

Memorandum

To: CHAIR AND COMMISSIONERS

Date: September 23, 2009

From: BIMLA G. RHINEHART
Executive Director

File: Book Item 2.2c (8)
Action

Ref: Mitigated Negative Declaration - SOCO West Parking Structure (Fullerton Transportation Center Parking Expansion Project) (Resolution E-09-81)

ISSUE: Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Fullerton Transportation Center Parking Expansion Project (project) in the City of Fullerton and approve the project for consideration of funding?

RECOMMENDATION: Staff recommends that the Commission accept the MND and approve the project for consideration of funding.

BACKGROUND: The City of Fullerton (City) is the lead agency for the project and for ensuring compliance with the requirements of CEQA. According to the City, an environmental analysis was conducted pursuant to CEQA resulting in the preparation of an Initial Study/MND for the SOCO West Parking Structure. The City adopted the MND for the SOCO West Parking Structure on February 20, 2007. The City also adopted a mitigation monitoring plan for this project.

According to the City, the MND for the SOCO West Parking Structure addresses the environmental impacts related to the Fullerton Transportation Center Parking Expansion Project programmed in the STIP and Proposition 116 program of projects. The parking structure will accommodate approximately 820 public parking spaces supporting the Metrolink Service Expansion Program that will provide expanded service between the Fullerton and the Laguna Niguel/Mission Viejo Stations.

The project may result in significant impacts to cultural resources, hazards/hazardous materials, and transportation without mitigation. Mitigation measures identified include, but are not limited to, ensuring a qualified structural engineer with experience in rehabilitating historic buildings is on-site prior to and during construction; consulting with a qualified archaeologist prior to the issuance of grading permits for each development phase; enforcing standard requirements related to asbestos containing materials prior to and during site grading, excavation, demolition and disturbance activities; and incorporating operational improvements to enhance traffic circulation in the area surrounding the project site.

The City also completed an environmental site assessment on November 7, 2005 (phase I) and another environmental site assessment on August 29, 2008 (phase II site characterization report).

Chair and Commissioners
September 23, 2009
Book Item 2.2c (8)
Page 2 of 2

These reports identified hazardous wastes and other materials that require clean-up and other action. In their transmittal of the MND, the City provided a written statement that pursuant to a City of Fullerton Resolution, the State will be held harmless from clean up liability or damages, both present and future on the state funded property acquisition for the project.

The Fullerton Transportation Center Parking Expansion Project is estimated to cost \$41,970,000 and is programmed with STIP (\$11,250,000), Proposition 116 (\$15,360,000), and Local (\$15,360,000) funds. Construction is estimated to begin in fiscal year 2009-10.

Attachments

- Resolution E-09-81
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Consideration of Funding 11-Orange County Resolution E-09-81

- 1.1 **WHEREAS**, the City of Fullerton (City) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - SOCO West Parking Structure
- 1.2 **WHEREAS**, the City has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project would construct approximately 820 public parking spaces for the Fullerton Transportation Center Parking Expansion to support the Metrolink Service Expansion Program between the Fullerton and the Laguna Niguel/Mission Viejo Metrolink Stations; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the City found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the City adopted a Mitigation Monitoring Reporting Program for the project; and
- 1.7 **WHEREAS**, the City approved the Mitigated Negative Declaration.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for consideration of funding.

