



NOTICE OF DETERMINATION

TO:	<input type="checkbox"/> Clerk of the Board of Supervisors or <input checked="" type="checkbox"/> County Clerk Address: County of Orange Finance Building 12 Civic Center Plaza, Room 106 Santa Ana, CA 92701	FROM (LEAD AGENCY):	Address: City of Lake Forest 100 Civic Center Drive Lake Forest, CA 92630 Contact: Ron Santos Senior Planner Phone: (949) 461-3449
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TO:	<input checked="" type="checkbox"/> Office of Planning and Research P.O. Box 3044 (U.S. Mail) Sacramento, California, 95812-3044 1400 Tenth Street, Room 222 (overnight delivery) Sacramento, California 95814
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SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: AMENDMENTS TO THE GENERAL PLAN PUBLIC SAFETY ELEMENT, MUNICIPAL CODE CHAPTER 11.16, AND CEQA SIGNIFICANCE THRESHOLDS – ADDRESSING NOISE POLICIES AND STANDARDS AND INCORPORATING THE LOCAL HAZARD MITIGATION PLAN INTO THE GENERAL PLAN BY REFERENCE		
Applicant Information:	City of Lake Forest Project Manager: Ron Santos 100 Civic Center Drive Lake Forest, CA 92630	
State Clearinghouse Number (If submitted to SCH): 2019090102	Lead Agency Contact Person: Ron Santos, Senior Planner	Telephone Number: (949) 461-3449
Specific Project Location – Citywide, Lake Forest, CA 92630		
General Project Location (City and/or County): Lake Forest, CA		
<u>Project Description:</u> City staff-initiated update of the City’s noise policies and standards, as encompassed in three City documents: (1) General Plan; (2) Municipal Code; and (3) CEQA Thresholds. These three documents guide land use decisions, set limits on noise from various sources, and establish thresholds for determining the significance of a project’s environmental impacts. <u>General Plan Public Safety Element (“GP-PSE”):</u> The GP-PSE includes noise related policies, actions, and criteria for determining the compatibility of proposed land uses with existing uses in the vicinity. Proposed amendments to the GP-PSE include new, modified, and deleted policies, implementation actions, and criteria for land use compatibility. The draft amendment also includes the addition of Existing and 2040 Noise Contour maps. In addition, the draft amendment incorporates the recently adopted <i>Local Hazard Mitigation Plan</i> (“LHMP”) into the GP-PSE by reference. The adopted LHMP implementation items include incorporating the LHMP into the GP-PSE. Under AB 2140, the State may provide additional funding to cities that incorporate their current LHMP into their Safety Element. The City’s General Plan can only be updated four times per year due to state law, multiple updates may be combined into a single amendment package. This ensures that all necessary		

changes are considered together by the City Council, making the process more efficient and comprehensive.

Lake Forest Municipal Code (LFMC) Chapter 11.16 – Noise Control:

The LFMC includes definitions, standards and limits, and other regulations "to control unnecessary, excessive and annoying sounds". Proposed amendments include new and modified definitions, exterior noise standards, and exemptions; new prohibited noises; new and modified construction noise and vibration standards; new and modified enforcement provisions; and modified provisions for temporarily exceeding noise limits.

CEQA Thresholds:

The City's *Local Thresholds of Significance Guide for Implementing the California Environmental Quality Act* ("CEQA Thresholds") is referenced by City staff when assessing the potential environmental impacts of a project pursuant to CEQA. Proposed amendments include modified thresholds for determining the significance of project related noise and vibration impacts, based largely on the standards and criteria in the proposed amended version of LFMC Chapter 11.16 – *Noise Control*.

2040 Lake Forest General Plan EIR

The 2040 Lake Forest General Plan EIR (State Clearinghouse No. 2019090102) was certified by the City on June 2, 2020. In accordance with CEQA, if an Environmental Impact Report ("EIR") has been certified for a project, the lead agency shall not require preparation of a subsequent or supplemental EIR unless one of three triggering conditions exists: (1) substantial changes are proposed in the project that will require major revisions of the EIR, (2) substantial changes occur in circumstances under which the project is being undertaken that will require major revisions in the EIR, or (3) new information of substantial importance to the project that was not known and could not have been known when the EIR was certified as complete becomes available, and this condition (1, 2, and/or 3) also would lead to new or more significant impacts. (State CEQA Guidelines § 15162; Pub. Resources Code § 21166.)

No further environmental review is required because the proposed amendments to the GP-PSE, LFMC, and the CEQA thresholds are within the scope of the 2040 Lake Forest General Plan EIR and were contemplated as future actions in the EIR. Moreover, none of the conditions in Public Resources Code Section 21166 and/or State CEQA Guidelines Section 15162 are triggered by the proposed amendments to the GP-PSE, LFMC, or CEQA Thresholds. The actions would not:

1. Constitute a substantial change to the project that will require major revisions of the certified 2040 Lake Forest General Plan EIR (SCH #2019090102) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Constitute a substantial change with respect to the circumstances under which the project is administered that will require major revisions of the certified 2040 Lake Forest General Plan EIR (SCH #2019090102) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
3. Involve new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 2040 Lake Forest General Plan EIR (SCH #2019090102) was certified that shows any of the following: (a) the project will have one or more significant effects not discussed in the certified 2040 Lake Forest General Plan EIR (SCH #2019090102); (b) significant effects previously examined will be substantially more severe than shown in the certified 2040 Lake Forest General Plan EIR (SCH #2019090102); (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (d) mitigation measures or alternatives which are considerably different from those analyzed in the certified 2040 Lake Forest General Plan EIR (SCH #2019090102) would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The new ordinance levels are within the limits of the 2040 General Plan, as analyzed in the corresponding EIR, since footnote 1 provides for a 5 dBA reduction to the standard in the event the noise is impulsive noise, simple tone noise, speech, music, etc. – which effectively keeps the noise standard at 55 dBA for many of the common noise sources. Moreover, the GP EIR anticipated that the City's noise policies and standards would be updated to address contemporary standards and practices and that is what the proposed updates do.

As the Local Hazard Mitigation Plan has already been approved and adopted, this is merely an administrative activity to ensure compliance with federal and state regulatory requirements and, as such, is not a project subject to CEQA pursuant to CEQA Guidelines Sections 15060, subd. (c)(2-3), and 15378(a), (b)(5). Accordingly, the proposed amendments to the GP-PSE, LFMC, and CEQA Thresholds would not require the preparation of subsequent environmental documentation.

Therefore, the certified EIR serves as the environmental documentation for the project and the project is in compliance with the requirements of CEQA. Thus, no further environmental review is necessary pursuant to Public Resources Code section 21166 and State CEQA Guidelines section 15162.

This is to advise that the (Lead Agency or Responsible Agency) approved the above-described project on: May 6, 2025 and made the following determinations:

1.	<input type="checkbox"/>	The project will have a significant effect on the environment.		
	<input checked="" type="checkbox"/>	The project will NOT have a significant effect on the environment beyond those impacts previously identified in connection with the certified Final Supplemental Environmental Impact Report.		
2.	<input checked="" type="checkbox"/>	A previously certified Environmental Impact Report was prepared and covers this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.		
	<input type="checkbox"/>	A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.		
	<input type="checkbox"/>	A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.		
3.	<input type="checkbox"/>	Previously imposed mitigation measures were made a condition of the approval of the project.		
	<input checked="" type="checkbox"/>	Mitigation measures were NOT made a condition of the approval of the project.		
4.	<input type="checkbox"/>	A Mitigation Monitoring or Reporting Plan was adopted for this project.		
	<input checked="" type="checkbox"/>	A Mitigation Monitoring Program beyond that adopted in connection with the previously certified Environmental Impact Report was NOT adopted for this project.		
5.	<input type="checkbox"/>	A Statement of Overriding Considerations was adopted for this project.		
	<input checked="" type="checkbox"/>	A Statement of Overriding Considerations beyond that adopted in connection with the previously certified Environmental Impact Report was NOT adopted for this project.		
6.	<input checked="" type="checkbox"/>	Findings were made pursuant to the provisions of CEQA.		
	<input type="checkbox"/>	Findings were NOT made pursuant to the provisions of CEQA.		
7.	<input checked="" type="checkbox"/>	This certifies that the location and custodian of the documents which comprise the record of proceedings for the <u>2040 General Plan Update EIR</u> are available to the general public at the following location(s):		
		<table border="0"> <tr> <td>Custodian: City of Lake Forest Community Development Department</td> <td>Location: 100 Civic Center Drive Lake Forest, CA 92630</td> </tr> </table>	Custodian: City of Lake Forest Community Development Department	Location: 100 Civic Center Drive Lake Forest, CA 92630
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Pursuant to 14 CCR § 753.5(e)(3):

Only one fee shall be paid per project unless the project is tiered or phased, or separate environmental documents are required (Fish and Game Code section 711.4(g)). Separate environmental documents include EIRs, negative declarations, subsequent EIRs and negative declarations, and supplements to

EIRs. Only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife. An additional filing fee is required if approval of any separate environmental document would result in an effect on fish and wildlife not previously addressed in a certified EIR, Master EIR, Program EIR, Staged EIR, or General Plan EIR.

Approval of the Noise Policies and Standards Update **would not** result in an effect on fish and wildlife not previously addressed by the 2040 General Plan Update Environmental Impact Report (SCH# 2019090102). Moreover, Public Resources Code section 21108(b) specifically exempts public agencies (including cities, counties, and other governmental entities) from paying the filing fee associated with the submission of a Notice of Determination (NOD) to the County Clerk. Therefore, an additional Fish and Game Notice of Determination filing fee is not required.

Date: May 7, 2025



Signature: _____

Date Received for Filing: _____

Senior Planner _____

Title: _____