

## HAZARDS AND HAZARDOUS MATERIALS

### 4.7 HAZARDS AND HAZARDOUS MATERIALS

This chapter includes an evaluation of the potential environmental consequences associated with the adoption and implementation of the proposed project that are related to the release of hazardous materials into the environment. Additionally, this chapter describes the environmental setting, including regulatory framework and existing conditions, and identifies mitigation measures, if required, that would avoid or reduce significant impacts.

Some of the information in this chapter was derived from a recent Phase 1 Environmental Site Assessment (ESA) of the Southeast Greenway Area dated June 2017 and prepared by PlaceWorks. A copy of this report is included as Appendix E, Phase 1 Environmental Site Assessment, of this Draft EIR. This chapter was prepared by a California Registered Engineer.

#### 4.7.1 ENVIRONMENTAL SETTING

##### 4.7.1.1 REGULATORY FRAMEWORK

Hazardous materials refer generally to hazardous substances, hazardous waste, and other materials that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in products (e.g., household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products, etc.). Hazardous materials can include petroleum products, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial and industrial uses, retail businesses, hospitals, and households. Accidental releases of hazardous materials can result from a variety of incidents, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

The term “hazardous materials” as used in this section includes all materials defined in the California Health and Safety Code (H&SC):

*A material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. ‘Hazardous materials’ include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the unified program agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.*

The term includes chemicals regulated by the United States Department of Transportation (USDOT), the United States Environmental Protection Agency (USEPA), the California Department of Toxic Substances Control (DTSC), the California Governor’s Office of Emergency Services (Cal OES), and other agencies as hazardous materials, wastes, or substances. ‘Hazardous waste’ is any hazardous material that has been discarded, except those materials specifically excluded by regulation. Hazardous materials that have been intentionally disposed of or inadvertently released fall within the definition of “discarded” materials and can result in the creation of hazardous waste. Hazardous wastes are broadly characterized by their

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ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity. Federal and State hazardous waste definitions are similar, but contain enough distinctions that separate classifications are in place for federal Resource Conservation and Recovery Act (RCRA) hazardous wastes and State non-RCRA hazardous wastes. Hazardous wastes require special handling and disposal because of their potential to impact public health and the environment. Some materials are designated “acutely” or “extremely” hazardous under relevant statutes and regulations.

Hazardous materials and wastes can pose a significant actual or potential hazard to human health and the environment when improperly treated, stored, transported, disposed of, or otherwise managed. Many federal, State, and local programs that regulate the use, storage, and transportation of hazardous materials and hazardous waste are in place to prevent these unwanted consequences. These regulatory programs are designed to reduce the danger that hazardous substances may pose to people and businesses under normal daily circumstances and as a result of emergencies and disasters.

### Federal Agencies and Regulations

#### *United States Environmental Protection Agency*

The USEPA is the primary federal agency that regulates hazardous materials and waste. In general, the USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress. The agency is responsible for researching and setting national standards for a variety of environmental programs and delegates the responsibility for issuing permits and for monitoring and enforcing compliance to States and Native American tribes. USEPA programs promote handling hazardous wastes safely, cleaning up contaminated land, and reducing waste volumes through such strategies as recycling. California falls under the jurisdiction of USEPA Region 9. Under the authority of RCRA and in cooperation with State and tribal partners, the USEPA Region 9 Waste Management and Superfund Divisions manage programs for site environmental assessment and cleanup, hazardous and solid waste management, and underground storage tanks.

#### *United States Department of Transportation*

The USDOT has the regulatory responsibility for the safe transportation of hazardous materials between states and to foreign countries. The USDOT regulations govern all means of transportation, except for those packages shipped by mail, which are covered by United States Postal Service regulations. The federal RCRA of 1976 (described below) imposes additional standards for the transport of hazardous wastes.

#### *Occupational Safety and Health Administration*

The Occupational Safety and Health Administration (OSHA) oversees the administration of the Occupational Safety and Health Act, which requires specific training for hazardous materials handlers, provision of information to employees who may be exposed to hazardous materials, and acquisition of material safety data sheets from materials manufacturers. The material safety data sheets describe the risks, as well as proper handling and procedures, related to particular hazardous materials. Employee training must include response and remediation procedures for hazardous materials releases and exposures.

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### *Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984*

Federal hazardous waste laws are generally promulgated under the RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984. These laws provide for the “cradle to grave” regulation of hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed. DTSC is responsible for implementing the RCRA program as well as California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the Certified Unified Program Agency (CUPA) program, California Environmental Protection Agency (CalEPA) has in turn delegated enforcement authority to Sonoma County for State law regulating hazardous waste producers or generators in Santa Rosa.

### *Comprehensive Environmental Response, Compensation, and Liability Act and the Superfund Amendments and Reauthorization Act of 1986*

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” on December 11, 1980. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified. The Superfund Amendments and Reauthorization Act (SARA) amended the CERCLA on October 17, 1986. SARA stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites; required Superfund actions to consider the standards and requirements found in other State and federal environmental laws and regulations; provided new enforcement authorities and settlement tools; increased State involvement in every phase of the Superfund program; increased the focus on human health problems posed by hazardous waste sites; encouraged greater citizen participation in making decisions on how sites should be cleaned up; and increased the size of the trust fund to \$8.5 billion.

### *Emergency Planning Community Right-to-Know Act*

The Emergency Planning Community Right-to-Know Act (EPCRA), also known as SARA Title III, was enacted in October 1986. This law requires State and local governments to plan for chemical emergencies. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. EPCRA Sections 301 through 312 are administered by EPA’s Office of Emergency Management. EPA’s Office of Information Analysis and Access implements the EPCRA Section 313 program. In California, SARA Title III is implemented through California Accidental Release Program (CalARP). The State of California has delegated local oversight authority of the CalARP program to Sonoma County.

### *Hazardous Materials Transportation Act*

The USDOT regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations (CFR). State agencies that have primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and the California Department of Transportation (Caltrans). The California State Fire Marshal’s Office has oversight authority for hazardous materials liquid pipelines. The California Public Utilities

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Commission has oversight authority for natural gas pipelines in California. These agencies also govern permitting for hazardous materials transportation.

### *Federal Response Plan*

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies and other resource providers, including the American Red Cross, that: 1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of State and local governments overwhelmed by a major disaster or emergency; 2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and 3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency. The Federal Response Plan is part of the National Response Framework, which was most recently updated on March 22, 2008.

### *The Stafford Act*

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) of 1988 authorizes federal government assistance for emergencies and disasters when State and local capabilities are exceeded. The Stafford Act forms the statutory authority for most federal disaster response activities, especially as they relate to the Federal Emergency Management Agency (FEMA) and FEMA programs.

### *National Response Framework*

The 2013 National Response Framework, published by the Department of Homeland Security, is a guide for the nation to respond to all types of disasters and emergencies. The Framework describes specific authorities and best practices for managing incidents that range from serious local or large-scale terrorist attacks or catastrophic natural disasters. In addition, the Framework describes the principles, roles, and responsibilities, and coordinating structures for responding to an incident, and further describes how response efforts integrate with those of the other mission areas.

## State Agencies and Regulations

### *California Environmental Protection Agency*

One of the primary State agencies that regulate hazardous materials is the CalEPA. CalEPA is authorized by the USEPA to enforce and implement certain federal hazardous materials laws and regulations. The California DTSC, a department of the CalEPA, protects California and Californians from exposure to hazardous waste, primarily under the authority of the RCRA and the California Health and Safety Code.<sup>1</sup> The DTSC requirements include the need for written programs and response plans, such as Hazardous Materials Business Plans (HMBPs). The DTSC programs include dealing with aftermath clean-ups of improper hazardous waste management, evaluation of samples taken from sites, enforcement of

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<sup>1</sup> Hazardous Substance Account, Chapter 6.5 (Section 25100 et seq.) and the Hazardous Waste Control Law, Chapter 6.8 (Section 25300 et seq.) of the Health and Safety Code.

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regulations regarding use, storage, and disposal of hazardous materials, and encouragement of pollution prevention.

### *California Division of Occupational Safety and Health*

Like OSHA at the federal level, the California Division of Occupational Safety and Health (CalOSHA) is the responsible State-level agency for ensuring workplace safety. The CalOSHA assumes primary responsibility for the adoption and enforcement of standards regarding workplace safety and safety practices. In the event that a work site is contaminated, a Site Safety Plan must be crafted and implemented to protect the safety of workers. Site Safety Plans establish policies, practices, and procedures to prevent the exposure of workers and members of the public to hazardous materials originating from the contaminated site or building.

### *California Building Code*

The State of California provided a minimum standard for building design through the California Building Code (CBC), which is found in Title 24, Part 2 of the California Code of Regulations (CCR). The CBC is based on the 1997 Uniform Building Code, with certain California-specific modifications. The CBC is updated every three years, and the current 2016 edition of the CBC went into effect on January 1, 2017. It is generally adopted on a jurisdiction-by-jurisdiction basis, and may be subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the typical fire safety requirements of the CBC, including the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors and building materials; and the clearance of debris and vegetation near occupied structures in wildfire hazard areas.

### *California Fire Code*

The California Fire Code (CFC) incorporates, by adoption, the International Fire Code of the International Code Council, with California amendments. This is the official Fire Code for the State and all political subdivisions. It is found in CCR Title 24, Part 9 and it is revised and published approximately every three years by the California Building Standards Commission.

### *California Emergency Management Agency*

The California Emergency Management Agency (CalEMA) was established as part of the Governor's Office on January 1, 2009. It was created pursuant to Assembly Bill 38, which merged the duties, powers, purposes, and responsibilities of the former Governor's Office of Emergency Services with those of the Governor's Office of Homeland Security. CalEMA is responsible for the coordination of overall State agency response to major disasters in support of local government. The agency is responsible for ensuring the State's readiness to respond to and recover from all hazards—natural, manmade, emergencies, and disasters—and for assisting local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts.

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### *California Department of Forestry and Fire Protection*

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California.<sup>2</sup> CAL FIRE ranks fire threat based on the availability of fuel and the likelihood of an area burning based on topography, fire history, and climate. The rankings include no fire threat, moderate, high, and very high fire threat. Additionally, the CAL FIRE published the *2010 Strategic Fire Plan for California*, which contains goals, objectives, and policies to prepare for and mitigate for the effects of fire on California's natural and built environments.<sup>3</sup>

### *California Department of Transportation and California Highway Patrol*

The California Department of Transportation (Caltrans) and California Highway Patrol (CHP) are the two State agencies that have primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies. Caltrans manages more than 50,000 miles of California's highways and freeways, provides intercity rail services, permits more than 400 public-use airports and special-use hospital heliports, and works with local agencies. Caltrans is also the first responder for hazardous material spills and releases that occur on highways, freeways, and intercity rail lines.

The CHP enforces hazardous materials and hazardous waste labeling and packing regulations designed to prevent leakage and spills of materials in transit and to provide detailed information to cleanup crews in the event of an accident. Vehicle and equipment inspection, shipment preparation, container identification, and shipping documentation are all part of the responsibility of the CHP, which conducts regular inspections of licensed transporters to assure regulatory compliance. In addition, the State of California regulates the transportation of hazardous waste originating or passing through the State.

Common carriers are licensed by the CHP, pursuant to Section 32000 of the California Vehicle Code. This section requires licensing every motor (common) carrier who transports, for a fee, in excess of 500 pounds of hazardous materials at one time and every carrier, if not for hire, who carries more than 1,000 pounds of hazardous material of the type requiring placards. Common carriers conduct a large portion of the business in the delivery of hazardous materials.

### *California Health and Safety Code and Code of Regulations*

California Health and Safety Code Chapter 6.95 and CCR Title 19, Section 2729 set out the minimum requirements for business emergency plans and chemical inventory reporting. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on-site. A business which uses hazardous materials or a mixture containing hazardous materials, must establish and implement a business plan if the hazardous material is handled in certain quantities.

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<sup>2</sup> California Department of Forestry and Fire Protection (CAL FIRE), [http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_zones\\_development.php](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_development.php), accessed June 20, 2017.

<sup>3</sup> California Department of Forestry and Fire Protection (CAL FIRE), 2010, *2010 Strategic Fire Plan for California*, <http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf668.pdf>, accessed on June 20, 2017.

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### *California Education Code*

The California Education Code (CEC) establishes the law for California public education. The CEC requires that the DTSC be involved in the environmental review process for the proposed acquisition and/or construction of school properties that will use State funding. The CEC requires that a Phase I Environmental Site Assessment be completed prior to acquiring a school site or engaging in school construction. Depending on the findings of the Phase I, further site assessment and/or remediation may be necessary. The CEC also requires potential, future school sites that are proposed within two miles of an airport to be reviewed by the Caltrans Division of Aeronautics. If Caltrans does not approve the proposed location, no State or local funds can be used to acquire the site or construct the school.

### *California State Aeronautics Act*

The State Aeronautics Act is implemented by the Caltrans Division of Aeronautics. The purpose of this Act is to: 1) foster and promote safety in aeronautics; 2) ensure State laws and regulations relating to aeronautics are consistent with federal aeronautics laws and regulations; 3) assure that persons residing near airports are protected against unreasonable levels of aircraft noise; and 4) develop informational programs to increase the understanding of current air transportation issues. The Caltrans Division of Aeronautics issues permits for and annually inspects hospital heliports and public-use airports, makes recommendations regarding proposed school sites within two miles of an airport runway, and authorizes helicopter landing sites at/near schools.

## Regional Agencies and Regulations

### *North Coast Regional Water Quality Control Board*

The Porter-Cologne Water Quality Act<sup>4</sup> established the State Water Resources Control Board (SWRCB) and divided the State into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB). The North Coast Region RWQCB – Region 1 regulates water quality in the Southeast Greenway Area. The North Coast RWQCB has the authority to require groundwater investigations and/or remedial action if the quality of groundwater or surface waters of the State are threatened.

### *Bay Area Air Quality Management District*

The BAAQMD has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products. The latter are typically the responsibility of the CalEPA and the California Air Resources Board (CARB). The BAAQMD is responsible for preparation of attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, and issuance of permits for activities, including demolition and renovation activities affecting asbestos containing materials (District Regulation 11, Rule 2) and lead (District Regulation 11, Rule 1). The BAAQMD District boundaries embrace the south part of Sonoma County including the Southeast Greenway Area.

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<sup>4</sup> California Water Code Sections 13000 et seq.

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### *Sonoma County Department of Health Services, Environmental Health and Safety Branch*

A Certified Unified Program Agency (CUPA) is a local agency that has been certified by CalEPA to implement the local Unified Program. The CUPA can be a county, city, or joint powers authority. A participating agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. The Sonoma County Department of Health Services, Environmental Health and Safety Branch is the certified CUPA for the City of Santa Rosa and vicinity.

### Local Agencies and Regulations

#### *General Plan 2035*

The Noise and Safety (NS) element of the General Plan 2035 identifies methods and resources for minimizing death, injury, property and environmental damage, and social disturbance resulting from natural and human-induced hazards, as well as goals, policies and strategies related to hazardous materials, hazardous wastes, and hazardous materials emergency response. The following goals and policies are applicable to the proposed project:

- **Goal NS-F:** Minimize dangers from hazardous materials.
  - **Policy NS-F-1:** Require remediation and cleanup, and evaluate risk prior to reuse, in identified areas where hazardous materials and petroleum products have impacted soil or groundwater.
  - **Policy NS-F-2:** Require that hazardous materials used in business and industry are transported, handled, and stored in accordance with applicable federal, state, and local regulations.
  - **Policy NS-F-3:** Restrict siting of businesses, including hazardous waste repositories, incinerators or other hazardous waste disposal facilities, that use, store, process, or dispose large quantities of hazardous materials or wastes in areas subject to seismic fault rupture or very violent ground shaking.
  - **Policy NS-F-4:** Where applicable, identify and regulate appropriate regional and local routes for transportation of hazardous materials and hazardous waste. Require that fire and emergency personnel can easily access these routes for response to spill incidences.
  - **Policy NS-F-5:** Require commercial and industrial compliance with the Sonoma County Hazardous Materials and Waste Management Plan.
  - **Policy NS-F-6:** Generate and support public awareness and participation in household waste management, control, and recycling through county programs including the Sonoma County Household Hazardous Waste Management Plan.

#### *Santa Rosa City Code*

The Santa Rosa City Code (SRCC) includes site development regulations to help minimize impacts related to hazards and hazardous materials. Title 17, Environmental Protection, Chapter 17-34, Certified Unified Program Agency (CUPA), of the SRCC regulates emergency response and hazardous materials, including such topics as:

- Hazardous materials release response plans and inventory (business plan)
- Contents of hazardous materials business plans

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- Acutely hazardous materials registration
- Risk management and prevention plans
- Underground storage tanks
- Hazardous waste generators and on-site treatment
- Closure work plans and closure reports
- Response to threatened or actual releases
- Enforcement authority, and
- Civil and criminal penalties

### *Santa Rosa Fire Department*

The Santa Rosa Fire Department (SRFD) is responsible for the registration, installation, operation, and abandonment of underground storage tanks (USTs) in the city of Santa Rosa. In addition, they maintain responsibility for enforcement of the California Fire Code (with local amendments) and emergency abatement regulations in the SRCC.

### 4.7.1.2 EXISTING CONDITIONS

This section describes existing conditions related to hazardous materials, airport hazards, and wildland fires within the city and Southeast Greenway Area.

### Hazardous Materials Sites

California Government Code Section 65962.5 requires the CalEPA to compile, maintain, and update specified lists of hazardous material release sites. The California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.6) requires the lead agency to consult the lists compiled pursuant to Government Code Section 65962.5 to determine whether a project and any alternatives are identified on any of the following lists:

- **EPA NPL:** The USEPA's National Priorities List includes all sites under the USEPA's Superfund program, which was established to fund cleanup of contaminated sites that pose risk to human health and the environment.
- **EPA CERCLIS and Archived Sites:** The USEPA's Comprehensive Environmental Response, Compensation, and Liability Information System includes a list of 15,000 sites nationally identified as hazardous sites. This would also involve a review for archived sites that have been removed from CERCLIS due to No Further Remedial Action Planned (NFRAP) status.
- **EPA RCRIS (RCRA Info):** The Resource Conservation and Recovery Act Information System (RCRIS or RCRA Info) is a national inventory system about hazardous waste handlers. Generators, transporters, handlers, and disposers of hazardous waste are required to provide information for this database.
- **DTSC Cortese List:** The DTSC maintains the Hazardous Waste and Substances Sites (Cortese) list as a planning document for use by the State and local agencies to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. This list includes the Site Mitigation and Brownfields Reuse Program Database (CalSites).
- **DTSC HazNet:** The DTSC uses this database to track hazardous waste shipments.

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- **SWRCB LUSTIS:** Through the Leaking Underground Storage Tank Information System, the SWRCB maintains an inventory of USTs and leaking USTs, which tracks unauthorized releases.

The required lists of hazardous material release sites are commonly referred to as the “Cortese List” named after the legislator who authored the legislation. Because the statute was enacted more than 20 years ago, some of the provisions refer to agency activities that were conducted many years ago and are no longer being implemented and, in some cases, the information required in the Cortese List does not exist. Those requesting a copy of the Cortese Lists are now referred directly to the appropriate information resources contained on internet websites hosted by the boards or departments referenced in the statute, including DTSCs online EnviroStor database and the SWRCB’s online GeoTracker database. These two databases include hazardous material release sites, along with other categories of sites or facilities specific to each agency’s jurisdiction. A search of the DTSC EnviroStor online database on May 26, 2017 found no listed sites within the Southeast Greenway Area. However, three listings were found adjacent to the Southeast Greenway Area as shown in Table 4.7-1.

**TABLE 4.7-1 ENVIROSTOR SITES NEAR THE SOUTHEAST GREENWAY AREA**

Site Name	Address	Type	Status
Bagala, Don	1255 Kathy Street	Waste oil release	Closed as of 8/23/1993
Texaco Yulupa Avenue	1101 Yulupa Avenue	Petroleum hydrocarbon release to soil and groundwater	Open as of 3/31/2011 – verification monitoring
Texaco Farmers Lane	1400 Farmers Lane	Groundwater remediation at a former gasoline station.	Open as of 1/31/2005 – soil and groundwater remediation verification monitoring

Source: California Department of Toxic Substances Control EnviroStor web site, 2017. <http://envirostor.dtsc.ca.gov/public>.

### Phase I Environmental Site Assessment

As previously stated, a Phase I Environmental Site Assessment (Phase I ESA) of the Southeast Greenway Area was recently performed as part of the community planning process. The Phase I ESA is included in Appendix E of this Draft EIR. As described in more detail in the Phase 1 ESA, the Southeast Greenway Area historically mostly consisted of agricultural and undeveloped land with a few residences and other structures. The Southeast Greenway Area was then purchased by Caltrans for highway purposes over a 20-year period spanning the 1950s and 1970s. At present, the land is still owned by Caltrans, although roughly 6.5 acres were leased to private individuals who built stables and used the land for grazing. In the late 1960s, the present-day Montgomery High School campus was developed directly north of the Southeast Greenway Area. Residential development in the area began in the 1960s and continued in areas to the north, west, and south. Commercial development south of the Southeast Greenway Area began in the late 1960s and continued during the 1970s. Agency records show that most of the Southeast Greenway Area was historically used as walnut orchards. Dating to 1942 or earlier, pesticides could have been used in the orchards, based on widespread agricultural practices at that time. Although a review of County agency records revealed no pesticide application reports or records for the Southeast Greenway Area, it remains possible that pesticides were historically used or stored at the Southeast Greenway Area and that pesticide residues could remain in soil. Only one recognized environmental condition (REC) associated with the historical agricultural uses on the Southeast Greenway Area was identified in the

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Phase I ESA. Although no record of past pesticide use at the Southeast Greenway Area was found, it is possible that organo-chlorine pesticides (OCPs) may be locally present in soil given the long agricultural history of the area. Areas where pesticides may have been stored, mixed, or disposed of on the Southeast Greenway Area could have resulted in localized OCP residues. In order to address this concern, a limited soil sampling program for OCPs in shallow soil is recommended for parts of the Southeast Greenway Area where community gardens, working farms, and children’s playgrounds with exposed soil are planned.

### Existing Schools

The 1.9-mile long Southeast Greenway Area has several schools within a 0.25-mile range. These are listed below:

- Brookhill Elementary School at 1850 Vallejo Street, Santa Rosa, CA 95404
- Montgomery High School at 1250 Hahman Dr, Santa Rosa, CA 95405
- Matanzas Elementary School at 1687 Yulupa Ave, Santa Rosa, CA 95405
- Spring Creek Elementary School at 4675 Mayette Ave, Santa Rosa, CA 95405
- Village Elementary School at 900 Yulupa Avenue, Santa Rosa, AC 95405
- Merryhill Preschool at 4044 Mayette Ave, Santa Rosa, CA 95405

### Airports

The city, including the Southeast Greenway Area, is not located within an airport land use plan area. There are no airports within two miles of the Southeast Greenway Area. The nearest public airport is the Sonoma County Airport, located approximately 9 miles northwest of the project area. The nearest heliport is at the Santa Rosa Memorial Hospital, located approximately one mile northwest of the project site. The nearest private airport is Graywood Ranch Airport, located approximately 6 miles to the southeast of the project area.

### Wildland Fire Hazard

CAL FIRE evaluates fire hazard severity risks according to areas of responsibility (i.e., federal, State, and local). According to maps published by CAL FIRE, the Southeast Greenway Area lies in the Local Responsibility Area (LRA) for the city of Santa Rosa, where it has been classified as a “Non-Very High Wildfire Hazard Severity Zone.”<sup>5</sup>

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<sup>5</sup> California Department of Forestry and Fire Protection (CDFFP), 2007. *Fire Hazards and Severity Zones in State Responsibility Areas.* , [http://frap.fire.ca.gov/webdata/maps/sonoma/fhszl\\_map.49.pdf](http://frap.fire.ca.gov/webdata/maps/sonoma/fhszl_map.49.pdf), accessed June 28, 2017.

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### 4.7.2 STANDARDS OF SIGNIFICANCE

Implementation of the proposed project would result in a significant impact related to hazards or hazardous materials if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
5. Be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport resulting in a safety hazard for people residing or working in the project area.

### 4.7.3 IMPACT DISCUSSION

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<b>HAZ-1</b>	<b>Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.</b>
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Potential future development under the proposed project would not involve the routine transport of hazardous waste, thus, no impacts to the public or the environment would occur. Potential impacts during construction of bike paths, or residential and mixed-used development near Farmers Lane and Yulupa Avenue could include potential spills associated with the use of fuels and lubricants in construction equipment. These potential impacts would be short-term in nature and would be reduced to less-than-significant levels through compliance with applicable local, State, and federal regulations, as well as the use of standard equipment operating practices by experienced, trained personnel. Additionally, during the operational phase of future development, common cleaning and building maintenance substances (i.e., paints and cleaners) and similar items could be stored and used in the proposed residential or mixed-use buildings within the Southeast Greenway Area. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Compliance with the applicable laws, regulations, and conditions of approval, would minimize hazards associated with the routine transport, use, or disposal of hazardous materials to the maximum extent practicable. For these reasons, the impacts would be *less than significant*.

**Significance Without Mitigation:** Less than significant.

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**HAZ-2                    Implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

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The implementation of the proposed project would provide for habitat restoration, low-impact public recreation (e.g., hiking and cycling), and construction of mixed-use buildings. As described above, operation of future projects could involve the storage and use of common cleaning substances, building maintenance products, or paints and solvents in the proposed buildings; however, these potentially hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. The storage and use of these materials would be subject to existing federal and State regulations. Compliance with these regulations would ensure that the risk of accidents and spills are minimized to the maximum extent practicable. In addition, proposed Land Use and Livability Policy LUL-PP-3 would require the design of all structures, utilities and access roads in the Southeast Greenway to maximize public safety and compatibility with other uses in the Southeast Greenway Area and surrounding neighborhood. Therefore, impacts related to accidental release of hazardous materials would be *less than significant*.

**Significance Without Mitigation:** Less than significant.

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**HAZ-3                    Implementation of the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-miles of an existing or proposed school.**

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As described in the existing conditions above, there are several schools within the 0.25-mile range surrounding the Southeast Greenway Area. These include the Brookhill Elementary School, Montgomery High School, Matanzas School, Spring Creek Elementary School, Village Elementary School, and Merryhill Preschool.

Adoption and implementation of the proposed project would provide for habitat restoration and low-impact public recreation (e.g., hiking and cycling) and associated construction of supporting facilities as well as a joint school facility and community gathering place near Montgomery High School, residential and mixed-use development near Farmers Lane, and mixed-use development near Yulupa Avenue. In addition, the proposed project could also result in plazas, playgrounds, community gardens and restored orchards. Construction activities would be subjected to applicable existing regulations that are applicable to hazardous materials use and transport. As described in impact discussion HAZ-1 and HAZ-2, operation of future projects under the proposed project would involve the storage and use of common cleaning substances, building maintenance products, paints and solvents in the proposed buildings; however, these potentially hazardous substances would not be of a type nor would they occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. The storage and use of these materials would be subject to existing federal and State regulations. Compliance with applicable regulations and conditions of approval would ensure that risks to existing or proposed schools are minimized to the maximum extent practicable. Therefore, the impact would be *less than significant*.

**Significance Without Mitigation:** Less than significant.

## HAZARDS AND HAZARDOUS MATERIALS

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**HAZ-4**            **Implementation of the proposed project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.**

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As discussed in Section 4.7.1.2, Existing Conditions, no sites that are included in the DTSC EnviroStor database of hazardous materials sites are located in the Southeast Greenway Area. However, three EnviroStor sites, whose status and nature were of potential concern, are located in proximity to the Southeast Greenway Area. As shown in Table 4.7-1, one of these sites was granted regulatory closure in 1993, whereas the remaining two sites (1101 Yulupa Avenue and 1400 Farmers Avenue) have completed all State-required cleanup actions and are only subject to verification monitoring. Given the regulatory status of these sites near the Southeast Greenway Area, and the lack of listed sites within the Southeast Greenway Area boundaries, the potential impact of implementing the proposed project with respect to known listed hazardous materials sites is considered *less than significant*.

**Significance Without Mitigation:** Less than significant.

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**HAZ-5**            **Implementation of the proposed project would not be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport resulting in a safety hazard for people residing or working in the project area.**

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As discussed in Section 4.7.1.2, Existing Conditions, there are no public airports within 2 miles of the Southeast Greenway Area.

**Significance Without Mitigation:** Less than significant.

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**HAZ-6**            **Implementation of the proposed project would not be within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.**

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As discussed in Section 4.7.1.2, Existing Conditions, there are no private airstrips within 2 miles of the Southeast Greenway Area.

**Significance Without Mitigation:** Less than significant.

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**HAZ-7**            **Implementation of the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.**

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The adoption and implementation of the proposed project would not involve any material changes to public streets, roads, or evacuation infrastructure and it would not include the construction of any features that might impair the implementation of any relevant emergency operation plan. Furthermore, its implementation would not change existing emergency response and rescue access routes within the

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## HAZARDS AND HAZARDOUS MATERIALS

Southeast Greenway Area. In light of the above, the impact of project implementation with respect to impairing or preventing implementation of an adopted emergency response plan or emergency evacuation plan would be *less than significant*.

**Significance Without Mitigation:** Less than significant.

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**HAZ-8**                    **Implementation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.**

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As discussed in Section 4.7.1.2, Existing Conditions, the Southeast Greenway Area is designated as an area referred to as a “Non-Very High Wildfire Hazard Severity Zone” and is not located in an area of high wildfire hazard. In light of CAL FIRE’s determination, the potential impact of project implementation with respect to exposing people or structures to a significant risk of loss, injury, or death involving wildland fires is considered *less than significant*.

**Significance Without Mitigation:** Less than significant.

### 4.7.4 CUMULATIVE IMPACTS

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**HAZ-9**                    **Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to hazards and hazardous materials.**

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This section analyzes potential impacts related to hazards and hazardous materials that could arise from a combination of the adoption and implementation of the proposed project along with buildout of proposed projects in the vicinity. Although the proposed project could introduce a limited number of new structures, and infrastructure to support low-impact recreation activities, implementation would be carried out in accordance with applicable local, State, and federal laws. Furthermore, because the proposed project itself is not proposing site-specific projects, future projects as a result of implementation would be subject to separate project-level CEQA review where site-specific impacts are identified along with mitigation measures. Therefore, adherence to existing policies and ordinances aimed at protecting public safety, along with the provisions of subsequent independent CEQA review for specific projects, the cumulative impacts of implementation of the proposed project would be *less than significant*.

**Significance Without Mitigation:** Less than significant.

## **HAZARDS AND HAZARDOUS MATERIALS**

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