

## NOTICE OF EXEMPTION

**TO:** Clerk of the Board of Supervisors, County of San Bernardino

**FROM:** Community Development Department, City of Chino Hills

**DATE:** November 16, 2022

**SUBJECT:** FILING OF A NOTICE OF EXEMPTION

**PROJECT TITLE:** CONDITIONAL USE PERMIT 22CUP01 AND SITE PLAN REVIEW 22SPR02 FOR A HYDROGEN FUEL FACILITY - 3260 CHINO AVENUE

**Project Location:** 3260 Chino Avenue (APN: 1023-011-79)

**Project Description:** A Site Plan Review and Conditional Use Permit to allow a new Hydrogen (H2) fuel facility in the parking lot of the existing 76 service station and Circle K convenience store located at 3260 Chino Avenue within the Crossroads Entertainment Center.

**Public Agency Carrying Out Project:** City of Chino Hills

**Public Agency Contact:** Kim Zuppiger, Contract Planner; (909) 364-2761

**Exempt Status (Check One):**

- Ministerial** (Section 21080 (b)(1) of the CEQA Statutes; Section 15268 of the CEQA Guidelines)
- Declared Emergency** (Section 21080 (b)(3) of the CEQA Statutes; Section 15269 (a) of the CEQA Guidelines)
- Emergency Project** (Section 21080 (b)(4) of the CEQA Statutes; Section 15269 (b)&(c) of the CEQA Guidelines)
- Categorical Exemption** (Sections 15303(a) of the CEQA Guidelines)
- Statutory Exemption** (State the code number)

**Reasons why the project is exempt:** Staff has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) because the project would allow the modification of an existing use within an existing commercial development because the proposed project would allow the modification of an existing gas station site within an existing commercial development, and does not have the potential to cause significant effects on the environment. The project meets the categorical exemption requirements of CEQA Guidelines §§15301 ("Existing Facilities"), and 15303 ("New Construction or Conversion of Small Structures").

Furthermore, the project is not subject to any of the exceptions to the categorical exemptions listed in Section 15300.2 of the State CEQA Guidelines as it (1) will not impact environmental resources of hazardous or critical concern that are designated, precisely mapped and officially adopted by government agencies; (2) will not have a significant effect on the environment due to unusual circumstances; (3) will not contribute to cumulative environmental impact resulting from successive projects of the same type in the same place; (4) will not damage scenic resources within a designated state scenic highway; (5) is not proposed on a site that is on the list of Hazardous Waste and Substance Sites pursuant to Section 65962.2 of the Government Code; and (6) will not cause adverse change in the significance of a historical resource.

As per §§ 15300.2c (Significant Effect) the project would not have a significant effect on the environment due to unusual circumstances since it would be located within an existing gas station and the components and operations of the project

would be similar to the existing gas station that stores and dispenses gasoline and diesel fuel. Furthermore, the project would be subject to local, state, and federal safety regulations for operation of hydrogen fuel facilities. The project will not damage scenic resources within a designated state scenic highway, it is not on a list of Hazardous Waste and Substance Sites and it will not cause adverse change in the significance of a historical resource.

Signature: Kim Zuppiger  
Kim Zuppiger

Title: Contract Planner

✓ Signed by the Lead Agency

Date received by the Clerk of the Board of Supervisors for Filing: \_\_\_\_\_