



## Memorandum

**Date:** April 16, 2025

**To:** Danny Hinojosa, Forward Planning Manager, MLC Holdings, Inc.

**From:** Cecilia So, Associate Director, FirstCarbon Solutions

**Subject:** Memorandum for the Keystone Residential Project in Support of a CEQA Exemption under 15332

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## INTRODUCTION

The purpose of this California Environmental Quality Act (CEQA) Class 32 Infill Exemption memorandum is to determine whether the proposed Keystone Residential Project (proposed project) meets all the criteria for such an exemption as set forth in CEQA Guidelines Section 15332 (Infill Development Projects).

As evaluated herein, the proposed project would be consistent with all criteria listed in CEQA Section 15332 and would not trigger any of the disqualifying exceptions listed in CEQA Section 15300.2.

A lead agency may rely on and cite several different separate and independent exemptions to support a determination that CEQA review is not required. If one exemption should be found not to apply, the agency's actions may still be upheld on the basis of the remaining exemptions. See *North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 CA4th 832.

## EXISTING CONDITIONS

### Project Location and Existing Setting

The approximately 4.36-acre project site is located at 11459 Imperial Highway entirely within the City of Norwalk (City), in Los Angeles County, California (Exhibit 1). The project site is located on Assessor's Identification Number (AIN) 8023-008-004. The project site is currently developed with a 53,450-square-foot multi-tenant commercial building, bowling alley, and a paved parking lot (Exhibit 2).

### Surrounding Land Uses

The project site is completely surrounded by urban uses. Single-family residences are located to the east of the project site and to the north across Gettysburg Drive. Commercial uses and multi-family residences

are located to the west of the project site. Immediately south of the project site is Imperial Highway, and beyond Imperial Highway are commercial uses. The Imperial Highway service road is a separate road parallel to Imperial Highway that provides access to the project site from the east. State Route (SR) 42 (Firestone Boulevard) intersects with Imperial Highway approximately 150 feet from the project site. Interstate 5 (I-5) is located approximately 2,400 feet east of the project site.

## City of Norwalk General Plan and Zoning

The City of Norwalk General Plan Land Use Map Designates the project site as General Commercial (Exhibit 3). The General Plan indicates that the General Commercial land use designation supports the full range of land uses in the commercial category, including retail uses, such as photocopying, delivery services and dry cleaning, and service uses, such as supermarkets, drugstores, household goods, and personal services. This land use also supports professional, financial, and administrative office facilities. The General Plan itself does not have specific development standards as they relate to building height, setbacks, or density and references the Zoning Ordinance for these regulations.<sup>1</sup>

The City's Zoning Map identifies the project site as General Commercial (C-3) (Exhibit 4). Land uses permitted by right of the General Commercial zone include indoor recreation, medical, minor utilities, offices space, personal service, mortuary or undertaking establishments, residential, restaurants and bars, retail, public institutional and civic, non-automotive repair services, and minor vehicle repair.

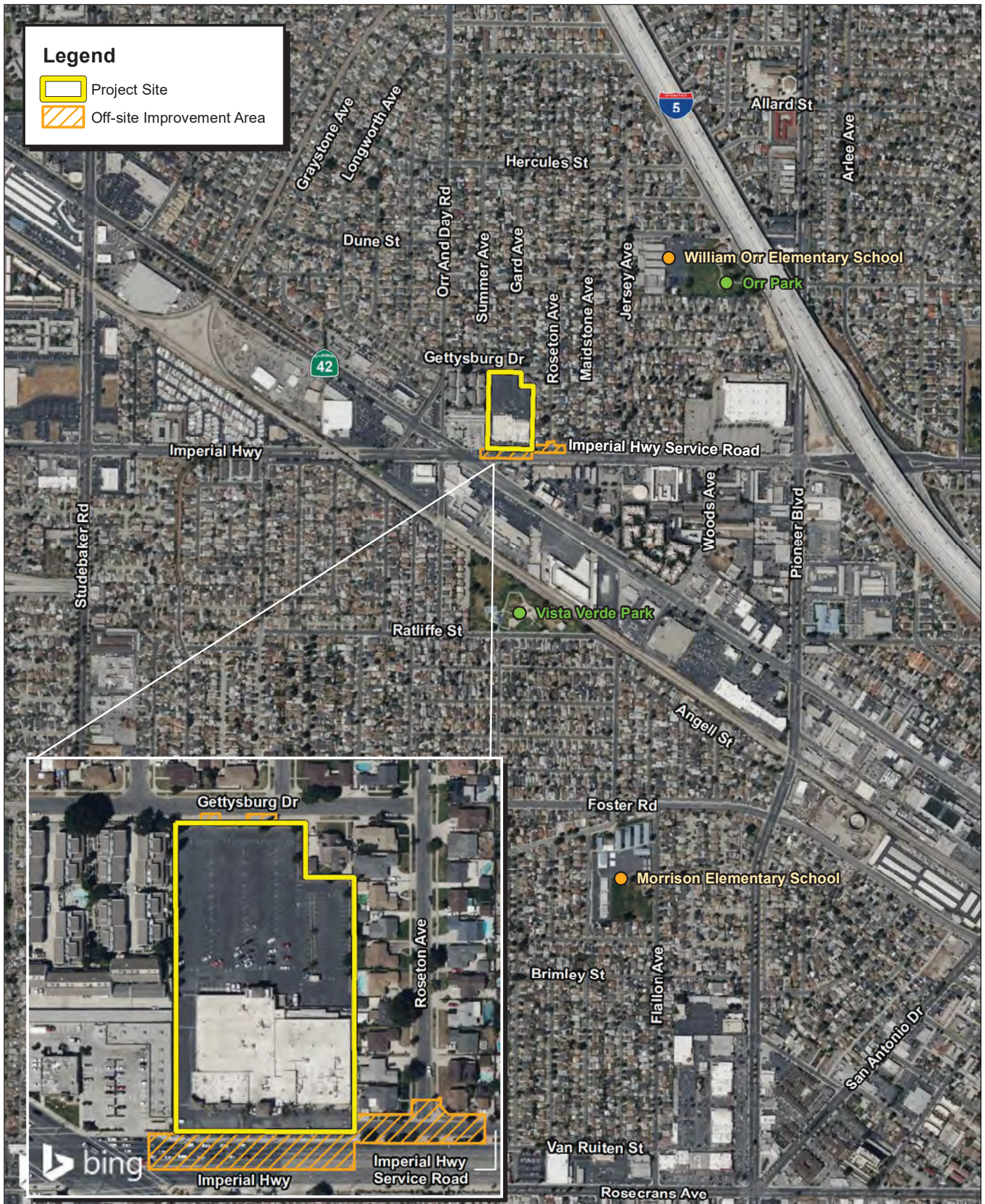
Due to the fact that the C-3 zone does not have comparable residential development standards, the proposed project will be analyzed in accordance with the Multi Family High Density Residential Zone (R-4). The R-4 zone has a maximum allowable height of 35 feet and requires a front setback of no less than 15 percent of the lot depth, but the setback need not exceed 15 feet. The R-4 zone also requires a side setback of no less than 5 feet and, where abutting an R-1 zone, not less than 10 feet. Required rear setbacks in interior lots are evaluated under requirements for front setbacks, where for R-4 zones these are no less than 15 percent of the lot depth but need not exceed 15 feet. The R-4 zone requires a density of 23 to 30 dwelling units per acre (du/ac) and a minimum of 500 square feet of usable open space.

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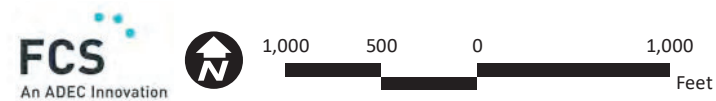
<sup>1</sup> City of Norwalk. 2020. General Plan Land Use Map. Website: <https://www.norwalk.org/home/showpublisheddocument/23981/637236043927470000>. Accessed September 12, 2024.







Source: Bing Aerial Imagery. Kimley-Horn, September 2024.



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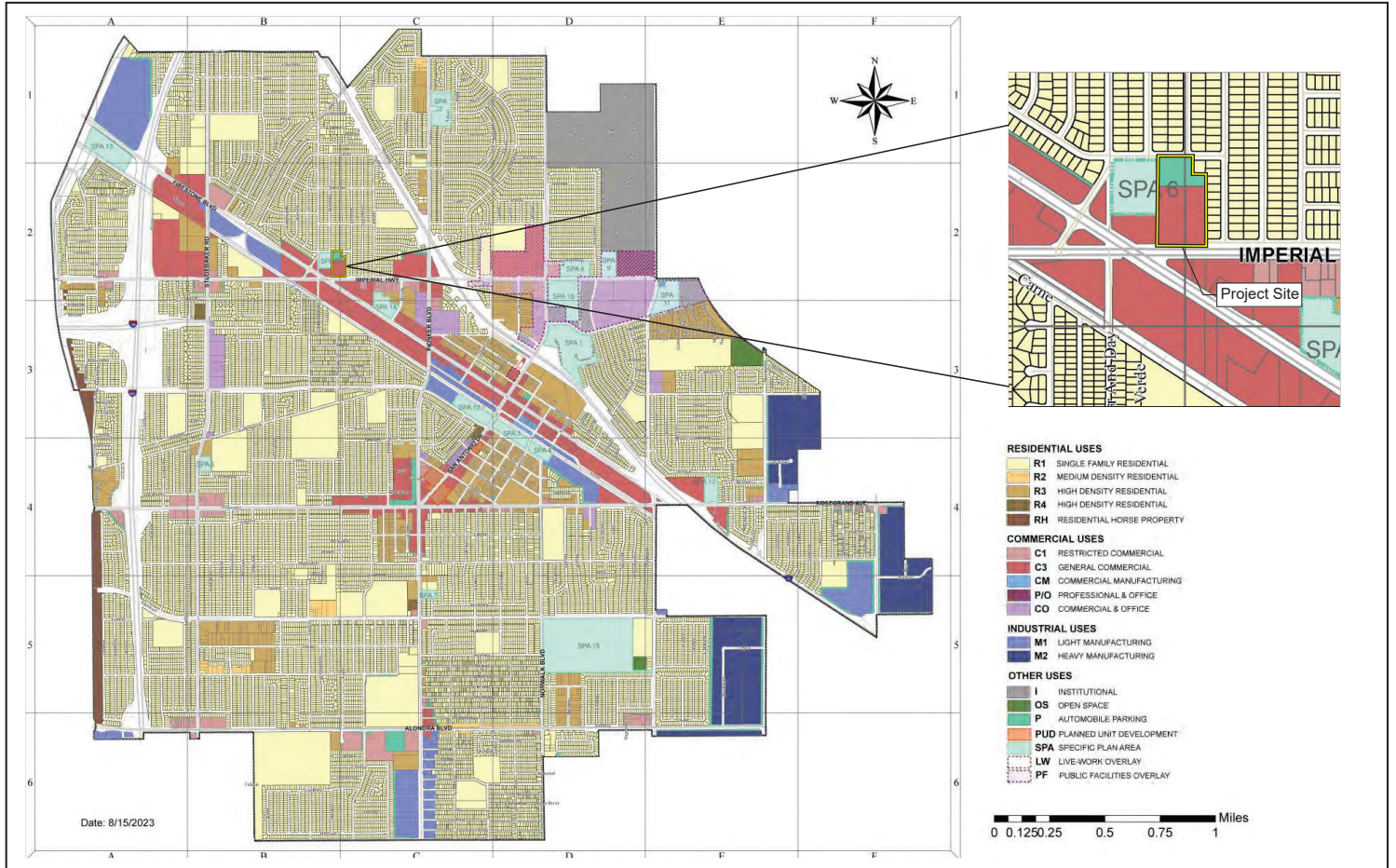
## Exhibit 2 Local Vicinity Map

CITY OF NORWALK  
KEYSTONE RESIDENTIAL PROJECT  
CLASS 32 CATEGORICAL EXEMPTION





Source: City of Norwalk, April 2020.



Source: City of Norwalk, August 15, 2023.

# PROJECT DESCRIPTION

The proposed project would result in the redevelopment of the approximately 4.36-acre project site into a mixed-use development composed of 83 townhomes and 10 shopkeeper units, which would consist of approximately 170-square-foot workspaces for a boutique and sole-proprietor service professionals (Exhibit 5). The proposed density would be 22.1 dwelling units per acre (du/acre). The proposed project would also include 223 on-site parking spaces, with 186 spaces to be located within in-unit parking garages as well as 30 open guest spaces and seven shopkeeper spaces. Proposed amenities would include landscaped outdoor areas with barbeques, a covered common patio, water features, and laundry, in compliance with Municipal Code Section 17.05.490.D.<sup>2</sup> The proposed project would also replace an existing dilapidated wall with a new 6-foot-tall and 224-foot-long block wall along the rear property line, considered a front lot line through lot. This wall would deter on-street parking along Gettysburg Drive.

The multi-family units would range in size from approximately 1,200 to 1,800 square feet and would be clustered into 13 separate buildings. The shopkeeper units would range from approximately 1,800 square feet to 2,000 square feet and would be clustered into two buildings. The maximum building height would be 29 feet, 7 inches,<sup>3</sup> and buildings would primarily be three-stories tall. The proposed townhomes would have three variations: 2-bedroom and 2.5 bath with standard garage; 3-bedroom and 3 bath with a tandem garage; and 3-bedroom and 3.5 bath with a standard garage.

## Vehicle Access

The project site currently has four access points: two along Imperial Highway, one at the end of the Imperial Highway service road to the east, and one access drive from Gettysburg Drive. Parallel to Imperial Highway is an Imperial Highway service road.

The proposed project would remove the western driveway along Imperial Highway, the driveway at the Imperial Highway service road, and the driveway at the north end of the project site along Gettysburg Drive. It would maintain the eastern driveway along Imperial Highway and construct a new driveway along the north end of the project site from Gettysburg Drive for emergency access. A network of 26-foot-wide internal streets would provide access to the 13 proposed buildings.

## Transit

There are two Metro bus stops and two Norwalk Transit bus stops servicing the intersection of Imperial Highway and Firestone Boulevard, approximately 415 feet east of the project site. Bus lines that service the intersection include C Line Station Via Whittier, C Line Station Via Norwalk and Imperial, and Downtown LA–6th on the north side of Imperial Highway; and El Monte Station Via Whittier, Beach Blvd, Gridley and 183rd via Cerritos College, and Disneyland on the south side of Imperial Highway.

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<sup>2</sup> City of Norwalk, CA. 2023. Code of Ordinances. Section 17.05.490 Landscaping, architectural and building design standards.

<sup>3</sup> Buildings would be up to 38 feet, 9 inches including attics and rooftop equipment. However, per Municipal Code Section 17.03.230, attics and rooftop equipment are not included in height calculations.





Source: Kevin L. Crook Architect, Inc., September 2024



## **Pedestrian Access**

Pedestrians can access the project site from the project driveway on Imperial Highway, which connects to existing sidewalks. The project also proposes a pedestrian access point at the southeast corner of the project site providing entry from the Imperial Highway service road. The proposed project would include a network of pedestrian pathways throughout the project site, providing access to each of the townhomes and on-site amenities.

## **Landscaping and Amenities**

The proposed project provides approximately 40,067 square feet of on-site open space with private landscaped areas, porches, and decks, as well as landscaped paseos, pedestrian pathways, and common areas. The project site perimeter would be lined with screening trees and hedges along the north, east, and western boundaries. Proposed amenities would include landscaped outdoor areas with barbecues, a covered common patio, water features, and laundry, in compliance with Municipal Code Section 17.05.490.D.<sup>4</sup>.

## **Lighting and Signage**

Pedestrian pathways throughout the project site would be lined with bollard lights. The parking lot would include light posts, and accent trees lining the parking lot would be lit by accent tree lighting. The communal gathering space will feature overhead string (or festoon) lighting. Two new street lights would be added along the frontage with Imperial Highway, and one new street light would be added to the Gettysburg Drive frontage to the north. Two monument signs would be included on either side of the entrance from Imperial Highway and will feature monument lighting.

## **Utilities**

The proposed project would connect to existing sanitary sewer and water lines in Imperial Highway and Gettysburg Drive as well as existing stormwater lines beneath Imperial Highway.

## **Off-site Improvements**

The project proposes to modify a portion of the Imperial Highway service road to include improvements to the intersection between the Imperial Highway service road and Roseton Avenue as well as a new driveway to service the existing single-family home adjacent to the southeast corner of the project site, relocation of a fire hydrant, a new low wall bordering Imperial Highway, and new landscaping and trees along the Imperial Highway and Gettysburg Drive frontages (Exhibit 6).

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<sup>4</sup> City of Norwalk, CA. 2023. Code of Ordinances. Section 17.05.490 Landscaping, architectural and building design standards.



Source: Kimley-Horn and Associates, Inc., 02/10/2025

## Exhibit 6 Off-site Improvements

CITY OF NORWALK  
KEYSTONE RESIDENTIAL PROJECT  
CLASS 32 CATEGORICAL EXEMPTION



## Construction

Construction activities are expected to begin the first quarter of 2026, with the final phase of construction to be completed in approximately 14 months (i.e., the first quarter of 2027). Construction activities for the proposed project would include six main phases: (1) Demolition, (2) Site Preparation, (3) Grading, (4) Building Construction, (5) Paving, and (6) Architectural Coating.

Construction would occur 5 days a week for a maximum of 8 hours a day until project completion. All paved surfaced and existing buildings on the project site would be demolished.

As part of Project Design Feature (PDF) AQ-1, the proposed project would use construction equipment controlled by Level 3 Verified Diesel Emission Control Strategy (VDECs) such as diesel particulate filters, for equipment greater than 50 horsepower (hp). Tier 4 equipment, if used, would further reduce nitrogen oxides (NO<sub>x</sub>).

## CLASS 32 (INFILL DEVELOPMENT)

Among the classes of projects that are exempt from CEQA review are those that are specifically identified as urban infill development. CEQA Guidelines Section 15332 states that the term infill development (or the Class 32 exemption) is applicable to projects that meet the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as applicable zoning designations and regulations.
- b) The proposed development occurs within the city limits, on a project site that is no more than 5 acres and surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The analysis presented in the following section provides substantial evidence that the proposed project qualifies for an exemption under CEQA Guidelines Section 15332, as a Class 32 urban infill development, and would not have a significant effect on the environment.

## EXCEPTIONS

Even if a project is ordinarily exempt under the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. Exceptions to a categorical exemption apply in the following circumstances, effectively nullifying a CEQA categorical exemption:

- a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may, in a

particularly sensitive environment, be significant. Therefore, these classes are considered to apply in all instances, except when the project may affect an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.

- b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type and in the same place over time is significant.
- c) **Significant Effect.** A categorical exemption shall not be used for an activity when there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d) **Scenic Highways.** A categorical exemption shall not be used for a project that may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway that has been officially designated as a State Scenic Highway. This does not apply to improvements that are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR).
- e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) **Historical Resources.** A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource.

The analysis contained within this memorandum presents substantial evidence that there are no exceptions that apply to the proposed project or its site, that the proposed project would not have a significant effect on the environment, and that the Class 32 exemption remains applicable.

## CEQA EXEMPTION CHECKLIST

### Introduction

The following analysis provides substantial evidence to support a conclusion that the proposed project qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 urban infill development and would not have a significant effect on the environment.

### Criteria Section 15332(a): General Plan and Zoning Consistency

	Yes	No
The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The City of Norwalk General Plan Land Use Map Designates the project site as General Commercial (Exhibit 3). The General Plan indicates that the General Commercial land use designation supports the full range of land uses in the commercial category, including retail uses, such as photocopying and



delivery services and dry cleaning, and service uses such as supermarkets, drugstores, household goods and personal services. This land use also supports professional, financial, and administrative office facilities. The General Plan itself does not have specific development standards as they relate to building height, setbacks, or density, and references the Zoning Ordinance for these regulations.<sup>5</sup>

The City's Zoning Map identifies the project site as General Commercial (C-3) (Exhibit 4). Land uses permitted by right of the General Commercial zone include indoor recreation, medical, minor utilities, offices space, personal service, mortuary or undertaking establishments, residential, restaurants and bars, retail, public institutional and civic, non-automotive repair services, and minor vehicle repair.

Due to the fact that the C-3 zone does not have comparable residential development standards, the proposed project will be analyzed in accordance with the Multi Family High Density Residential Zone (R-4). The R-4 zone has a maximum allowable height of 35 feet and requires a front setback of no less than 15 percent of the lot depth, but the setback need not exceed 15 feet. The R-4 zone also requires a side setback of no less than 5 feet, and, where abutting an R-1 zone, not less than 10 feet. Required rear setbacks for interior lots in R-4 zones are evaluated under requirements for front setbacks and therefore are no less than 15 percent of the lot depth but need not exceed 15 feet. The R-4 zone requires a density of 23 to 30 dwelling units per acre (du/ac), and a minimum of 500 square feet of usable open space. As described above, the project is a mixed-use development with a density of 22.1 du/acre, with a maximum height of 29 feet, 7 inches; a front setback of 15 feet, 6 inches; a side setback of 15 feet; and a rear setback of 38 feet. Based on the available information, the proposed project would conform to General Plan policies and zoning regulations with issuance of a CUP. Accordingly, the discretionary approvals applicable to the proposed project include a CUP.

While Class 32 requires consistency with applicable zoning designations and regulations, It explicitly does not require strict adherence to all regulations. For example, projects can use a Class 32 exemption even when they exceed density if that additional density is in compliance with the State Density Bonus Law. This issue was squarely addressed and resolved in *Wollmer v. City of Berkeley* (2011) 193 Cal. App. 4th 1329. In *Wollmer*, an opponent of a Berkeley mixed-use density bonus project challenged the City's use of the 15332 urban infill exemption on the grounds that the City's modifications and waivers of development standards, as required under the Density Bonus Law, meant that the project was not consistent with existing zoning. The court rejected the argument, finding that the modifications authorized by the Density Bonus Law did not disqualify the project from claiming the exemption. The court concluded the infill exemption was still appropriate and that environmental review was not required. Waived development standards and regulations are not "applicable" to a qualifying density bonus project. Additionally, CEQA caselaw has clarified that for purposes of Class 32 analysis, applicable regulations are limited to those that are enacted to protect the environment. See *California Building Industry Assn. v. Bay Area Air Quality Management District* ("CBIA"), 62 Cal.4th 369, 387 (2015), (CEQA's relevant applicable provisions "are best read to focus almost entirely on how projects affect the environment"); *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal. App. 5th 880, 893 (2019). Accordingly, only those

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<sup>5</sup> City of Norwalk. 2020. General Plan Land Use Map. Website: <https://www.norwalk.org/home/showpublisheddocument/23981/637236043927470000>. Accessed September 12, 2024,

aspects of a plan or regulation that relate to a project's impact on the environment should be considered in making a consistency determination under Class 32.

As previously mentioned, the proposed project is within an interior lot and thus all rear setbacks are evaluated under requirements for front setbacks. The proposed 226-foot block wall along the rear of the property line would be inconsistent with Municipal Code Chapter 17.05.420, which requires that the R-4 zone have a front setback of not less than 15 percent of the lot depth but not exceeding 15 feet; however, this wall is not proposed to address environmental concerns. Instead the wall was included in response to neighborhood requests to deter on-street parking. Parking is a social issue and not an environmental one for purposes of CEQA, therefore it would not be an "applicable" regulation with respect to the Class 32 analysis.<sup>6</sup> Because this zoning regulation was not enacted with the purpose of protecting the environment and is not necessary to meet any environmental standards, it would not be an applicable regulation with respect to the Class 32 analysis. Instead of addressing environmental concerns, the purpose of the wall would be to deter on-street parking in response to neighborhood concerns.<sup>7</sup>

Additionally, the City has discretion via the Director Approval Process to waive this requirement.<sup>8</sup> As discussed above, waived requirements are not considered for purposes of Class 32. CEQA recognizes the City's discretion to determine consistency with its own plans. A finding of consistency does not require strict adherence to every policy or with all aspects of a plan. Courts have consistently recognized that a lead agency has the discretion to find consistency even if a project does not adhere to every policy or regulation. In *Holden v. City of San Diego* (2019) 43 CA5th 404, the court rejected a claim that the city improperly granted a Class 32 exemption to a seven-unit project proposed for a steep environmentally sensitive site. The petitioner contended the exemption's requirement that the project be consistent with applicable general plan policies was not met because the city plan called for a minimum density of 16 units for the site. The court, however, upheld the city's consistency findings, which were based on general and community plan policies that allowed the city to balance the plan's density objectives against the objective of protecting environmentally sensitive lands in the city's hillside development regulations.

Here, the City's Section 17.02.203 Director Approval process, explicitly sets forth a mechanism for the City to balance the proposed project's design with applicable zoning regulations and make a finding of consistency. The City would be within its discretion to allow the replacement of a dilapidated wall as part of a new residential community development. Specifically, the City's General Plan includes a policy to "Remove unreasonable governmental constraints to the production of housing, and implement new requirements to produce full capacity utilization of existing residential land." (General Plan, Chart E-2, Housing Element Implementation Progress.) With application of the process in Section 17.02.203, the City has the discretion to find the proposed project consistent with applicable regulations for purposes of Class 32 and to waive strict conformity regarding the proposed wall. By developing an underutilized infill site as proposed by the project, the City is within its discretion to find the project as proposed furthers the City's policy to "Encourage through specific plans, planned unit developments, density bonuses and other incentives the construction of new housing on vacant and underutilized sites." (General Plan at p. 5C.17.)

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<sup>6</sup> Parking is a social impact not an environmental impact. See, e.g., *San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 CA4th 656, 697.

<sup>7</sup> *Ibid.*

<sup>8</sup> City of Norwalk. 2023. Code of Ordinances. Section 17.02.203 Director approval requests.



The proposed project would develop a new needed residential infill that would be consistent with adjacent neighborhoods and revitalize an underutilized infill property. The proposed wall does not address any environmental concerns, and, the City is within its discretion to determine that the project is consistent with applicable environmental regulations as required under Class 32. As such, the proposed project would comply with all applicable General Plan and Zoning development standards. The proposed project meets the criteria of CEQA Guidelines Section 15332(a).

## Criteria Section 15332(b): Project Location, Size, and Context

	Yes	No
The project occurs within city limits on the project site of no more than 5 acres substantially surrounded by urban uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is located entirely within city limits on a parcel site that is approximately 4.36 acres in size and is surrounded on all sides by urban uses, namely residential development and commercial uses. The project site is bounded to the east by residential development and to the west by commercial uses. The project site is bounded by Imperial Highway to the south and Gettysburg Drive to the north. Across Gettysburg Drive to the north is a residential development, and across Imperial Highway to the south are more commercial uses. Accordingly, the proposed project meets the criteria of CEQA Guidelines Section 15332(b).

## Criteria Section 15332(c): Endangered, Rare, or Threatened Species

	Yes	No
The project site has no value as habitat for endangered, rare, or threatened species.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Existing Conditions

A qualified FirstCarbon Solutions (FCS) Biologist conducted a survey to characterize biological conditions on the site on September 18, 2024. The project site supports disturbed, developed lands consisting of an existing multi-tenant commercial building, bowling alley, and paved parking lot. The project site is surrounded by existing residential uses to the east, commercial and residential uses to the west, Imperial Highway and commercial uses to the south, and Gettysburg Drive and residential uses to the north. The project site is enclosed by a metal fence and gate along the northern boundary and concrete walls along the eastern and western boundaries and borders open space along the southern boundary.

### Special-status Species

A review of existing databases determined that a total of 47 special-status plant species have previously been recorded within 10 miles of the project site or within the area encompassed by the *Whittier, California* USGS 7.5-minute Topographic Quadrangle Map and the eight surrounding quadrangles (Attachment A). The potential for occurrence of a species was based on presence of suitable habitat (natural vegetation communities, soil types) and the recency, proximity, and number of occurrences

recorded in the California Native Plant Society Electronic Inventory (CNPSEI)<sup>9</sup> and California Natural Diversity Database (CNDDDB).<sup>10,11</sup> Based on the lack of suitable habitat due to the developed nature of the project site and its history of surface disturbances, as well as its location in an urbanized area, all special-status plant species that occur in the region were assessed as having no potential for occurrence on-site (Attachment A, Table 1). Thus, special-status plants are not expected to occur on the project site and no further analysis is required.

There are CNDDDB records for 31 special-status wildlife species within 10 miles of the project site or as identified in the United States Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) review.<sup>12,13,14</sup> Because of the lack of suitable habitat due to the urbanized/developed nature of the project site and vicinity, all special-status wildlife species that occur in the region were assessed as having no potential for occurrence on-site (Attachment A, Table 2). Thus, special-status wildlife is not expected to occur on the project site and no further analysis is required.

### ***Riparian Habitat or Other Sensitive Natural Communities***

Sensitive natural communities are vegetation communities or special wildlife habitats that are rare or occur in limited distributions or provide specific habitat requirements for special-status plant or wildlife species. The California Department of Fish and Wildlife (CDFW) maintains a list of natural vegetation communities found in California and ranks them based on rarity. Natural vegetation communities with ranks of S1–S3 are considered Sensitive Natural Communities.<sup>15</sup>

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

### ***State or Federally Protected Waters and Wetlands***

A review of the National Wetlands Inventory (NWI) Wetlands Mapper did not indicate the presence of regulated wetland areas on-site or nearby.<sup>16</sup> There were no waters or wetland features detected on the project site that would be considered potentially jurisdictional by the United States Army Corp of Engineers (USACE), nor any features that would be considered potentially jurisdictional by State regulatory agencies including the Regional Water Quality Control Board (RWQCB) and CDFW. Therefore,

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<sup>9</sup> California Native Plant Society (CNPS). 2024. California Native Plant Society Rare and Endangered Plant Inventory. Website: <http://www.rareplants.cnps.org/>. Accessed September 11, 2024.

<sup>10</sup> California Department of Fish and Wildlife (CDFW). 2024. CNDDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed September 11, 2024.

<sup>11</sup> California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS 6). Website: <https://map.dfg.ca.gov/bios/>. Accessed September 11, 2024.

<sup>12</sup> California Department of Fish and Wildlife (CDFW). 2024. CNDDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>. Accessed September 11, 2024.

<sup>13</sup> California Department of Fish and Wildlife (CDFW). 2024. Biogeographic Information and Observation System (BIOS 6). Website: <https://map.dfg.ca.gov/bios/>. Accessed September 11, 2024.

<sup>14</sup> United States Fish and Wildlife Service (USFWS). 2024. Information for Planning and Consultation (IPaC). Website: <https://ecos.fws.gov/ipac/>. Accessed September 11, 2024.

<sup>15</sup> California Department of Fish and Wildlife (CDFW). 2023. Natural Communities List, Sacramento: California Department of Fish and Wildlife. June 1, 2023. Website: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline>. Accessed September 11, 2024.

<sup>16</sup> United States Fish and Wildlife Service (USFWS). 2024. National Wetlands Inventory. Website: <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>. Accessed September 23, 2024.

the proposed project would not have a substantial adverse effect on State or federally protected waters or wetlands through direct removal, filling, hydrological interruption, or other means.

### ***Wildlife Movement Corridors and Wildlife Nursery Sites***

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

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

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

### ***Regulated Trees***

Title 12, Streets, Sidewalks and Public Places, Chapter 12.32 Trees and Shrubs, of the Norwalk Municipal Code requires a permit from the Director of Public Services before a person can cut, trim, prune, plant, spray, remove, injure, or interfere with any street tree or shrub.<sup>17</sup>

Multiple ornamental trees that are located along the western, northern, and eastern boundaries of the project site as well trees along the building frontage on the southern portion of the site would be removed by the project. These trees are not regulated street trees. There are trees located along Imperial Highway in the off-site improvement area that would be removed and replaced, per Municipal Code requirements (Exhibit 7).

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<sup>17</sup> City of Norwalk. 2023. Norwalk Municipal Code Chapter 12.32: Trees and Shrubs. Website: <https://ecode360.com/43489807#43489807>. Accessed September 11, 2024.





Source: Kimley-Horn and Associates, Inc., 02/10/2025

This would require a permit from the Director of Public Services as a standard condition of approval. With this permit, the project would not have a substantial adverse effect on any trees that are regulated trees under the Street Tree Ordinance.

### **Habitat Conservation Plans**

According to the CDFW, there are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or State Habitat Conservation Plans applicable to the project site.<sup>18</sup> Therefore, the proposed project would not conflict with any of the previously mentioned plans.

## **Criteria Section 15332(d): Traffic**

	Yes	No
<b>Approval of the project would not result in any significant effects related to traffic.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is accessible by multiple modes of transportation. Vehicle access is available by City streets. The Norwalk Metrolink Station is approximately 1.8 miles to the east, and the Norwalk Green Line Bus Station is approximately 1.2 miles to the west. Class 2 bike lanes are available less than a mile to the south along Foster Road. Studebaker Elementary School is located approximately 1 mile to the northwest of the site, which can be reached by pedestrians via connecting sidewalks throughout the residential neighborhood.

A Due Diligence Vehicle Miles Traveled (VMT) analysis was conducted by Urban Crossroads, Inc., and a Trip Generation Assessment on November 29, 2023, and January 16, 2025 (Attachment B). Four criteria from the County's Guidelines<sup>19</sup> were evaluated based on the applicability to the proposed project:

- Non-Retail Project Trip Generation Screening;
- Retail Project Trip Generation Screening;
- Proximity to Transit Based Screening; and
- Residential Land Use Based Screening.

According to County Guidelines, land use projects need only meet one of the above screening criteria to be excused from further VMT analysis. The County Guidelines state that development projects generating a net increase of fewer than 110 daily vehicle trips are presumed to have a less than significant impact, absent substantial evidence to the contrary. The proposed project is anticipated to generate a net reduction of 158 two-way trips per day in comparison to the existing uses. As such, no significant effects related to VMT would occur.

<sup>18</sup> California Department of Fish and Wildlife (CDFW). 2024. NCCP Plan Summaries. Website: <https://wildlife.ca.gov/Conservation/Planning/NCCP>. Accessed September 11, 2024.

<sup>19</sup> At the time of this evaluation, the City of Norwalk had not formally adopted their own guidelines and impact thresholds; therefore, this VMT screening evaluation has been developed based on the adopted County Guidelines.

Lastly, the proposed project would provide 26-foot-wide streets throughout its internal street network. There would be an emergency vehicle access gate and an emergency vehicle turnaround area on the northern end of the project site. Therefore, emergency access would be adequate.

Thus, approval of the proposed project would not result in any significant effects relating to VMT and the proposed project meets the criteria of CEQA Guidelines Section 15332(d) with respect to traffic.

## Criteria Section 15332(d): Noise

	Yes	No
<b>Approval of the project would not result in any significant effects related to noise.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

According to the noise analysis conducted by Vista Environmental (Attachment C), the nearest sensitive receptors to the project site are the adjacent homes that are as near as 12 feet from the project site boundary.

### ***Substantial Temporary Increase—Construction Noise***

Section 9.04.150(E) of the Municipal Code provides the allowable hours of construction between 7:00 a.m. and 6:00 p.m. or sunset, whichever is later. There are existing concrete masonry units (CMU) walls that range between 6 and 8 feet high on the shared property lines with the residential uses on the west and east sides of the project site that are anticipated to be adequate to reduce construction noise levels to within acceptable noise levels during the allowable times for construction as detailed in Section 9.04.150(E) of the Municipal Code.<sup>20</sup>

Construction of the proposed project is anticipated to create vibration impacts from the operation of off-road equipment. The nearest sensitive receptors are the adjacent homes that are located as near as 12 feet from the project site construction footprint where heavy construction equipment, such as graders or excavators, could operate. The conservative worst-case construction-related vibration level at the nearest homes was calculated at 0.20 inch per second peak particle velocity (PPV). As such, as long as no vibration intensive equipment is utilized (i.e., impact pile driving or similar) during construction, then construction-related vibration impacts would be less than significant.

### ***Substantial Permanent Increase Operational Noise***

The proposed project would generate fewer daily trips than the existing bowling alley use on the project site. As such, no operational roadway noise impacts would occur from development of the proposed project.

Noise measurements were taken on the project site that documented existing ambient noise levels that range from 64.4 dBA to 66.3 dBA  $L_{eq}$ . There are existing CMU walls that range between 6 and 8 feet high on the shared property lines with the residential uses on the west and east sides of the project site, and the adjacent commercial retail center on the west side is configured with the approximately 20-foot-high structure on the property line, which effectively acts as a sound wall. The proposed project would have residential-grade mechanical ventilation equipment for each proposed residential unit. Proposed

<sup>20</sup> City of Norwalk. 2024. Municipal Code Chapter 9.04, Article III. Website: <https://ecode360.com/43488815#43488796>. Accessed November 5, 2024.



mechanical ventilation equipment could be located as close as 30 feet from the nearest off-site receptor. At this distance, and assuming minimal shielding from the existing soundwalls, noise generated by mechanical ventilation equipment would attenuate to below 37 dBA  $L_{max}$  at the nearest off-site residential receptors. These operational noise levels would not result in any increase in the existing measured ambient noise levels in the project vicinity. Therefore, the impact would be less than significant.

As discussed in the above analysis, and as substantiated in the noise analysis prepared by Vista Environmental (Attachment C), no significant effects related to noise would occur with implementation of the proposed project. Therefore, approval of the proposed project would not result in any significant effects relating to noise and the proposed project would meet the criteria of CEQA Guidelines Section 15332(d) with respect to noise.

## Criteria Section 15332(d): Air Quality

	Yes	No
<b>Approval of the project would not result in any significant effects related to air quality.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

Pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and State law and standards are detailed in the SoCAB Air Quality Management Plan (AQMP). Air pollutants for which Ambient Air Quality Standards (AAQS) have been developed are known as criteria air pollutants, including ozone ( $O_3$ ), carbon monoxide (CO), volatile organic compounds (VOC),  $NO_x$ , sulfur dioxide, coarse inhalable particulate matter ( $PM_{10}$ ), fine inhalable particulate matter ( $PM_{2.5}$ ), and lead. VOC and  $NO_x$  are criteria pollutant precursors and go on to form secondary criteria pollutants, such as

O<sub>3</sub>, through chemical and photochemical reactions in the atmosphere. Air basins are classified as attainment/nonattainment areas for particular pollutants, depending on whether they meet AAQS for that pollutant. Based on the SoCAB AQMP, the SoCAB is designated nonattainment for O<sub>3</sub>, PM<sub>2.5</sub>, PM<sub>10</sub>, and lead (Los Angeles County only) under the California and National AAQS and nonattainment for NO<sub>2</sub> under the California AAQS. The SCAQMD established regional and localized thresholds of significance to represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable California and National AAQS.

### ***Consistency with Air Quality Plan***

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

The development of emission burdens used in AQMPs to demonstrate compliance with AAQS is based, in part, on land use patterns contained within local general plans. Therefore, it is reasonable to conclude that if a project is consistent with the applicable general plan land use designation, and the general plan was adopted prior to the applicable AQMP, then the growth of VMT and/or population generated by said project would be consistent with growth in VMT and population assumed within the AQMP. As described in the Project Description, the proposed project would be consistent with the project site's C-3 zoning, which allow residential uses. Thus, development of the proposed project at the project site was accounted for by local and regional land use planning strategies, including the SCAQMD 2022 AQMP. Criteria pollutant and precursor emissions associated with the proposed project's influence on regional population growth have also, therefore, been accounted for by the AQMP.

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

### ***Summary***

In summary, the proposed project would not exceed the growth assumptions in the AQMP. The proposed project would not result in a regional exceedance of criteria air pollutants. Furthermore, the proposed project would comply with all applicable SCAQMD rules and regulations. Therefore, this impact would be less than significant.

### ***Project Cumulatively Considerable Net Increase of Any Criteria Pollutants***

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

As described above, the SCAQMD has developed regional thresholds of significance that address the potential for project construction or operation to result in potentially significant air quality impacts. The regional thresholds of significance provide lead agencies and project applicants with a conservative

indication of whether a proposed project could result in potentially significant air quality impacts. Regional thresholds of significance were last updated in March 2023.<sup>21</sup>

Table 1 summarizes the predicted emissions from the construction of the proposed project compared to the SCAQMD regional emission thresholds. Modeling of the construction activities using California Emissions Estimator Model (CalEEMod) predicts emissions levels of criteria pollutants and precursors below SCAQMD thresholds. The modeling was performed assuming construction would start in January 2025 and last approximately 15 months. The anticipated construction date is now the first quarter of 2026. However, construction delays are likely to result in emissions decreases due to improvements in technology and compliance with more stringent regulatory requirements. Similarly, a more extended construction schedule would also result in lower daily emissions since day-to-day construction activity would be less intense.

As part of PDF AQ-1, the proposed project would use construction equipment controlled by Level 3 VDECs, such as diesel particulate filters, for equipment greater than 50 hp. Level 3 VDECs effectively reduce particulate matter (PM) exhaust emissions by up to 85 percent<sup>22</sup> or to an exhaust concentration of 0.01 grams per brake-horsepower-hour (g/bhp-hr). Tier 4 equipment, if used, would reduce NO<sub>x</sub> additionally beyond that predicted here and would have PM emissions ≤ 0.01 g/bhp-hr without any add-on filters.

**Table 1: Construction Emissions**

Construction Year	Maximum Daily Emissions					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2025	1.67	50.52	38.78	0.08	5.25	1.50
2026	52.96	19.92	18.83	0.03	1.09	0.35
<b>SCAQMD Mass Daily Significance Threshold (lbs/day)</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<p>Notes:  Modeling incorporates implementation of SCAQMD Best Management Practice (BMP) for fugitive dust control in accordance with Rule 403.</p> <p>Consistent with the PDF AQ-1, modeling of construction exhaust was based on equipment controlled by Level 3 particulate filters (VDECs) for equipment greater than 50 horsepower (hp).</p> <p>CO = carbon monoxide  lbs = pounds  NO<sub>x</sub> = nitrogen oxides  PM<sub>10</sub> = particulate matter less than 10 microns in diameter  PM<sub>2.5</sub> = particulate matter less than 2.5 microns in diameter  SCAQMD = South Coast Air Quality Management District  SO<sub>x</sub> = sulfur oxide</p>						

<sup>21</sup> South Coast Air Quality Management District (SCAQMD). 2023. South Coast AQMD Air Quality Significance Thresholds. Website: <https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25>. Accessed September 17, 2024.

<sup>22</sup> California Air Resources Board (ARB). 2015. Frequently Asked Questions Regulation for In-use Off-road Diesel-fueled Fleets (Off-road Regulation). December. Website: <https://ww2.arb.ca.gov/sites/default/files/classic/msprog/ordiesel/faq/vdecfaq.pdf>. Accessed September 27, 2024.



Construction Year	Maximum Daily Emissions					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
VOC = volatile organic compound Source: CalEEMod Output (Attachment D)						

Emissions of criteria pollutant and precursors were also estimated for the operation of the proposed project using CalEEMod Version 2022.1.1 Long-term operational emissions would be generated from mobile, area, and energy sources associated with the daily operations at the proposed townhomes. Assumptions used to estimate mobile source emissions were consistent with those presented in the project-specific Traffic Impact Analysis. The proposed project was estimated to generate 662 daily weekday vehicle trips. Area-source emissions are those associated with landscape maintenance activities and periodic architectural coatings. Energy-source emissions are those associated with natural gas for water, space heating, and household appliances.

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

**Table 2: Operational Emissions**

Emissions Source	Maximum Daily Emissions (Pounds)					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Mobile	2.04	1.63	17.13	0.04	3.73	0.96
Area	4.01	1.39	5.86	0.01	0.11	0.11
Energy	0.03	0.56	0.24	0.00	0.05	0.05
<b>Total</b>	<b>6.08</b>	<b>3.58</b>	<b>23.23</b>	<b>0.05</b>	<b>3.89</b>	<b>1.12</b>
<b>SCAQMD Mass Daily Significance Threshold (lbs/day)</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Notes: Maximum Daily NO <sub>x</sub> Emissions is during Winter. Maximum CO and VOC are during the Summer and SO <sub>2</sub> , PM <sub>10</sub> and PM <sub>2.5</sub> emissions are independent of season.  CO = carbon monoxide lbs = pounds NO <sub>x</sub> = nitrogen oxides PM <sub>10</sub> = particulate matter less than 10 microns in diameter PM <sub>2.5</sub> = particulate matter less than 2.5 microns in diameter SCAQMD = South Coast Air Quality Management District SO <sub>x</sub> = sulfur oxide VOC = volatile organic compound  Source: CalEEMod Output (Attachment D)						

## Expose Sensitive Receptors to Substantial Pollutant Concentrations

### Criteria Pollutant Exposure

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

Modeling of construction emissions was conducted using CalEEMod Version 2022.1.1. The SCAQMD's localized assessment methodology specifically limits emissions considered to those generated from on-site activities. The proposed project is located within Source Receptor Area (SRA) 5, Southeast Los Angeles County.<sup>23</sup> The nearest sensitive receptors are single-family residences located adjacent to the eastern and northern boundaries of the site (along Roseton Avenue and Gettysburg Drive). While the project site is 4.36-gross acres, the maximum area of daily disturbance for the modeling is 1 acre per day during construction. The LST construction analysis uses the maximum number of acres disturbed on the peak day. Operational LST comparisons are made considering the entire size of the proposed project site.

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

**Table 3: Localized Significance Analysis of Construction and Operation Emissions**

Activity and Year	Pollutants (Maximum Pounds per Day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Construction 2025	45.78	36.14	3.67	1.45
Construction 2026	19.43	15.67	0.17	0.15
<b>SCAQMD Localized Significance Thresholds for Construction SRA 5, 1-acre site, within 25 meters</b>	<b>80</b>	<b>571</b>	<b>4</b>	<b>3</b>
<b>Emissions Exceed Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Operations (2026)	2.47	9.98	0.27	0.19
<b>South Coast AQMD Localized Significance Thresholds for Operations SRA 5, 2-acre site, within 25 meters</b>	<b>114</b>	<b>861</b>	<b>2</b>	<b>1</b>
<b>Emissions Exceed Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

<sup>23</sup> South Coast Air Quality Management District (SCAQMD). 2009. Final Localized Significance Threshold Methodology. October 21.

Activity and Year	Pollutants (Maximum Pounds per Day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
<p>Notes:</p> <p>Modeling incorporates implementation of SCAQMD BMP for fugitive dust control in accordance with Rule 403.</p> <p>Consistent with the PDF AQ-1, modeling of construction exhaust was based on project commitment, or equipment greater than 50 hp, to utilize either Tier 4 equipment, or if not available, equipment controlled by Level 3 particulate filters (VDECs).</p> <p>Construction Emissions are compared to the 1-acre LST thresholds since the CalEEMod construction modeled one-acre disturbance per day during the demolition and grading phases.</p> <p>Operational emissions are based on the entire site area of 4.36 acres. Since LST tables are only available for 1,2-, and 5-acre sites, the emissions are conservatively compared to the smaller 2-acre site thresholds.</p> <p>CO = carbon monoxide  LST = localized significance thresholds  NO<sub>x</sub> = nitrogen oxides  PM<sub>10</sub> = particulate matter less than 10 microns in diameter  PM<sub>2.5</sub> = particulate matter less than 2.5 microns in diameter  SCAQMD = South Coast Air Quality Management District  SRA = Source Receptor Area</p> <p>Source of Table: CalEEMod Output (Attachment D)</p>				

### *Toxic Air Contaminant Exposure*

The primary toxic air contaminant (TAC) that would be generated by construction of the proposed project is diesel particulate matter (DPM), which would be released from the exhaust of diesel-powered construction vehicles and equipment. A number of factors demonstrate that health risks from the proposed project's construction-related DPM emissions would be below SCAQMD TAC thresholds and accordingly less than significant. First, health risks from carcinogenic air toxics such as DPM are quantified in terms of individual cancer risk, which is the likelihood that a person exposed to concentrations of TACs over a 30-year period will contract cancer based on standard risk-assessment methodology. However, the anticipated duration of construction activities associated with the proposed project is slightly over 1 year (15 months). Additionally, per PDF AQ-1, the applicant would utilize construction equipment that controls DPM emissions by either utilizing the highest level of particulate filters—Level 3 VDECs or Tier 4 equipment (which meets the same standards without any particulate filters). As such, TAC emissions from diesel exhaust from on-site construction vehicles and equipment would be minimized by approximately 85 percent. Given the temporary nature of construction, the scale of construction proposed, and the commitment to clean off-road construction equipment, construction of the proposed project would have less than significant health risk impacts. Additionally, as shown in Table 3, the proposed project's maximum daily PM<sub>2.5</sub> emissions, which include exhaust PM, would not exceed applicable LSTs—another indicator that localized impacts from diesel combustion exhaust would be less than significant.

The proposed project is not expected to generate substantive DPM or TAC emissions during operational activity. The proposed project would not have stationary sources or on-site sources of TACs during operation. Traffic generated by the proposed project would consist of mostly light-duty gasoline-powered vehicles, which are not a significant source of TAC and air pollutant emissions. Thus, the proposed project would not result in any significant health effects to nearby sensitive receptors during operation, and no health effects from operational activity associated with TACs are expected to occur.



### *Carbon Monoxide Hot Spots*

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

The traffic study found that the proposed project would generate 662 daily vehicle trips. However, since the project is replacing an existing land use (i.e., bowling alley), there would be a net reduction of 92 daily trips. Although the proposed project is anticipated to generate a net increase of 23 AM peak-hour trips, these trips will disperse from the site and would have a nominal effect on the adjacent intersections. Reasonably, the proposed project would generate minimal traffic that would not be capable of causing or measurably contributing to the formation of CO hotspots at any nearby location.

### ***Result in Other Emissions, Such as Odors***

The proposed project would not be a source of other emissions, such as those leading to odors, during operations. During construction, a limited number of diesel engines would be operating on the project site for limited durations. Diesel exhaust and organic compounds (VOCs) from these diesel engines would be emitted during construction of the proposed project, which are objectionable to some; however, emissions would disperse rapidly from the project site, and diesel exhaust odors would be consistent with existing vehicle odors in the area. Operations of the proposed project could lead to odors from associated vehicle exhaust and outdoor cooking. However, such odors generated by project operation would be small in quantity and duration and would not pose an objectionable odor impact to nearby receptors. Furthermore, the proposed project would also be required to comply with SCAQMD Rule 402, which prohibits emissions of nuisance air contaminants or odorous compounds.

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

### ***Summary***

As discussed in the above analysis, no significant effects from project-related air quality emissions would occur with implementation of the proposed project. Therefore, approval of the proposed project would not result in any significant effects relating to air quality and the proposed project would meet the criteria of CEQA Guidelines Section 15332(d) with respect to air quality.

## **Criteria Section 15332(d): Water Quality**

	Yes	No
Approval of the project would not result in any significant effects related to water quality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Groundwater would remain at least 30 feet below design grades upon the completion of grading. As such, project construction is not anticipated to impact groundwater.

Prior to issuance of any grading or building permit, the applicant is required to submit a Low Impact Development (LID) Plan acceptable to the City Engineer to comply with the latest National Pollutant Discharge Elimination System (NPDES) Stormwater Regulations, incorporating construction and operational Best Management Practices to minimize construction and urban pollutants in stormwater runoff. A Preliminary LID Report was prepared by Kimley-Horn in March 2024 (Attachment E). Once the City Engineer approves the LID plan, the proposed project would be required to implement it.

The project proposed an underground storm drain system that would connect a network of surface inlets. A detention system would be utilized to store and infiltrate up to the 85th percentile storm. It was determined that the soils beneath the project site have the ability to infiltrate this quantity of stormwater. For peak storm events beyond the 85th percentile, a bypass pipe connected to the infiltration storage tank is proposed, which would discharge peak flows into the City's existing stormwater pipe in Imperial Highway.

A Hydrology and Hydraulics Study was prepared by Kimley-Horn in March 2024 (Attachment E). The study concluded that the proposed project would have more pervious area than the current use, resulting in the proposed site peak flow being less than existing conditions. Therefore, approval of the proposed project would not result in any significant effects relating to water quality and the proposed project would meet the criteria of CEQA Guidelines Section 15332(d) with respect to water quality.

## Criteria Section 15332(e): Utilities and Public Services

	Yes	No
<b>The site can be adequately served by all required utilities and public services.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project is situated in an urban area already served by all necessary municipal utilities (i.e., water, wastewater, stormwater, solid waste) and public services (i.e., fire, police, schools). The proposed project would connect to existing sanitary sewer and water lines in Imperial Highway and Gettysburg Drive as well as existing stormwater lines beneath Imperial Highway. According to the Sewer Study prepared by Kimley-Horn (Attachment F), the proposed project would increase waste flow levels but would still be adequately served by existing sanitary sewer system on the project site.

According to the California Department of Finance, the City's current population is approximately 101,172 persons as of January 1, 2024.<sup>24</sup> There is an average of 3.53 persons per household.<sup>25</sup> As such, the addition of 93 residential units would be expected to generate approximately 328 new residents.<sup>26</sup> This is approximately 0.32 percent of the current population and would have a negligible impact on utility and

<sup>24</sup> State of California Department of Finance. 2024. Estimates E-1. Website: <https://dof.ca.gov/forecasting/demographics/estimates-e1/>. Accessed October 30, 2024

<sup>25</sup> State of California Department of Finance. 2024. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020–2024. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/>. Accessed October 30, 2024

<sup>26</sup> 3.53 persons \* 93 households is equal to 328 persons.

public service capacity. Therefore, the project site can be adequately served by all required utilities and public services.

## EXCEPTIONS TO CATEGORICAL EXEMPTIONS CHECKLIST

In addition to investigating the applicability of CEQA Guidelines Section 15332 (Class 32), this CEQA document also assesses whether any of the exceptions to qualifying for the Class 32 categorical exemption for an Infill Project are present. The following analysis compares the criteria of CEQA Guidelines Section 15300.2 (Exceptions) to the proposed project.

### Criterion 15300.2(a): Location

	Yes	No
<b>Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located.</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This exception only applies to Class 3, 4, 5, 6, and 11 exemptions. As this project is being evaluated for exemption pursuant to Class 32, this exception does not apply.

### Criterion 15300.2(b): Cumulative Impact

	Yes	No
<b>Is there an exception to the Class 32 exemption for the project due to significant cumulative impacts of successive projects of the same type and in the same place, over time?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The site is predominantly surrounded by residential and commercial uses and is consistent with the development anticipated in the General Plan. According to the 2021–2029 Housing Element update, the City has been allocated a Regional Housing Needs Assessment (RHNA) of 5,034 units.<sup>27</sup> The proposed project is residential in nature and would contribute 93 units to the housing needs of the City. Future development of this nature in the same location is not anticipated. However, in order to meet its RHNA, the City would need several more projects of this type.

The proposed project would be consistent with the land use density established by the General Plan, would comply with existing regulations and City policies, and would not have any project-specific significant impacts. Therefore, its contribution, if any, to cumulative impacts would not be cumulatively considerable. Furthermore, as shown in the analysis above for Class 32 conditions (a) through (e), the

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<sup>27</sup> City of Norwalk. 2024. Adopted 2021–2029 Housing Element. Website: <https://www.norwalk.org/home/showpublisheddocument/28854/638361838696770000>. Accessed October 22, 2024.

proposed project would not result in any adverse impacts and, therefore, would not have the potential to significantly contribute to cumulative impacts related to those environmental issues. Accordingly, the exception under CEQA Guidelines 15300.2(b) does not apply to the proposed project.

## Criterion 15300.2(c): Significant Effect Due to an Unusual Circumstance

	Yes	No
Is there an exception to the Class 32 exemption for the project because there is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is currently developed with a multi-tenant commercial building including four tenant spaces,, a bowling alley, and an associated parking lot. Construction activities would not involve any unusual or highly impactful activities (e.g., blasting) that may have the potential to have significant impacts on the environment. The project design includes a 60 m/L liquid boot vapor barrier beneath all structures on-site that ensures the project is in compliance with all California Department of Toxic Substances Control (DTSC) standards (Attachment G). There are no known unusual circumstances related to site conditions or the type of project proposed, and the project site does not contain any unusual features that could result in a significant effect on the environment. Implementation of the proposed project would not result in unusual circumstances that could result in significant environmental effects. Furthermore, there is no evidence the proposed project would have a significant effect on the environment. Therefore, the exception under CEQA Guidelines Section 15300.2(c) does not apply to the proposed project.

## Criterion 15300.2(d): Scenic Highway

	Yes	No
Is there an exception to the Class 32 exemption for the project because project may result in damage to scenic resources including but not limited to, trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a State Scenic Highway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The closest officially designated State Scenic Highway to the project site is SR-91, located approximately 16 miles to the southeast.<sup>28</sup> The project site is not visible from SR-91 due to the distance. Thus, the proposed project would not have the potential to damage scenic resources within a highway designated as a State Scenic Highway. Accordingly, the exception under CEQA Guidelines Section 15300.2(d) does not apply to the proposed project.

<sup>28</sup> California Department of Transportation (Caltrans). 2024. California State Scenic Highway System Map. Website: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed October 22, 2024.



Criterion 15300.2(e): Hazardous Waste Sites

	Yes	No
Is there an exception to the Class 32 exemption for the project because the project is located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not listed as a hazardous materials site by GeoTracker database, which contains sites compiled pursuant to Government Code 65962.5,<sup>29</sup> or on a list of hazardous sites as compiled by the DTSC.<sup>30</sup> Accordingly, the exception under CEQA Guidelines 15300.2(e) does not apply to the proposed project.

Criterion 15300.2(f): Historical Resources

	Yes	No
Is there an exception to the Class 32 exemption for the project because the project may cause a substantial adverse change in the significance of a historical resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section 15300.2(f) states that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource. For purposes of exception 15300.2(f), historical resources include both built environment and archaeological/cultural resources.

In accordance with existing regulations, the following existing federal and State requirements would be required to be implemented to avoid impacts resulting from inadvertent discoveries of cultural resources and human remains.

National Historic Preservation Act of 1966

The National Historic Preservation Act (NHPA), as amended, established the National Register of Historic Places (NRHP), which contains an inventory of the nation’s significant prehistoric and historic properties. Under 36 Code of Federal Regulations 60, a property is recommended for possible inclusion on the NRHP if it is at least 50 years old, has integrity, and meets one of the following criteria:

- a) It is associated with significant events in history, or broad patterns of events.
- b) It is associated with significant people in the past.
- c) It embodies the distinctive characteristics of an architectural type, period, or method of construction; or it is the work of a master or possesses high artistic value; or it represents a significant and distinguishable entity whose components may lack individual distinction.
- d) It has yielded, or may yield, information important in history or prehistory. Certain types of properties are usually excluded from consideration for listing in the NRHP, but they can be

<sup>29</sup> California State Water Resources Control Board (State Water Board). 2024. GeoTracker. Website: <https://geotracker.waterboards.ca.gov/map/>. Accessed October 22, 2024.

<sup>30</sup> California Department of Toxic Substances Control (DTSC). 2024. Website: <https://www.envirostor.dtsc.ca.gov/public/map/>. Accessed October 22, 2024.

considered if they meet special requirements in addition to meeting the criteria listed above. Such properties include religious sites, relocated properties, graves and cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years.

### **Archaeological Resources Protection Act**

The Archaeological Resources Protection Act (ARPA) amended the Antiquities Act of 1906 (16 United States Code [USC] 431–433) and set a broad policy that archaeological resources are important to the nation and should be protected. The ARPA requires special permits before the excavation or removal of archaeological resources from public or Indian lands. The purpose of the ARPA is to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites that are on public lands and Indian lands and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979.

### **American Indian Religious Freedom Act**

The American Indian Religious Freedom Act (AIRFA) established federal policy to protect and preserve the inherent rights of freedom for Native groups to believe, express, and exercise their traditional religions. These rights include but are not limited to access to sites, use and possession of sacred objects, and freedom to worship through ceremonials and traditional rites.

### **Native American Graves Protection and Repatriation Act of 1990**

The Native American Graves Protection and Repatriation Act (NAGPRA) sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and Tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American Tribe claiming affiliation.

### **Subsurface Cultural Resources, 14 California Code of Regulations Section 15064.5**

In the event that buried archaeological resources are discovered during construction, operations shall stop within a 100-foot radius of the find and an Archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the lead agency on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria. If the resources are determined to be unique historic resources as defined under

Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the lead agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. The lead agency, along with other relevant or Tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the lead agency. No further grading shall occur in the area of the discovery until the lead agency approves the measures to protect these resources. Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.

### **Discovery of Human Remains, Public Resources Code Section 5097.98**

In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site where human remains are discovered and/or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98; or
2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project area in a location not subject to further subsurface disturbance:
  - The NAHC is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission;
  - The descendant identified fails to make a recommendation; or
  - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

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

recorded and evaluated for historical significance under the California Register of Historical Resources (CRHR) designation criteria and integrity requirements. The building was found ineligible under all CRHR designation criteria due to a lack of significant historical association and architectural merit.

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

## CONCLUSIONS

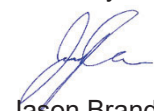
On the basis of the evidence provided above, the proposed project is eligible for a Class 32 categorical exemption, in accordance with Section 15332, Infill Development Projects, of the CEQA Guidelines, as well as the exceptions listed in 15300.2. Additionally, and separate from the proposed project's qualification as exempt pursuant to Section 15332, the proposed project is also exempt from CEQA under Section 15061(b)(3).

Separately, and independent from the Class 32 categorical exemption, the above analysis demonstrates that the proposed project does not have the potential to cause a significant effect on the environment and is therefore also exempt from further CEQA review pursuant to Section 15061(b)(3).

Based on City of Norwalk's threshold criteria, no additional substantial adverse impacts beyond those discussed above are anticipated. Because the proposed project meets the criteria for categorically exempt infill development projects, and because it would not have a significant effect on the environment, this analysis finds that a Notice of Exemption can be prepared for the proposed project. No further review is needed.

Please contact us if you have any questions or would like additional information.

Sincerely,



Jason Brandman, Sr. Vice President

**FirstCarbon Solutions**

250 Commerce, Suite 210  
Irvine, CA 92602



Cecilia So, Associate Director

**FirstCarbon Solutions**

250 Commerce, Suite 210  
Irvine, CA 92602

Enc: Attachment A: Biological Resources Supporting Information  
Attachment B: Traffic Supporting Information  
Attachment C: Noise Supporting Information  
Attachment D: Air Quality Supporting Information  
Attachment E: Water Quality Supporting Information  
Attachment F: Utilities Supporting Information  
Attachment G: Hazardous Waste Site Supporting Information  
Attachment H: Historic Resources Supporting Information