**J-5**

Because the Sherbeck Field Improvements project has not yet been designed, the Sherbeck Field Improvements project could not be analyzed at a project level of detail as a part of the Facilities Master Plan, or as a cumulative project in the Facilities Master Plan PEIR. However, the Sherbeck Field Improvements project will be analyzed in a separate CEQA process. The Sherbeck Field Improvements project
EIR will describe the proposed sound system and analyze noise impacts associated with the field improvements.
To:  Richard Williams  
From:  Amy Foust  
Regarding:  Fullerton College Facilities Master Plan  

Mr. Williams,  

I am a local resident of Fullerton and have been blessed to live in the historic College Park area. I have become aware of the impending improvements to be made to the community college adjacent to my home. I believe the planned changes can add to the already beautiful campus and ultimately better serve the students attending the college and the faculty and staff who commute there every day.  

All of this said, I am concerned about the impact reports mention of unavoidable traffic and circulation interruptions. While I realize construction is only temporary and often short-term inconveniences have considerable payoffs, I wanted to report my concerns about what I came to identify as “disorder” in the historic area neighboring Fullerton College. I live on Berkeley Avenue, between Wilshire and Commonwealth. In this neighborhood, it is one of the most heavily used streets for cars, carrier trucks, and fire trucks. As a mother to a young child, I have concerns about my daughter, as well as other children in the area who are outside playing. There is a constant flow of traffic from college students looking for parking, not to mention all the other vehicles using the street as a passageway to Commonwealth, some of which fail to obey speed limits. Additionally, after parking has been acquired by students on Berkeley, it is difficult for residents to find parking spots. It makes it difficult for people to run errands and return home or have contractors or babysitters provide services at your home when there is limited availability to park. The street parking has become so congested that, at times, parked cars trap residents in their homes because a car is blocking their driveway.  

While I can understand the desire for students to park on Berkeley as it is close to the college, all of this vehicle congestion has had an impact on our street, which is covered with potholes. From the subsequent foot traffic, our street has become littered with trash, from small food wrappers to used condoms and beer cans. From the students who want to get parking early, the residents have had to endure loud cars and loud music in the initial hours of the day. As a professor of criminal justice at Cal State Fullerton, this disorder is cause for concern as small inevitabilities can be precursors to crime. In fact, over the last year, the residents of the neighborhood have consistently reported vehicular burglaries. Personally, my car has been broken into twice this year. It is my belief that if fewer cars were on the streets, thieves would be more visible to residents and we could work more effectively as a neighborhood to curb unwanted thefts.
In ending, let me reiterate that I am happy to hear of the funding to allow Fullerton College to conduct much needed improvements to its campus, especially the addition of new parking spots. As a faculty member myself who frequently deals with parking headaches on campus, I can empathize with the problems students face day-to-day when needing to find parking. However, the adjacent neighborhood, especially Berkeley Ave, is already suffering from parking and circulation issues, that will only be made worse throughout the planned construction. Berkeley Ave between Chapman and Wilshire have already implemented restricted parking for residents as a partial aid to the overall problem. It is my hope that we can work out some compromise in the near future to address the concerns of the remaining portion of Berkeley Avenue, as it is a historic area of the city and should be preserved for generations to come.

Thank you for your time and attention to this matter.

Amy J. Post

Amy J. Post, Ph.D.
Associate Professor of Criminal Justice
California State University, Fullerton
Resident of 123 N. Berkeley Ave, Fullerton, CA 92831
Response to Comment Letter K

Fullerton Resident
Amy Foust

K-1 Thank you for your letter pursuant to the proposed project at Fullerton College. Significant traffic and circulation impacts would occur at the state-controlled (California Department of Transportation (Caltrans)) intersection of State Route 57 northbound ramps at Chapman Avenue. The implementation of Mitigation Measure (MM) TRA-1 (see Section 4.12, Traffic and Circulation, of the Draft Program Environmental Impact Report (PEIR), and Chapter 4, Mitigation Monitoring and Reporting Program, of this Final PEIR) is proposed, which would require that the North Orange County Community College District (District) pay a proportional “fair share” of the improvement costs of the impacted intersection to mitigate the project’s traffic impacts. However, because the implementation of improvements at a Caltrans intersection are not guaranteed and are not within the jurisdiction of the District, this cumulative impact would be significant and unavoidable. Traffic impacts were not identified for any of the other 31 study intersections.

The District understands that students park on Berkeley Avenue, and in some cases students speed or create additional traffic in the area when searching for parking on Berkeley Avenue. The District believes this is associated with the parking deficit on campus. To address this deficit, the District proposes to construct the Centennial Parking Structure as part of the proposed project.

K-2 Fullerton College and the District have considered many options to address the parking space deficit. The District believes that the construction and operation of the Centennial Parking Structure, which is included as part of the proposed project, is the best option.

K-3 The District understands that students park on Berkeley Avenue, which could be associated with litter and noise in the surrounding neighborhood. The District believes this is associated with the parking deficit on campus. To address this deficit, the District proposes to construct the Centennial Parking Structure as part of the proposed project.

K-4 Fullerton College and the District have considered many options to address the parking space deficit. The District believes that the construction and operation of the Centennial Parking Structure, which is included as part of the proposed project, is the best option.
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CHAPTER 3
CHANGES TO THE DRAFT PEIR

3.1 INTRODUCTION

As provided in Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines, responses to comments may take the form of a revision to a Draft Environmental Impact Report (EIR) or may be a separate section in the Final EIR. This section complies with the latter and provides changes to the Draft Program Environmental Impact Report (PEIR) presented in strikethrough text (i.e., strikethrough) signifying deletions and underline (i.e., underline) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the project since the release of the Draft PEIR as required by Section 15132 of the CEQA Guidelines. None of the corrections or additions constitutes significant new information or substantial project changes requiring recirculation as defined by Section 15088.5 of the CEQA Guidelines.

3.2 CHANGES TO THE DRAFT PEIR

Changes to the Draft PEIR are provided in this section. Page numbers correspond to the Draft PEIR.

Chapter 3, Project Description, page 3-20.

Table 3-5
Facilities Master Plan Program EIR Project Approvals

<table>
<thead>
<tr>
<th>Authorizing Jurisdiction or Agency</th>
<th>Action</th>
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<tbody>
<tr>
<td><strong>Division of the State Architect</strong></td>
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<tr>
<td>Compliance with Title 24 of the California Code of Regulations</td>
<td>Plan review and approval</td>
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<td>• Structure Safety</td>
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<td>• Fire and Life Safety</td>
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<td>• Access Compliance</td>
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<td>• Energy</td>
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<tr>
<td><strong>State Fire Marshal</strong></td>
<td>Approval</td>
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<tr>
<td>Facility Fire and Life Safety Program</td>
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<tr>
<td><strong>State Water Resources Control Board/Regional Water Quality Control Board</strong></td>
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<tr>
<td>National Pollutant Discharge Elimination System Construction General Permit (State Water Resources Control Board Order 2009-09-DWQ)</td>
<td>Submit Notice of Intent and comply with the provisions of the General Permits</td>
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<tr>
<td><strong>South Coast Air Quality Management District</strong></td>
<td></td>
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<tr>
<td>Authority to construct and/or permits to operate</td>
<td>Approval</td>
</tr>
<tr>
<td><strong>City of Fullerton</strong></td>
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<tr>
<td>Sewer and potable water connection approval</td>
<td>Plan review and approval</td>
</tr>
<tr>
<td>Approval to work in public right-of-way</td>
<td>Issuance of permits</td>
</tr>
</tbody>
</table>
Section 4.3, Cultural Resources, page 4.3-11.

Ralph D. Cornell was born in Nebraska and relocated to California in 1908. Following his graduation from Pomona College in 1914, he continued his studies at Harvard University and in 1917 was awarded the degree of Master Landscape Architect. Prior to his service in World War I, Cornell worked as an architect at the firm of Harries and Hall in Toronto, Canada. Upon his return from the war, Cornell settled in Los Angeles and opened one of the very first practices specializing in landscape architecture (Tyack 2011; TCLF 2014; Michelson 2015b). His principal works in California include Hillside Memorial Park Cemetery (1945); Los Angeles Civic Center Grounds (1956); Beverly Gardens Park (1931); Glen Haven Memorial Park (c. 1940); Restoration of Rancho Los Cerritos (1931); Grand Park (1956); Los Angeles Mall (1973–1975); Los Angeles Department of Water and Power Grounds (c. 1959); Pasadena’s Central Park (1927); Pasadena’s Washington Park (1922); Pomona College Grounds (beginning in 1919); Los Angeles Music Center Grounds; University of California, Los Angeles Grounds (beginning in 1937); and Torrey Pines (1922).

Cornell’s work at FJC began in 1935 when he teamed with Vaughn to create the general campus plan for FJC’s new site. Heavily influenced by the University of Virginia campus, Cornell and Vaughn sought to design a series of pathways, walkways, and open spaces that worked cohesively with the surrounding buildings (Epting 2014). Cornell’s landscape plans for FJC are available at the University of California, Los Angeles campus, and the Calisphere database (https://calisphere.org/collections/5105/?q=&sort=a&rq=fullerton).

Section 4.6, Hazards and Hazardous Materials, pages 4.6-18 and 4.6-19.

MM-HAZ-3 A hazardous materials contingency plan shall be followed during demolition, excavation, and construction activities for the project. The hazardous materials contingency plan shall include, at a minimum, the following:

- Identification of known areas with hazardous waste and hazardous materials of concern, including areas with potential soil vapor intrusion risks
- Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern
- Procedures for restricting access to the contaminated area except for properly trained personnel
- Procedures for notification and reporting, including internal management and local agencies (e.g., Fullerton Fire Department, Orange County Environmental Health Division), as needed
- Health and safety measures for removal and excavation of contaminated soil
- Procedures for characterizing and managing excavated soils
- Procedures for certification of completion of remediation

Site workers shall be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.


The proposed project site is served by City sewer lines. There are no private sewer lines or OCSD trunk sewer lines on the proposed project site. Two City sewer lines connect to the eastern project boundary, along North Lemon Street, and one connection occurs on the southern boundary, along North Chapman Avenue.
CHAPTER 4
MITIGATION MONITORING AND REPORTING PROGRAM

California Public Resources Code, Section 21081.6, requires that, upon certification of an environmental impact report (EIR), “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This mitigation monitoring and reporting program (MMRP) has been developed in compliance with California Public Resources Code, Section 21081.6, and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines and includes the following information:

- A list of mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The timing for implementation of the mitigation measures
- The date of completion of monitoring

The North Orange County Community College District (District) must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

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1 California Public Resources Code, Section 21000–21177. California Environmental Quality Act (CEQA), as amended.
Table 4-1  
Mitigation Monitoring and Reporting Program

<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Date of Completion</th>
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<tbody>
<tr>
<td><strong>MM-AES-1</strong></td>
<td>Architectural and site design of the proposed Centennial parking structure shall consider the existing scale of surrounding uses and implement appropriate measures to reduce bulk and scale. A menu of design options (at least one shall be implemented) includes the following:</td>
<td>Pre-construction</td>
<td>District</td>
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<td>• Architectural design strategies to reduce the bulk and scale of new buildings abutting or fronting roadways such as step-back design for floors above street level to reduce spatial impingement on adjacent roadways</td>
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<td></td>
<td>• Architectural façades suitably articulated to provide visual interest</td>
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<td>• Landscape planters shall be considered on parking garages to soften floors above street level</td>
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<td>• Other design elements such as screens or panels to soften the façade of the parking structure</td>
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<td>A landscape plan featuring drought-tolerant planting material consisting of canopy trees, shrubs, and groundcover can soften the appearance of structure edges and continuous façades and relieve solid, unbroken elevations. The landscape plan shall be compatible with the architectural characteristics of the proposed structures and visually compatible with the character of adjacent landscaping. Plant materials shall be suitable for the given soil and climatic conditions and shall consider species currently utilized in Fullerton College campus landscaping.</td>
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<tr>
<td><strong>MM-AES-2</strong></td>
<td>New sources of exterior/outdoor lighting shall be shielded and directed downward to avoid light spillover onto adjacent properties. Lighting shall also be of the minimum required intensity to provide for safety and security purposes and shall comply with the non-residential outdoor lighting application requirements of the California Energy Code and</td>
<td>During construction and post-construction</td>
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<tr>
<td>the California Green Building Standards Code. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources on campus. New sources of exterior/outdoor lighting shall also consider potential effects to nighttime views of adjacent motorists and nearby residents. Interior lighting shall be turned off when not in operation or operated on the lowest possible setting.</td>
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<tr>
<td>MM-AES-3</td>
<td>Pre-construction</td>
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<td>The use of reflective building materials shall be minimized to the extent practicable. Building materials shall be consistent with the visual character of existing and planned campus facilities and with the overall character of the Fullerton College campus.</td>
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<tr>
<td>MM-CUL-1</td>
<td>Pre-construction</td>
<td>District</td>
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<tr>
<td>Prior to demolition of Berkeley Center Building 3000, Theatre Arts Building 1300, and Music Building 1100, the North Orange County Community College District (District) must ensure preparation of Level II Historic American Building Survey (HABS) documentation in accordance with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation. Documentation shall be completed by a qualified historic preservation professional who meets the Secretary of the Interior’s Professional Qualifications Standards for history or architectural history. The documentation should capture the physical condition of the existing building with (1) existing drawings (where available), (2) photographs of the buildings with large-format negatives using an experienced HABS photographer, and (3) a written narrative that includes a history and architectural description of the buildings and highlights their historical significance. One original copy of the final HABS documentation packet shall be offered to the following entities:</td>
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Air Quality

None Required. 

| Cultural Resources |
|--------------------|-------------------|
| Pre-construction | District |

| Cultural Resources |
|--------------------|-------------------|
| Pre-construction | District |
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<tr>
<td>• The Library of Congress HABS Collection (to be offered as a donation only)</td>
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<td>• The South Central Coastal Information Center at California State University, Fullerton</td>
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<tr>
<td>• City of Fullerton Planning Department</td>
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<td>• Fullerton College Library</td>
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<tr>
<td>• Fullerton Public Library Main Branch (Local History Room)</td>
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<td>• Fullerton Heritage</td>
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<tr>
<td>• Orange County Public Library</td>
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<td>• Orange County Archives</td>
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<tr>
<td>• Orange County Historical Society</td>
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<tr>
<td>MM-CUL-2</td>
<td>Pre-construction</td>
<td>District</td>
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<tr>
<td>Prior to the start of new construction, additions, renovations (including Americans with Disabilities Act (ADA) compliance work), or site improvements within or adjacent to historical resources, including buildings within the Fullerton Junior College Campus Historic District, the Fullerton College Mid-Century Modern Historic District, the Wilshire Junior High School Historic District, and the East Townsite and College Park residential historic districts, associated design schematics/project plans must be reviewed for conformance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties (36 CFR 68)); specifically, the 1995 Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings by Weeks and Grimmer, which are available on the National Park Service website at <a href="https://www.nps.gov/tps/standards/rehabilitation.htm">https://www.nps.gov/tps/standards/rehabilitation.htm</a>. Further, all proposed ADA compliance work should reference both the “Accessibility Considerations” section of the Rehabilitation Guidelines and Jester and Park’s 1993 National Park Service Preservation Brief 32: Making Historic Properties Accessible (available at <a href="https://www.nps.gov/tps/how-to-preserve/briefs/">https://www.nps.gov/tps/how-to-preserve/briefs/</a></td>
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### Mitigation Monitoring and Reporting Program

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<tr>
<td>32-accessibility.htm), to ensure that ADA compliance work minimizes changes to historic materials and features. The project plan/schematic design review shall be completed by a qualified architectural historian or historic preservation specialist who meets the Secretary of the Interior’s Professional Qualification Standards for Architectural History. Upon review, the qualified specialist may recommend changes/revisions to project plans in order to obtain conformance with the Standards for Rehabilitation. Alternatively, the District may choose to work with a preservation architect who meets the Secretary of the Interior’s Professional Qualification Standards.</td>
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<tr>
<td>MM-CUL-3 An appropriate level of protection must be provided for adjacent historic district buildings during proposed new construction and renovation activities. A preservation plan should be developed to provide these details. At a minimum, protective fencing should be used during construction activities so historic district buildings are not inadvertently impacted. The preservation plan should also examine the potential effects of vibration resulting from nearby demolition and construction activities. The final preservation plan shall be appended to the final set of construction plans.</td>
<td>Pre-construction</td>
<td>District</td>
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<tr>
<td>MM-CUL-4 In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the California Environmental Quality Act (CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA,</td>
<td>During construction</td>
<td>District</td>
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<td>additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.</td>
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<tr>
<td><strong>MM-CUL-5</strong> A qualified paleontologist, as defined by the Society of Vertebrate Paleontology’s 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010 SVP Guidelines; available at <a href="http://vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx">http://vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx</a>), should attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.</td>
<td>Pre-construction</td>
<td>District</td>
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<tr>
<td><strong>MM-CUL-6</strong> A paleontological monitor, as defined by the 2010 SVP Guidelines, should be on site on a full-time basis during the original cutting of previously undisturbed La Habra Formation, which crops out north of North Berkeley Avenue. In addition, any excavations south of North Berkeley Avenue, which is underlain by Quaternary alluvium, shall be spot-checked below a depth of 5 feet below the ground surface (or 5 feet below the depth of documented fill) to determine if older, more paleontologically sensitive sediments are being impacted. These spot-checks shall occur when excavations are in different areas of the campus (i.e., one spot-check is sufficient for adjacent buildings). If the paleontologist determines that older, more paleontologically sensitive sediments are being impacted, full-time paleontological monitoring shall commence. Once 50% of the excavation into native soils has been completed, and no fossils have been discovered, monitoring may be reduced or suspended altogether, at the paleontologist’s discretion (per the 2010 SVP Guidelines). Geological units with a low potential for yielding paleontological resources, including Holocene age alluvium and previously disturbed deposits, would not require monitoring. A paleontological monitor is defined as an</td>
<td>During construction</td>
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<tr>
<td>individual who has experience in the collection and salvage of fossil materials. The paleontological monitor should work under the direction of a qualified paleontologist. If any subsurface fossils are found by construction personnel, activity in the immediate area should be suspended and the fossils left in place untouched until a qualified paleontologist can evaluate the significance of the find. A qualified paleontologist (or paleontological monitor) should recover them. Construction activities in the immediate vicinity of the find shall be immediately redirected away from the vicinity of the discovery to allow room for the recovery of resources as necessary. In most cases, this fossil salvage can be completed within a short period. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) should be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen-washing operation on the site or collect sediment samples to be screened off site if it is not possible to do so on site. Fossil remains collected during monitoring and salvage should be cleaned, repaired, sorted, and cataloged. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, should be deposited (as a donation) in a scientific institution with permanent paleontological collections, such as the Dr. John D. Cooper Center at California State University, Fullerton. Donation of the fossils should be accompanied by financial support for initial specimen storage. A final summary report should be completed that outlines the results of the discovery. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils</td>
<td>Post-construction</td>
<td>District</td>
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<tr>
<td>Geology and Soils</td>
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<td>None required.</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Greenhouse Gas Emissions</td>
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<td>None required.</td>
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<tr>
<td>Hazards and Hazardous Materials</td>
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<td>MM-HAZ-1</td>
<td>Pre-construction</td>
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<tr>
<td>Prior to demolition or renovation of campus buildings, a lead-based paint and asbestos survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos consultant and/or certified site surveillance technician and a California Department of Public Health-certified lead inspector/risk assessor or sampling technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition or renovation plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.</td>
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<td>MM-HAZ-2</td>
<td>Pre-construction and during construction</td>
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<td>Due to past uses for agriculture, prior to grading permit issuance, soil should be sampled and analyzed for metals and residual pesticides. Sampling should be conducted in accordance with California Department of Toxic Substances Control guidance documents. The soil testing will confirm the presence or absence of on-site contamination associated with past uses on the project site. Any soils qualifying as hazardous waste will delineated, removed, and properly disposed of off site. Any soil that exceeds the California Human Health Screening Levels will be either remediated on site to levels protective of human health or removed and properly disposed of off site.</td>
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<td>MM-HAZ-3</td>
<td>A hazardous materials contingency plan should be followed during demolition, excavation, and construction activities for the project. The hazardous materials contingency plan shall include, at a minimum, the following:</td>
<td>Pre-construction and during construction</td>
<td>District</td>
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<td>- Identification of known areas with hazardous waste and hazardous materials of concern, including areas with potential soil vapor intrusion risks</td>
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<td>- Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern</td>
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<td>- Procedures for restricting access to the contaminated area except for properly trained personnel</td>
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<td>- Procedures for notification and reporting, including internal management and local agencies (e.g., local fire department, county Certified Unified Program Agency), as needed</td>
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<td></td>
<td>- Health and safety measures for removal and excavation of contaminated soil</td>
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<td>- Procedures for characterizing and managing excavated soils</td>
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<td>- Procedures for certification of completion of remediation</td>
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<td>Site workers should be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.</td>
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<td>MM-HAZ-4</td>
<td>A variety of hazardous materials would be transported to, stored on, and used on the project site during construction activities and site operations. These would include fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, as well as storage containers and applicators containing such materials. If aggregate aboveground oil/fuel storage capacity is greater than 1,320</td>
<td>Pre-construction and during construction</td>
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<td>gallons (or completely buried 42,000 gallons) and there is a reasonable expectation of an oil discharge into or upon navigable waters of the United States or adjoining shorelines, a spill prevention, control, and countermeasures (SPCC) plan pursuant to 40 CFR. 112 (or, for small quantities, a spill prevention and response plan) should be prepared and implemented during construction, and if applicable, during site operations. The SPCC plan (or spill prevention and response plan) should identify best management practices for spill and release prevention and provide procedures for cleaning up and disposing of any spills or releases.</td>
<td>Pre-construction and during construction</td>
<td>District</td>
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<tr>
<td>MM-HAZ-5</td>
<td>A variety of hazardous materials would be transported to, stored on, used on, and disposed of on the project site during construction activities. These would include fuels for equipment and vehicles, new and used motor oils, cleaning solvents, and paints, as well as storage containers and applicators containing such materials. In addition, hazardous materials, such as chlorine, pesticides, and herbicides, are routinely stored on the site and used for building and grounds maintenance. Businesses that use 55 gallons (liquid) or 500 pounds (solid) of hazardous materials are required to submit a hazardous materials business plan (pursuant to California Health and Safety Code Section 25500) within 30 days of beginning operations. The hazardous materials business plan should contain information on hazardous materials inventory, inspections, training, recordkeeping, and reporting. The hazardous materials business plan should be submitted electronically through the California Environmental Reporting System. Further information can be found on the County of Orange Department of Environmental Health website (<a href="http://occupainfo.com/programs/hm">http://occupainfo.com/programs/hm</a>).</td>
<td>Pre-construction and during construction</td>
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<td>MM-HYD-1 Project-Specific Water Quality Management Plan. Prior to implementing a project that creates and/or replaces (including projects with no net increase in impervious footprint) more than 5,000 square feet of impervious surface, the North Orange County Community College District (District) shall ensure such development is compliant with the standards contained in Section E.12 of the Phase II Small MS4 Permit (SWRCB Order No. 2013-0001-DWQ, as amended). The construction project shall integrate source control best management practices (BMPs) and low impact development (LID) designs into the project to the maximum extent feasible to reduce the potential for pollutants to enter stormwater runoff. This includes site design BMPs (as applicable), such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, incorporating trees and landscaping, and conserving natural areas. At a minimum, the District shall require facilities to be designed to evapotranspire, infiltrate, harvest/use, and/or biotreat stormwater to meet at least one of the hydraulic sizing design criteria contained in the Phase II Small MS4 Permit. This means ensuring source reduction or retention/treatment of either the 85th percentile 24-hour storm runoff event, or the flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity. Long-term operation and maintenance of LID designs and structure BMPs (e.g., infiltration basin, bioswales, buffer strips) shall be conducted in accordance with the District’s WQMP. In addition, the District shall comply with the landscape design and maintenance program contained in</td>
<td>Pre-construction, during construction, and post-construction</td>
<td>District</td>
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<td>Mitigation Measure</td>
<td>Implementation Timing</td>
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<td>the Phase II Small MS4 Permit, which is intended to reduce the amount of water, pesticides, herbicides, and fertilizers used.</td>
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<td><strong>Land Use</strong></td>
<td>None required.</td>
<td>N/A</td>
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<tr>
<td><strong>Noise</strong></td>
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<td>MM-NOI-1 Prior to initiation of construction on the Fullerton College Campus, the North Orange County Community College District shall approve a construction noise mitigation program to include the following:</td>
<td>Pre-construction and during construction</td>
<td>District</td>
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<td>• Construction equipment shall be properly outfitted and maintained with feasible noise-reduction devices to minimize construction-generated noise.</td>
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<tr>
<td>• Stationary noise sources such as generators shall be located away from noise-sensitive land uses if feasible.</td>
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<tr>
<td>• Laydown and construction vehicle staging areas shall be located away from noise-sensitive land uses if feasible.</td>
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<tr>
<td>• Whenever possible, academic, administrative, and residential areas that will be subject to construction noise shall be informed 1 week before the start of each construction project.</td>
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<tr>
<td>• All construction projects pursuant to the proposed project shall be required to implement the above measures for control of construction noise.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Population and Housing</strong></td>
<td>None required.</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Public Services</strong></td>
<td>None required.</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Traffic and Circulation</strong></td>
<td>MM-TRA-1 Per California Department of Transportation (Caltrans) requirements, the North Orange County Community College</td>
<td>Post-construction</td>
</tr>
</tbody>
</table>
### Table 4-1

**Mitigation Monitoring and Reporting Program**

<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Implementation Timing</th>
<th>Agency Responsible for Monitoring</th>
<th>Date of Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>District shall pay a proportional “fair share” of the improvement costs of the impacted intersection. The following improvements have been identified to mitigate the Year 2030 Buildout Plus Project traffic scenario at the intersection of the State Route 57 northbound ramps at Chapman Avenue: widen and/or restripe the westbound approach of Chapman Avenue to provide a third westbound through lane and modify the existing traffic signal as necessary. Right-of-way acquisition will be required. The installation of these improvements is subject to the approval of Caltrans and the City of Fullerton. The fair share contribution for the project to offset the Year 2030 project impact is 4.5%.</td>
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<tr>
<td><strong>Utilities and Service Systems</strong></td>
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<tr>
<td><strong>MM-UTL-1</strong></td>
<td>Upon review of the final site engineering and design plans, the North Orange County Community College District (District) will coordinate with the City of Fullerton (City) to initiate a water service agreement. Coordination with the City would also occur to determine if payment of impact fees would be required prior to initiating new water service connections.</td>
<td>Pre-construction</td>
<td>District</td>
</tr>
<tr>
<td><strong>MM-UTL-2</strong></td>
<td>Upon review of the final site engineering and design plans, the North Orange County Community College District (District) will coordinate with the City to determine whether the existing sewer lines have the capacity and are in good enough condition to handle the increase in wastewater flow. Prior to occupancy, the District shall pay applicable City sewer infrastructure connection fees and applicable fair-share capital facilities fees to the extent the payment of such fees is made necessary by projects under the Facilities Master Plan.</td>
<td>Pre-construction</td>
<td>District</td>
</tr>
<tr>
<td><strong>MM-UTL-3</strong></td>
<td>Prior to Division of the State Architect (DSA) approval, the construction contractor, on behalf of the District, shall complete a construction and demolition diversion compliance work plan and submit the plan to OC Waste &amp; Recycling for approval, if a County of Orange (County) landfill is being used for</td>
<td>During construction and post-construction</td>
<td>District</td>
</tr>
</tbody>
</table>
### Table 4-1
Mitigation Monitoring and Reporting Program

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<tr>
<td>Construction and demolition waste. The construction and demolition diversion compliance work plan will identify and estimate the materials to be recycled during construction and demolition activities and will name the County-approved facility used to recycle the waste. Compliance with the application prerequisites will be a requirement in all construction contracts. The County-approved application will be attached to all construction plans and distributed to all construction contractors. Once construction is complete, the District will be responsible for preparing a tonnage report that demonstrates that the project recycled a minimum of 65% of its construction and demolition waste. The tonnage report must be submitted to and approved by the County prior to DSA approval. Because this proposed project will be developed in phases over time, review and approval of the construction and demolition diversion compliance work plan can be submitted by phase or by building, for each phase where a County landfill is being used. However, for each construction and demolition diversion compliance work plan submitted and approved, a corresponding tonnage report should also then be submitted for approval.</td>
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</tbody>
</table>

**Notes:** N/A = not applicable.