

9. HAZARDS AND HAZARDOUS MATERIALS

9.1 INTRODUCTION

The Hazards and Hazardous Materials chapter of the EIR describes existing and potentially occurring hazards and hazardous materials within the proposed project area. The chapter includes a discussion of potential impacts posed by such hazards to the environment. In addition, surrounding land uses are discussed in order to provide an assessment of whether the project could impact surrounding land uses. The question of whether surrounding land uses could impact the project's future residents is not a question requiring analysis under CEQA.¹

The Hazards and Hazardous Materials chapter is primarily based on information drawn from a Phase I Environmental Site Assessment² (ESA) (see Appendix G) and a limited Phase II ESA³ (see Appendix H) prepared for the project site by ACE Quality Control (ACE), as well as the Placer County General Plan⁴ and associated EIR,⁵ and the Dry Creek-West Placer Community Plan (DCWPCP).⁶

9.2 EXISTING ENVIRONMENTAL SETTING

The following section includes a definition of hazardous materials and descriptions of the existing conditions associated with the project site related to hazards and hazardous materials, including wildfire hazards.

Hazardous Materials

The term hazardous substance refers to both hazardous materials and hazardous wastes. A material is defined as hazardous if the material appears on a list of hazardous materials prepared by a federal, State, or local regulatory agency or if the material has characteristics defined as hazardous by such an agency. The California Environmental Protection Agency (Cal-EPA), California Department of Toxic Substance Control (DTSC) defines hazardous waste, as found in the California Health and Safety Code Section 25141(b), as follows:

[...] its quantity, concentration, or physical, chemical, or infectious characteristics: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; (2) pose a substantial present or potential

¹ Per the *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (CBI/A), the California Supreme Court held that "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment – and not the environment's impact on the project – that compels an evaluation of how future residents or users could be affected by exacerbated conditions." (*Id.* at pp. 377-378.).

² ACE Quality Control. *Phase I Environmental Site Assessment Brady-Vineyard 36-acre Residential Subdivision NWC Brady Lane and Vineyard Road, Roseville, California*. June 23, 2017.

³ ACE Quality Control. *Limited Phase II Environmental Site Assessment Proposed 35-acre Dry Creek Community Plan Residential Subdivision Brady Lane and Vineyard Road, Roseville, California*. April 2, 2019.

⁴ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

⁵ Placer County. *Countywide General Plan EIR*. July 1994.

⁶ Placer County. *Dry Creek-West Placer Community Plan*. Amended May 12, 2009.



hazard to human health or the environment, due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties, or persistence in the environment, when improperly treated, stored, transported, or disposed of, or otherwise managed.

The following discussion focuses on the potential Recognized Environmental Conditions (RECs) associated with the project site. A REC indicates the presence or likely presence of any hazardous substances in, on, or at a property due to any release into the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.⁷

Additionally, the following includes a discussion of historical RECs associated with the project site. A historical REC indicates a past release of hazardous substances or petroleum products that has occurred in connection with a property and has been addressed to the satisfaction of the applicable regulatory authority. A historical REC does not have any property use restrictions, and, thus, does not have any use limitations in respect to future activities on the property.

Project Area Conditions

Currently, the project site consists primarily of ruderal grasses and is absent of structures or other indications of prior development. The site appears to have supported row crops and other agricultural uses prior to the 1940's, as indicated in aerial photos dating back to 1947, but does not appear to have supported any active farming since that time.

The site is located within California's Great Valley Geomorphic Province, a geologically young, large, flat-lying alluvial plain in the central portion of California. The native earth materials underlying the project site are Pleistocene alluvial deposits consisting of gravels, sands, silts, and clay of the Turlock Lake Formation. Surface water on the project site flows southwesterly to westerly in seasonal swales to an unnamed tributary that flows southward to Dry Creek in the western portion of the site. Existing oak trees line both sides of the tributary, and scattered almond trees are located along the drainage ditch. Groundwater in the general Roseville area is between 15 to 25 feet below the ground surface and flows westerly to southwesterly.

The 30-acre parcel immediately west of the project site is vacant and zoned F-DR, similar to the western portion of the project site. The nearest home to the west of the site is approximately 1,000 feet from the site boundary. Immediately north of the project site is a church (The Father's House) fronting Brady Lane. Other properties immediately to the north of the project site are generally vacant, with the exception of one single-family home located approximately 360 feet north of the site on a parcel north of the church. Such properties have the same zoning designation, RS-AG-B-20, as the project site, as do the four properties located on the south side of Vineyard Road, east of the tributary, where the closest house is situated approximately 80 feet from the southern boundary of the project site. Neighboring uses to the east of the site include a single-family residential subdivision located across Brady Lane, within the City of Roseville limits.

A two-acre rectangular-shaped parcel fronting Vineyard Road extends approximately 700 feet north (roughly halfway) into the project site. Currently, the parcel is developed with a house and associated outbuilding, located approximately 25 feet from the parcel's northern property line and

⁷ ASTM International. *ASTM E1527, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. 2013.



15 feet from its eastern property line. The existing on-site tributary flows through a culvert crossing under Vineyard Road near the south/center of the two-acre parcel.

The potential hazards associated with the project area identified in the Phase I and Limited Phase II ESAs prepared for the proposed project site by ACE are described in further detail below.

On-Site Recognized Environmental Conditions

Based on the Phase I ESA prepared for the project site, ACE determined that the project site does not contain any readily discernable RECs, including aboveground storage tanks (ASTs), underground storage tanks (USTs), septic systems/cesspools, or polychlorinated biphenyl (PCB) containing equipment. However, because the project site was previously used for agricultural purposes, the presence of pesticide or herbicide contaminants in surficial soils is not known. Implementation of the proposed project would result in mass grading of the project site prior to being overlain with residential structures, pavement, and landscaping elements. Because the Phase I ESA indicated that the presence of pesticide or herbicide contaminants in surficial soils was unknown, a Phase II ESA was prepared in order to determine whether soils containing pesticide or herbicide contaminants are present within the project site.

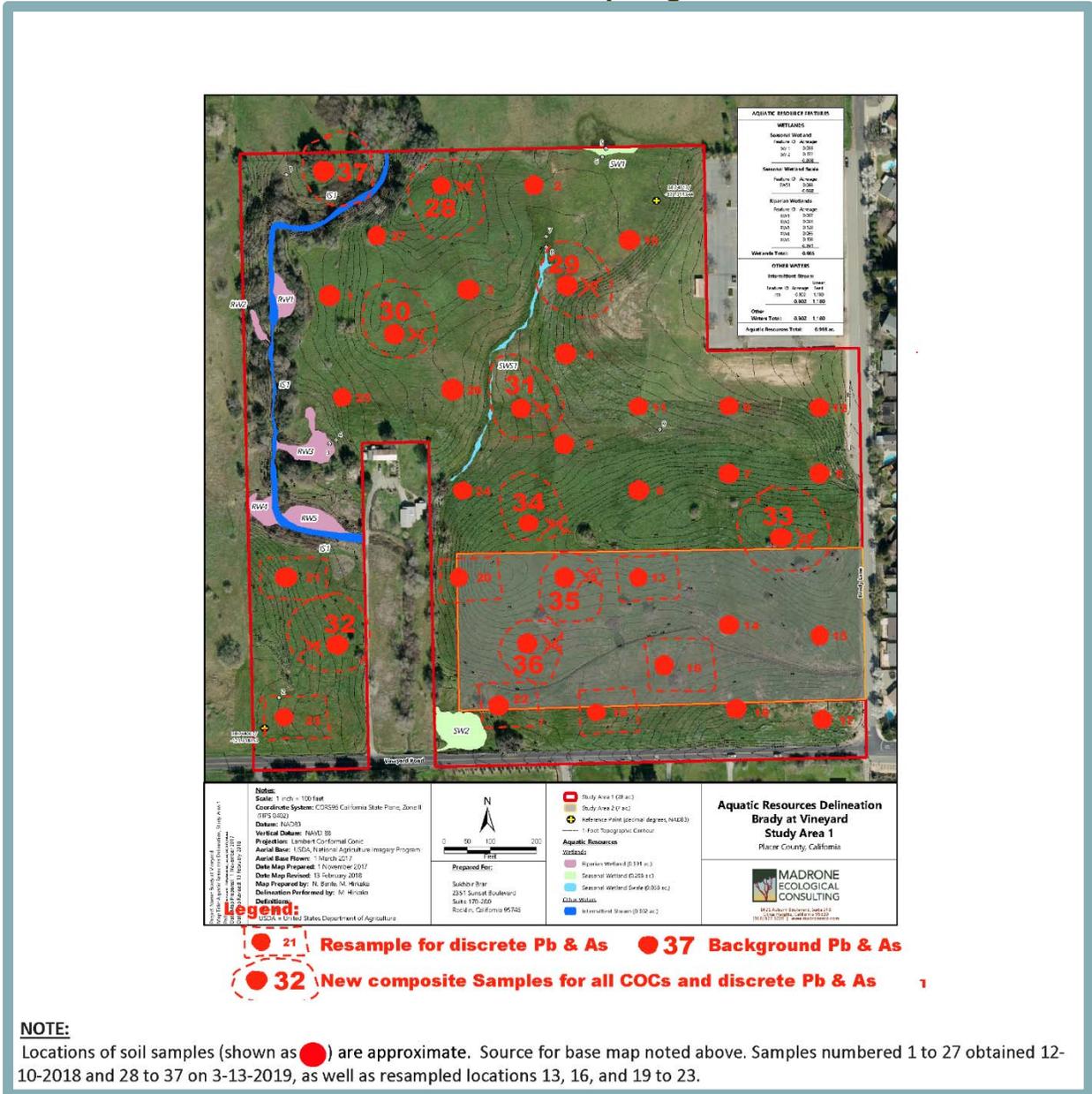
The Limited Phase II ESA performed by ACE consisted of soil sampling at 36 locations throughout the project site that were determined to have previously been used for agricultural purposes based on historical aerial images of the site and one background sample location (Sample 37) (see Figure 9-1). The 36 soil samples taken from the project site were analyzed for Contaminants of Potential Concern (COPCs) using Environmental Protection Agency (EPA) methods 8081A and 8151A (or equivalent). In addition, the soil samples were analyzed for the presence of lead and arsenic using EPA method 6010.

The results of the soil samples did not indicate the presence of any pesticide or herbicide analytes at or above the reporting detection limits. In addition, the soil samples tested negative for arsenic; however, lead was detected in about one-quarter of the samples obtained from the southern portion of the site. Further testing of soils was conducted and the results were compared to the California Human Health Screening Levels (CHHSLs), which set forth a lead content threshold of 80mg/kg for residential land uses. The results of the testing indicated that lead was only detected at a relatively high level of 60 mg/kg in one sample (Sample 37), taken from the northwestern portion of the project site which was occupied by a homeless camp, and was not representative of the background lead content on the project site. The remainder of the soil samples contained lead in quantities between 6.0 mg/kg and 9.4 mg/kg, below the applicable CHHSL threshold of 80 mg/kg. Based on the results of the soil testing, ACE determined that further assessment and/or mitigation of the project site for potential contaminants which may have occurred as a result of historical agricultural use is not required. The Placer County Health and Human Services Department has concurred with the determination that further assessment of on-site soils is not required.⁸

⁸ Bourgault, West, Technical Specialist, County of Placer Health and Human Services Department. *Subject: Brady Vineyard Subdivision (PLN18-00234), Roseville, CA.* April 9, 2019.



Figure 9-1
 Phase II ESA Soil Sampling Locations



NOTE:
 Locations of soil samples (shown as ●) are approximate. Source for base map noted above. Samples numbered 1 to 27 obtained 12-10-2018 and 28 to 37 on 3-13-2019, as well as resampled locations 13, 16, and 19 to 23.

Source: ACE Quality Control, Limited Phase II Environmental Site Assessment, 2019.



Nearby RECs

Sites located near the project site that are listed in federal, State, and/or local databases of hazardous materials sites and identified in the Phase I are described in further detail below.

Shell Branded Service Station

The Shell Branded Service Station, located approximately 0.4-mile northeast of the project site at 3998 Foothills Boulevard, was identified as a leaking underground storage tank (LUST) case with a pollution Characterization Status. According to GeoTracker, the case was opened following an unauthorized release of solvent or other non-petroleum hydrocarbons from an underground storage tank (UST) system at the Shell Station site. Corrective action, as directed by the Central Valley Regional Water Quality Control Board (CVRWQCB), and consisting of preliminary site investigation, planning and implementation of remedial action, verification monitoring, or a combination thereof, was implemented for the site from June 1, 2005 to September 21, 2010. As of September 22, 2010, the cleanup status is listed as completed and the case has been closed.

Roseville Rail Yard

The Roseville Rail Yard, operated by Union Pacific Railroad Company, is located approximately one-mile southeast of the project site at 9451 Atkinson Street, and includes four underground storage tanks containing regular unleaded fuel, leaded fuel, diesel fuel, and waste oil. The facility was used to fuel and maintain diesel locomotives and, in the 1960's, on-site fuel disposal activities began. The facility was listed on the federal Corrective Actions (CORRACTS) TSD Facilities list as having an active cleanup status. Potential contaminants of concern on the Roseville Rail Yard site include diesel fuel, volatile organics, and metals such as lead. Per the Phase I ESA, the Roseville Rail Yard has a lower groundwater gradient than the project site and was not considered to be a potential REC.

1940 Vineyard Road

1940 Vineyard Road, located within the two-acre rectangular-shaped parcel fronting Vineyard Road and extending into the project site, was recognized as a potential historic gas station/filling station/service station per a Vapor Encroachment Screen (VES) accessed through Environmental Data Resources (EDR) records. References to the property are not reported in any other reference database and visual signs of fuel tanks or spilled fuel were not evident during the site visit conducted by ACE. As such, 1940 Vineyard Road is not considered a potential REC with regard to the project site.

Off-Site Improvement Areas

Off-site improvement areas associated with the proposed project would include widening improvements to Brady Lane and Vineyard Road along the project frontages, as well as extension of a new sewer line within Vineyard Road east to Foothills Boulevard. All improvements would occur within the paved right-of-way.

Nearest Airports

The closest public use airport to the project site is the McClellan Airport, which is located approximately 7.25 miles southwest of the site. The project site is not located in the vicinity of any private airstrips. McClellan Airport was formerly known as the McClellan Air Force Base, and was operated for more than 60 years as an industrial military facility; however, the airport is currently part of a master-planned community consisting of more than 16 million square feet of industrial, research and development, office, aviation, and mixed-use facilities. McClellan Airport's most



recent Airport Land Use Compatibility Plan was updated in 1987, when the airport was still operated as an Air Force base. The Sacramento Area Council of Governments is currently in the process of developing an Airport Land Use Compatibility Plan Update for the airport.⁹ According to the 1987 Comprehensive Land Use Plan for the McClellan Air Force Base, the project site is not located within an airport overflight zone.¹⁰

Wildfire Hazards

According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program (FRAP), the proposed project is located within an unincorporated Local Responsibility Area (LRA). An LRA is an area that is not under federal or State responsibility and in which the local agencies have sole responsibility for fire suppression activities. The project site is not located within a very high fire hazard severity zone (VHFHSZ).¹¹ In addition, the project site is not located in or adjacent to a State Responsibility Area (SRA). The nearest SRA is located approximately nine miles to the northeast of the site.¹²

Currently, the project site is neighbored to the east and south by single-family residential development and various other urban development that limits the potential for wildfire risk. However, the areas to the north and west of the site are primarily undeveloped and interspersed with ruderal vegetation and oak woodlands.

9.3 REGULATORY CONTEXT

The following discussion contains a summary of regulatory controls pertaining to hazardous substances, including federal, State, and local laws and ordinances.

Federal Regulations

Federal agencies that regulate hazardous materials include the U.S. Environmental Protection Agency (USEPA), the Occupational Safety and Health Administration (OSHA), the Department of Transportation (DOT), and the National Institute of Health (NIH). Prior to August 1992, the principal agency at the federal level regulating the generation, transport, and disposal of hazardous waste was the USEPA under the authority of the Resource Conservation and Recovery Act (RCRA). As of August 1, 1992, however, the California Department of Toxic Substances Control (DTSC) was authorized to implement the State's hazardous waste management program for the USEPA. The USEPA continues to regulate hazardous substances under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). The following federal laws and related regulations govern hazardous materials.

Occupational Safety and Health Act

Congress passed the Occupational and Safety Health Act (29 U.S.C. §651 et seq. [1970]) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research

⁹ Sacramento County. *Economic Development, McClellan*. Available at: <http://economic.saccounty.net/LocateHere/McClellan/Pages/default.aspx>. Accessed May 2, 2019.

¹⁰ Airport Land Use Commission. *McClellan Air Force Base Comprehensive Land Use Plan*. Amended December 1992.

¹¹ Cal Fire. *Placer County Fire Hazard Severity Zones in LRA*. November 7, 2007.

¹² Cal Fire. *Placer County Fire Hazard Severity Zones in SRA*. November 24, 2008.



institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. OSHA requires 40 hours of training for hazardous materials operators, as well as an annual eight-hour refresher course, which includes training regarding personal safety, hazardous materials storage and handling, and emergency response.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. §9601 et seq. [1980]) provides a federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the USEPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. The USEPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, USEPA obtains private party cleanup through orders, consent decrees, and other small party settlements. The USEPA also recovers costs from financially viable individuals and companies once a response action has been completed. The USEPA is authorized to implement the Act in all 50 states and U.S. territories.

Superfund Amendments and Reauthorization Act of 1986

The Superfund Amendments and Reauthorization Act (SARA) of 1986, (Title III; Section 305(a)) reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. In addition, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). SARA, Title III provides funding for training in emergency planning, preparedness, mitigation, response, and recovery capabilities associated with hazardous chemicals. Title III of SARA addresses concerns about emergency preparedness for hazardous chemicals, and emphasizes helping communities meet their responsibilities in preparing to handle chemical emergencies and increasing public knowledge and access to information on hazardous chemicals present in their communities.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §6901 et seq. [1976]) gives USEPA the authority to control hazardous waste from the "cradle-to-grave," which includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled USEPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. The federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for USEPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program. States have the authority to implement individual hazardous waste programs in lieu of the RCRA as long as the state program is as stringent as federal RCRA requirements and is approved by the USEPA.



Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 (15 U.S.C. §2601 et seq. [1976]) provides USEPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

U.S. Department of Transportation

Transportation of hazardous materials is regulated by the DOT's Office of Hazardous Materials Safety. The office formulates, issues, and revises hazardous materials regulations under the Federal Hazardous Materials Transportation Law. The hazardous materials regulations cover hazardous materials definitions and classifications, hazard communications, shipper and carrier operations, training and security requirements, and packaging and container specifications. The hazardous materials transportation regulations are codified in 49 CFR Parts 100–185.

The hazardous materials transportation regulations require carriers transporting hazardous materials to receive required training in the handling and transportation of hazardous materials. Training requirements include pre-trip safety inspections, use of vehicle controls and equipment including emergency equipment, procedures for safe operation of the transport vehicle, training on the properties of the hazardous material being transported, and loading and unloading procedures. All drivers must possess a commercial driver's license as required by 49 CFR Part 383. Vehicles transporting hazardous materials must be properly placarded. In addition, the carrier is responsible for the safe unloading of hazardous materials at the site, and operators must follow specific procedures during unloading to minimize the potential for an accidental release of hazardous materials.

Asbestos Hazard Emergency Response Act

The 1986 Asbestos Hazard Emergency Response Act (AHERA) was signed into law as Title II of the TSCA, requiring the Asbestos Model Accreditation Plan (MAP) for accrediting individuals conducting asbestos inspection and corrective-action activities in schools and public and commercial buildings. The MAP provides guidance on the minimum training requirements for accrediting asbestos professionals such as, procedural entry, exit, sampling, and monitoring, safety hazards, and relevant federal, state, and local regulatory standards.

Lead-based Paint Regulations

Lead pollutants are regulated by several laws administered by the USEPA, including the Toxic Substances Control Act (TSCA), the Residential Lead-Based Paint Hazard Reduction Act of 1992, the California Apartment Association (CAA), the California Waterfowl Association (CWA), the Safe Drinking Water Act (SDWA), the Resource Conservation and Recovery Act (RCRA), and CERCLA. The aforementioned regulations address lead in paint, dust and soil, lead in air and water, and the disposal of lead wastes. Regulations specific to lead-based paint include, but are not limited to, the Lead Renovation Repair and Painting Program Rule, the Lead Abatement Program, the residential Lead-based Paint Disclosure Program, and Residential Hazards of Lead in Paint, Dust and Soil. Such regulations require risk assessments, inspections, and work practices that work to minimize exposure to lead hazards.



State Regulations

The California Environmental Protection Agency (CalEPA) and the State Water Resources Control Board (SWRCB) establish rules governing the use of hazardous materials and the management of hazardous waste. Within Cal-EPA, DTSC has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the State agency, for the management of hazardous materials and the generation, transport, and disposal of hazardous waste under the authority of the Hazardous Waste Control Law (HWCL). The following discussion contains the applicable State laws.

Regional Water Quality Control Board

The CalEPA and the Office of Emergency Services (OES) establish regulations governing the use of hazardous materials in California. Within CalEPA, DTSC has primary regulatory responsibility for hazardous waste management. Enforcement of regulations can be delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law. Along with the DTSC, the Regional Water Quality Control Board (RWQCB) is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. The RWQCB's regulations are contained in Title 27 of the California Code of Regulations (CCR). The DTSC, RWQCB, and/or a local agency typically oversees investigation and cleanup of contaminated sites.

Department of Toxic Substances Control

The DTSC was established to protect California against threats to public health and degradation to the environment and to restore properties degraded by past environmental contamination. Through statutory mandates, DTSC cleans up existing contamination, regulates management of hazardous wastes, and prevents pollution by working with businesses to reduce hazardous waste and use of toxic materials in California. DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste in California. In addition, DTSC's Site Mitigation and Brownfields Reuse Program oversees the cleanup of State Superfund Sites. State Superfund sites are additionally known as Annual Workplan sites, listed sites, or Cortese List sites. Superfund sites demonstrate evidence of a hazardous substance release or releases that could pose a significant threat to public health and/or the environment. DTSC requires responsible parties to cleanup such sites. When responsible parties cannot be found or where they do not take proper and timely action, DTSC may use State funds to undertake the cleanup.

California Code of Regulations

Hazardous waste is characterized and defined in CCR, Title 22, Sections 66261.20-24. Soils that meet the descriptions of the characteristics of hazardous waste defined in Sections 66261.20-24 and contain contaminants above regulatory screening levels are considered hazardous waste and must be handled and disposed of as such. The CCR includes the California Health and Safety Code.

California Health and Safety Code

The handling and storage of hazardous materials is regulated on the federal level by the USEPA under CERCLA as amended by the SARA. Under SARA Title III, a nationwide emergency planning and response program was established that imposed reporting requirements for businesses which store, handle, or produce significant quantities of hazardous or acutely toxic substances as defined under federal laws. SARA Title III required each state to implement a



comprehensive system to inform federal authorities, local agencies, and the public when a significant quantity of hazardous, acutely toxic substances are stored or handled at a facility.

Ammonia is an example of an acutely hazardous material (AHM) that is regulated by the California Office of Emergency Services under the California Accidental Release Program (CalARP), the USEPA under the Risk Management Program (40 CFR 68), and the OSHA under the Process Safety Management Program (OSHA 1910.119). The CalARP and Risk Management Program require that all facilities that store, handle, or use AHMs above a minimum quantity, known as the threshold planning quantity, are required to develop a plan and prepare supporting documentation that summarizes the facility's potential risk to the local community and identifies safety measures to reduce potential risks to the public.

The HWCL, Chapter 6.5 of the California Health and Safety Code, is administered by the CalEPA to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the USEPA approves the California program, both the State and federal laws apply in California. The HWCL lists 791 chemicals and about 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal and transportation; and identifies some wastes that cannot be disposed of in landfills.

In California, the underground storage of hazardous materials is regulated by Chapter 6.7 of the California Health and Safety Code per the Underground Storage of Hazardous Substances Act. Under section 25280, the USTs used for the storage of substances hazardous to the public health and safety and to the environment are stored prior to use or disposal in thousands of underground locations in the State. The USTs used for storage are potential sources of contamination of the ground and underlying aquifers, and may pose other dangers to public health and the environment. Chapter 6.7 establishes orderly procedures that will ensure that newly constructed USTs meet appropriate standards and that existing tanks be properly maintained, inspected, tested, and upgraded so that the health, property, and resources of the people of the state will be protected.

California Vehicle Code Section 31303

The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) are the enforcement agencies for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations. California Vehicle Code Section 31303 regulates the transport of hazardous materials.

Emergency Response to Hazardous Materials Incidents

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous material incidents is one part of this plan. The plan is managed by the Governor's Office of Emergency Services (OES), which coordinates the responses of other agencies, including CalEPA, CHP, California Department of Fish and Wildlife (CDFW), Central Valley RWQCB, and Placer County Fire.



Unified Hazardous Materials Management Regulatory Program

On January 1, 1996, Cal-EPA adopted implementing regulations and implemented a unified hazardous waste and hazardous materials management regulatory program (Unified Program), to consolidate the administration of specified statutory requirements for the regulation of hazardous wastes and materials. The Unified Program is implemented at the local level by government agencies certified by the Secretary of Cal-EPA. The Certified Unified Program Agency (CUPA) is responsible for implementation of the Unified Program. CUPA is certified and responsible for oversight of the following consolidated programs: Hazardous Materials Release Response Plans and Inventories (Business Plans); California Accidental Release Program; Underground Storage Tank Program; Aboveground Petroleum Storage Act; Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs; and California Uniform Fire Code: Hazardous Materials Management Plans and Hazardous Material Inventory Statements.

Local Regulations

Relevant goals and policies from the Placer County General Plan and various other local guidelines and regulations related to hazards and hazardous materials, including wildfire, are discussed below. The DCWPCP does not contain specific goals or policies related to hazards and hazardous materials.

Placer County General Plan

The following goals and policies from the Placer County General Plan are applicable to the proposed project:

- Goal 8.C To minimize the risk of loss of life, injury, and damage to property and watershed resources resulting from unwanted fires.
- Policy 8.C.3 The County shall require that new development meets state, County, and local fire district standards for fire protection.
- Policy 8.C.5 The County shall ensure that existing and new buildings of public assembly incorporate adequate fire protection measures to reduce the potential loss of life and property in accordance with state and local codes and ordinances.
- Policy 8.C.11 The County shall continue to work cooperatively with the California Department of Forestry and Fire Protection and local fire protection agencies in managing wildland fire hazards.
- Goal 8.D To minimize the risk of loss of life, injury, damage to property, and economic and social dislocations resulting from airport hazards.
- Policy 8.D.1 The County shall ensure that new development around airports does not create safety hazards such as lights from direct or reflective sources, smoke, electrical interference, hazardous chemicals, or fuel storage in violation of adopted safety standards.



- Goal 8.G To minimize the risk of loss of life, injury, serious illness, damage to property, and economic and social dislocations resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous materials wastes.
- Policy 8.G.1 The County shall ensure that the use and disposal of hazardous materials in the County complies with local, state, and federal safety standards.
- Policy 8.G.2 The County shall discourage the development of residences or schools near known hazardous waste disposal or handling facilities.

Placer County Environmental Health Department

The Placer County Environmental Health Department (PCEHD) is the CUPA for local implementation of the California Accidental Release Prevention Program and several other hazardous materials and hazardous waste programs. PCEHD is responsible for regulating hazardous materials business plans and chemical inventory, hazardous materials storage, hazardous materials management plans, and risk management plans. The hazardous materials business plan program requires businesses in Placer County to prepare business emergency response plans if hazardous materials storage equals or exceeds 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of gas. The goal of PCEHD is to protect human health and the environment by ensuring that hazardous materials and hazardous waste are properly managed.

The PCEHD distributes the information in the hazardous materials business plans and business emergency response plans to emergency response agencies, such as fire departments and Hazardous Materials Response Teams. The PCEHD helps to facilitate the resources necessary for first responders to emergency incidents using emergency response plans and training responders for preparedness.

Placer County Local Hazard Mitigation Plan

The 2016 LHMP was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 so that Placer County would be eligible for the Federal Emergency Management Agency's (FEMA) Pre-Disaster Mitigation and Hazard Mitigation Grant Programs as well as lower flood insurance premiums. The LHMP is a multi-jurisdictional plan that geographically covers the entire area within Placer County's jurisdictional boundaries. The six goals of the multi-hazard mitigation plan are as follows:

- Prevent future hazard related losses of life and property;
- Increase public awareness/action of vulnerability of hazards;
- Improve community emergency services/management capability;
- Implement and complete identified high priority projects listed in the plan;
- Pursue Multi-Objective Opportunities (MOO) whenever possible; and
- Maintain FEMA eligibility/position jurisdictions for grant funding.

The purpose of this plan is to guide hazard mitigation planning and to better protect the people and property of the County from the effects of hazard events. The LHMP demonstrates the community's commitment to reducing risks from hazards and serves as a tool to help decision



makers direct mitigation activities and resources. Placer County completed an update of the LHMP in March 2016.¹³

Placer County and Placer Operational Area Emergency Operations Plan

The *Placer County and Placer Operational Area Emergency Operations Plan* (EOP) provides the guidelines needed for emergency response planning, preparation, training and execution throughout unincorporated Placer County.¹⁴ The EOP is applicable to any natural disaster or manmade emergency occurring in or in the proximity of Placer County that affects, or may affect, the unincorporated area of the County (or the entire operational area, should response require coordination of the emergency response efforts of multiple agencies or jurisdictions). Emergency events range from minor oil spills, brush fires and minor flooding to severe winter storms, floods, wildland fires, earthquakes to countywide public health emergencies all of which have potentially catastrophic long-term public safety, economic, social and political implications.

9.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to hazards and hazardous materials, including wildfire. A discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

Standards of Significance

In accordance with CEQA Guidelines Appendix G, an impact is considered significant if the proposed project would:

- Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (see Chapter 16, Effects Not Found to be Significant);
- 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 it create a significant hazard to the public or the environment (see Chapter 16, Effects Not Found to be Significant);
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area (see Chapter 16, Effects Not Found to be Significant);
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires; and/or

¹³ Placer County. *Local Hazard Mitigation Plan Update*. March 2016.

¹⁴ Placer County Office of Emergency Services. *Placer County and Placer Operational Area Emergency Operations Plan*. Adopted December 14, 2010.



- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:
 - Substantially impair an adopted emergency response plan or emergency evacuation plan;
 - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
 - Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
 - Expose people or structures to significant risks, including downslope or downstream flooding, mudslides, or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

As noted above, impacts related the emission of hazardous materials within one-quarter mile of an existing or proposed school, location of the proposed project on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and safety hazards associated with airports and private airstrips are discussed in Chapter 16, Effects Not Found to be Significant, of this EIR.

Method of Analysis

The following sections describe the methods of analysis used to determine the presence of RECs for the Phase I and Limited Phase II ESAs performed for the project site by ACE.

Phase I ESA

Site conditions and impacts for this chapter are based primarily on the Phase I and Limited Phase II ESAs conducted for the proposed project. The goal of a Phase I ESA is to identify whether RECs exist at a property, where RECs are defined by ASTM as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. [...]” The Phase I ESA meets or exceeds the requirements of the ASTM “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-05.”

The Phase I ESA included a review of federal, State, and local environmental databases for information regarding documented and suspected releases of regulated materials within the project site vicinity based upon reference to an environmental database search performed by EDR, an environmental database search firm. Additional historical use information regarding the project site and surrounding properties was pulled from the following sources:

- Due Diligence Environmental Questionnaire;
- Historical telephone directories;
- Historical aerial photographs;
- Historical topographical maps; and
- Sanborn Fire Insurance Maps.



Historical photographs of the project site dating to 1947 and historic topographic maps dating to 1891 were reviewed to provide a historical context of the project site. In addition, a site reconnaissance of the project site was conducted on June 15, 2017 by ACE. The site reconnaissance consisted of walking the project site and driving by nearby adjacent properties from public vantages to observe apparent uses. Photographs of the site were taken during the site reconnaissance.

Limited Phase II ESA

The scope of the Limited Phase II ESA consisted of the following:

- Review of the Phase I ESA (ACE job 10-17049E) prepared by ACE for the project site, dated June 23, 2017;
- Preparation and submittal to the PCEHD of a workplan, which was in substantial accordance with the DTSC “Interim Guidance for Sampling Agricultural Properties”;
- Collection of representative surficial soil samples from the project site in substantial accordance with the DTSC “Interim Guidance for Soil Sampling Agricultural Properties” in order to evaluate the presence of Contaminants of Potential Concern (COPC) identified as medals of concern (arsenic and lead) and organochlorine pesticides (OCPs) for agricultural properties that are above relevant laboratory reporting limits;
- Submittal of soils samples to a State Certified Analytical Laboratory to perform analytical tests on the representative samples for COCPs; and
- Assessment and preparation of the Limited Phase II ESA letter report.

The Limited Phase II ESA prepared by ACE for the project site included obtaining field samples of the uppermost site soils. The samples were sent to a State approved analytical laboratory where analytical tests were conducted on representative soil samples. ACE performed sampling at 36 locations that had been historically used for agricultural purposes in addition to one background sample. On December 10, 2018, 27 (locations 1 through 27 in Figure 9-1) discreet grab soils samples were obtained from 0 to 0.5-feet below the existing ground surface. On March 13, 2019, samples were obtained from eight locations (locations 28 through 36), one background location (location 37), and seven previously sampled locations (locations 13, 16, and 19 through 23) were re-sampled.

ACE obtained the grab samples from on-site surficial soils and one background sample from an area outside the limits of the historical agricultural usage area. The December 10th soil samples were collected using an AMS split spoon tube sampler fitted with stainless steel sample tubes. The sampler was driven into the soil with a 10-pound hand actuated slide hammer. The stainless-steel tube containing the soil sample was capped with plastic end caps, labelled, placed in a plastic bag and immediately placed on ice in an insulated ice chest. The March 13th soil samples were obtained using a shovel. The soil samples collected were placed in laboratory provided sampling jars, capped and placed in an ice chest. Standard environmental QA/QC protocol was maintained throughout all the sampling activities. The soils were sampled, logged and classified by a staff geologist/technician. All samples placed in the insulated ice chests were transported under chain-of-custody protocol to a State certified analytical laboratory. Each soil sample was taken of the earth material following standard environmental sampling protocols. Excavation and sampling equipment were cleaned using Alconox (or equivalent) detergent wash and potable water rinse prior to beginning the sampling. Non-dedicated sampling equipment was cleaned using an Alconox (or equivalent) detergent wash and potable water rinse prior to subsequent sampling operations.



All samples were submitted by ACE to SunStar Laboratories, Inc. of Lake Forest, California, a state-certified analytical laboratory (ELAP Certificate No.: 2250) under chain-of-custody protocol. The samples were analyzed by the analytical laboratory for COCPs by USEPA methods 8081A and 8151A (or equivalent) and arsenic and lead by USEPA 6010.

Project-Specific Impacts and Mitigation Measures

The project site conditions, as well as conditions at off-site improvement areas, have been compared to the standards of significance presented above in order to determine the project's impact significance. If significant impacts are identified for the construction and operational phases of the proposed project, recommended mitigation measures have been included to reduce the identified impacts to less-than-significant levels.

9-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Based on the analysis below, the impact is *less than significant*.

A significant hazard to the public or the environment could result from the routine transport, use, or disposal of hazardous materials. Projects that involve the routine transport, use, or disposal of hazardous materials are typically industrial in nature. The proposed project would not be industrial in nature. Operations of the proposed 119 lot single-family residential project would not include any activities that would involve the routine transport, use, disposal, or generation of substantial amounts of hazardous materials. During operations, hazardous material use would be limited to landscaping products such as fertilizer, pesticides, as well as typical commercial and maintenance products (cleaning agents, degreasers, paints, batteries, and motor oil). Proper handling and usage of such materials in accordance with label instructions would ensure that adverse impacts to human health or the environment would not result. Thus, operations 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.

Construction activities associated with implementation of the proposed project, including the proposed off-site sewer and road widening improvements, would involve the use of heavy equipment, which would contain fuels and oils, and various other products such as concrete, paints, and adhesives. The project contractor is required to comply with all California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Pursuant to California Health and Safety Code Section 25510(a), except as provided in subdivision (b),¹⁵ the handler or an employee, authorized representative, agent, or designee of a handler, shall, upon discovery, immediately report any release or threatened release of a hazardous material to the unified program agency (in the case of the proposed project, PCEHD) in accordance with the regulations adopted pursuant to Section 25510(a). The handler or an employee, authorized representative, agent, or designee of the handler shall provide all State, city, or county fire or public health or safety personnel and emergency response personnel with access to the handler's facilities. In the case of the proposed project, the contractors are required to notify the PCEHD in the event of an accidental release of a hazardous material,

¹⁵ Subdivision (a) does not apply to a person engaged in the transportation of a hazardous material on a highway that is subject to, and in compliance with, the requirements of Sections 2453 and 23112.5 of the Vehicle Code.



who would then monitor the conditions and recommend appropriate remediation measures.

Based on the above, the project would not create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous materials. Thus, a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

9-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Based on the analysis below, the impact is *less than significant*.

As mentioned previously, the western portion of the project site was determined to have been previously used for agricultural purposes. Although the Phase I ESA determined that readily discernable REC's did not exist on the project site, pesticides or herbicides which may have been used for agricultural purposes could have contaminated surficial soils within the project site. The results of the Phase II ESA and soil analysis determined that project site soils did not contain pesticide/herbicides analytes or arsenic at or above the reporting detection limits per EPA methods 8081A and 8151A. Although lead was detected within a small number of soil samples taken from the southern portion of the project site, the amount of lead present in the soils was between 6.8 mg/kg and 9.4 mg/kg, and not near or above the threshold of 80 mg/kg for residential land set forth by the CHHSL. Lead content in sample 37 was detected at a relatively high level of 60mg/kg compared to the other sample test results. However, Sample 37 was obtained from the northwestern corner of the project site which was occupied by a homeless camp, and the lead result is not considered representative of the background lead content. In addition, per the Phase I ESA, existing RECs or properties within the site vicinity would not pose a substantial risk to the proposed project. Specifically, the cleanup statuses of potential hazardous sites in the project area are either listed as closed or the sites are located at a lower groundwater gradient relative to the project site. The Phase II ESA concluded that further assessment of the project site for potential contaminants was not required.

Based on the above, 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 likely release of hazardous materials into the environment. As a result, impacts would be considered ***less than significant***.

Mitigation Measure(s)

None required.



9-3 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Based on the analysis below, the impact would be *less than significant*.

Placer County does not have an adopted emergency evacuation plan. However, as noted previously, the County maintains a LHMP, the purpose of which is to reduce or eliminate long-term risk to people and property from hazards consistent with the requirements of the Disaster Mitigation Act of 2000.

The proposed project would include roadway improvements to Vineyard Road and Brady Lane. The proposed roadway improvements would result in the widening of both Vineyard Road and Brady Lane along the project frontages which, once completed, would result in improved circulation and emergency access in the project site vicinity. During project construction, temporary lane closures on Vineyard Road and Brady Lane may be required; however, any temporary lane closures would be coordinated with County emergency services and complete closure of the roadways is not anticipated. In addition, during project operation, implementation of County emergency response plans would not be impaired and emergency access throughout the project site would be provided by internal circulation throughout the project site with primary access from Brady Lane and emergency vehicle access on Vineyard Road.

The project, as designed, would not interfere with or impair implementation of an adopted emergency response plan. Therefore, impacts related to the potential for the project to impair implementation of emergency response plans would be *less than significant*.

Mitigation Measure(s)

None required.

9-4 Expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires, or be located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Based on the analysis below, the impact is *less than significant*.

As stated above, the proposed project is located within an unincorporated LRA, which is an area that is not under federal or State responsibility and in which the local agencies have sole responsibility for fire suppression activities. The nearest VHFHSZ is located approximately 15 miles northeast of the project site.¹⁶ In addition, the project is not located within an SRA, the nearest of which is located approximately nine miles northeast.¹⁷ As such, the project site is not located in or near SRAs or lands classified as VHFHSZs, which indicates that implementation of the proposed project would not be expected to result in the following wildfire hazards identified in CEQA guidelines Appendix G: emergency response or evacuation; exacerbation of wildfire or other fire risks; or wildfire related flooding, mudslides, or landslides, slope instability, or drainage changes.

¹⁶ Cal Fire. *Placer County Fire Hazard Severity Zones in LRA*. November 7, 2007.

¹⁷ Cal Fire. *Placer County Fire Hazard Severity Zones in SRA*. November 24, 2008.



The project site currently consists primarily of ruderal vegetation and some oak woodlands. As part of the proposed project, a total of 5.95 acres in the northwestern portion of the site would be retained as open space. Implementation of the proposed project would include site clearing activities which would remove much of the on-site vegetation and would create a buffer between lands designated for open space and residential development. Development of the site for residential uses would reduce the risk of wildland fire because site improvements, such as roadways, driveways, and irrigated landscaping, would reduce readily combustible vegetation. In addition, residential development is located to the east of the project site, across Brady Lane, and south of the project site, across Vineyard Road. The Father's House church is located adjacent to the northeastern portion of the project site. The adjacent residential development and roadways would act as fire breaks, reducing the potential for fire to spread to the project site. Furthermore, the open space portions of the project site would be maintained as necessary by the project homeowner's association (HOA) to control the fuel load, thereby limiting associated fire hazards.

Development of the proposed project would also include the installation of fire suppression systems (e.g., fire hydrants, automatic fire sprinklers, smoke detectors). Furthermore, the project would be designed in accordance with the latest requirements of the California Fire Code and Placer County. As discussed in Chapter 13, Public Services and Recreation, of this EIR, the project site is within the service area of the Placer County Fire Department, and existing fire protection services would be adequate to serve the proposed project. Improvement plans for the proposed project would be routed to the PCF for review and approval. The PCF would ensure that the proposed project complies with all relevant State and local fire regulations, thereby reducing potential hazards associated with wildland fires.

Based on the above, the proposed project would not be expected to expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires and the project is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

Cumulative Impacts and Mitigation Measures

As defined in Section 15355 of the CEQA Guidelines, "cumulative impacts" refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.



9-5 Cumulative exposure to potential hazards, including wildfire, and increases in the transport, storage, and use of hazardous materials. Based on the analysis below, the cumulative impact is *less than significant*.

As discussed, project-level impacts associated with hazardous materials related to implementation of the proposed project were found to be less than significant. Hazardous materials and other public health and safety issues are generally site-specific and/or project-specific, and would not be significantly affected by other development within the project area. Cumulative development projects would be subject to the same federal, State, and local hazardous materials management requirements as would the proposed project, which would minimize potential risks associated with increased hazardous materials use in the community. Therefore, cumulative impacts associated with hazardous materials transport, storage, and use associated with implementation of past, present, and reasonably foreseeable future projects, as well as the proposed project, would be ***less than significant***.

Mitigation Measure(s)
None required.

