

## 4.6 HAZARDS AND HAZARDOUS MATERIALS

This section discusses hazardous materials existing in the project area, the potential impacts related to construction of the proposed project, and mitigation measures to reduce potentially significant impacts. A discussion of policies and regulations related to hazards and hazardous materials is also provided. Cumulative impacts to hazards and hazardous materials are also evaluated, as well as the project's contribution to such cumulative impacts. Information in this section is based on a *Hazards and Hazardous Materials (HAZMAT) Technical Memorandum* prepared by Baseline Environmental Consulting in January 2008. The memorandum is included as **Appendix E**. This section also contains the results of a Phase I Environmental Site Assessment (ESA) conducted in September 2008, and included as **Appendix F**, to more specifically identify potential risks of hazards and hazardous materials on the site identified in the Specific Plan for the proposed library/garage "catalyst" development. **Figure 4.6-1** identifies the portion of the project area for which the Phase I ESA was prepared.

### 4.6.1 ENVIRONMENTAL SETTING

A broad literature and regulatory database review was conducted for the entire project area. The results of this review are reflected in the *HAZMAT Technical Memorandum (Appendix E)*. Based on the recommendations of the *HAZMAT Technical Memorandum*, the proposed library/garage development site was more thoroughly investigated in a full Phase I ESA (**Appendix F**). This section is divided into two discussions, with findings from each of the two assessments discussed in turn.

#### HAZMAT Technical Memorandum: Entire Project Area

##### Regulatory Database Search

The project area includes primarily residential and commercial land uses, with some industrial uses along Del Monte Boulevard and Broadway. As part of the *HAZMAT Technical Memorandum*, a regulatory database search was conducted in order to identify properties of known underground storage tanks (UST's), subsurface contaminated sites, hazardous waste generation or treatment-storage-and disposal facilities, and landfills located within the project area and nearby properties. The database search identifies sites that are reported to the lead regulatory oversight agencies under the programs discussed in **Section 4.6-2** below.

Reported release sites were evaluated with respect to the nature and extent of a given release, the distance of the reported release site from the project area, and the position of the reported release site with respect to known or expected local and/or regional groundwater flow



directions. Generally, reported release sites located within ¼ mile upgradient and 1/8 mile cross-gradient, or adjacent downgradient (with respect to groundwater flow direction) could potentially have an effect on the project area via the migration of contaminated groundwater. Groundwater flow direction at the project area is expected to be southwest, across Del Monte Boulevard towards the Pacific Ocean. Therefore, sites located to the northeast of the project area are considered upgradient with respect to groundwater flow direction.

#### *Sites of Concern*

All-Around Auto, located at 1523 Del Monte Boulevard, was identified by the regulatory database search as a leaking underground storage tank (LUST) site for the unauthorized release of gasoline. This site is located within the project area. The regulatory status is listed as “Case Closed,” which indicates that the subsurface contamination has been remediated to a level that is acceptable to the local oversight agencies. However, a regulatory file review of the case closure summary would have to be reviewed in order to determine whether the site was granted closure despite low-level residual contamination on-site. It is not uncommon for LUST sites to be granted closure with a conditional clause mandating further review if ground disturbing activities (i.e. grading and subsurface construction work) are planned for the site.

In addition to the LUST site identified for the unauthorized release of contamination, there are seventeen sites within the project area that are listed as small quantity hazardous material generators (generating between 100 and 1,000 kilograms of hazardous waste per month). These sites have not had reported releases.

The City of Seaside Public Works Department has offices and a vehicle maintenance yard located at 610 Olympia Avenue. This site is identified by the regulatory database as a California Waste Discharge System (CA WDS) and historical UST site. The proposed library/garage development would be located on this site and is further discussed below with the results of the Phase I ESA analysis.

#### *Identified Release Sites within One-Eighth Mile of the Project Area*

The facilities depicted in **Table 4.6-1** were identified by the regulatory database search conducted for the *HAZMAT Technical Memorandum* for the release of contamination to soil or groundwater. These facilities are located within one-eighth mile of the project area.

#### *State Water Resources Control Board (SWRCB)*

The SWRCB LUST records contain an inventory of reported leaking underground storage tank incidents. One LUST site was identified within the project area (All-Around Auto). The regulatory database search identified seven LUST sites located just outside the project area. These sites have been listed as inactive, and have been granted closure status by the regulatory agencies.

The SWRCB Notify 65 listings contain notifications about any release that could impact drinking water and thereby expose the public to a potential health risk. No sites were listed within the

project area, and one site was listed adjacent to the project area (Pump Station No. 19, see **Table 4.6-1**). The Notify 65 list dates from 1993, and is no longer considered to be an active list.<sup>1</sup> The incident is assumed to be minor because the site does not appear on any other lists, indicating no follow-up remediation was required.

**Table 4.6-1: Hazardous Materials Releases Within One-Eighth Mile of the Project Area**

Site ID	Name and Address	Listing	Status	Containment of Concern	Direction from Project Area
1	Pump Station No.19	Notify 65	Not listed	Not Listed	SW
2	Embassy Suite Hotel 1441 Canyon Del Rey Boulevard	Envirostar Response Deed Hist Cal-sites	Certified/Operation and Maintenance: Deed Restriction	Lead, Zinc, Chromium, Cadmium, other metals, waste, oil, gasoline	WSW
3	Days Inn,1440 Del Monte Boulevard	CA SLIC	Closed	Not Reported	WSW
4	Former Scandinavian Volvo, 1661 Del Monte Boulevard	LUST CORTESE	Closed	Gasoline	N
5	Val Strough Honda- Mazda, 1 Heitzinger Plaza	LUST CORTESE	Closed	Gasoline	NNE
6	Victory Toyota, 5 Heitzinger Plaza	LUST CORTESE	Closed	Gasoline	NNE
7	GMC Oldsmobile Auto Center, Heitzinger Plaza	LUST	Closed	Gasoline	NNE
8	Exxon Service Station, 1550 Fremont Boulevard	LUST CORTESE	Closed	Gasoline	E
9	Shell Station,1600 Canyon Del Rey Boulevard	LUST	Closed	Gasoline	NW
10	Abandoned Warehouse 425 Elder Street	LUST CORTESE	Closed	Gasoline	NW

Source: EDR, 2007.

<sup>1</sup> Although this list has been discontinued (no new sites have been added), numerous other databases, including LUST, would indicate any threats to drinking water.

The SWRCB spills, leaks, investigations, and cleanup (SLIC) program is designed to protect and restore water quality from spills, leaks, and similar discharges. No SLIC sites were listed within one-eighth mile of the project area. One SLIC site was listed approximately 600 feet south of the project area for the release of gasoline as a result of a spill. Given the nature of the released material, the distance from the project area, and the fact that this site is located hydrologically downgradient from the project area, this site is not expected to represent a significant environmental concern.

*Department of Toxic Substances Control (DTSC)*

DTSC's ENVIROSTOR database contains a list of properties in California that have known contamination or properties for which there may be reason for further investigation. These include National Priorities List sites (federal Superfund sites), state response sites, voluntary cleanup sites, and school cleanup sites. No ENVIROSTOR sites were identified within the project area.

Embassy Suites Hotel, located just outside the project area at 1441 Canyon Del Rey Boulevard, was identified by the regulatory database as an ENVIROSTOR site. Based on the information within the database summary, two USTs were removed from this site in 1982 and 1987. At that time, subsurface sampling discovered that the site was contaminated with high levels of lead, arsenic, copper, thallium, zinc, petroleum product, and benzene. DTSC conducted an annual site inspection and 5 year assessment of the site. The hazardous substances and wastes found on the property were contained by the placement of a cap consisting of fill, building foundation, and asphalt pavement. DTSC has issued a letter stating no further remedial actions would be required providing that the property owner complies with the land use restrictions of the recorded deed restriction. Due to the regulatory status of this site, it is not expected to represent a significant environmental concern.

Given the nature of the released material, the distance from the project area, and the fact that this site is located hydrologically downgradient from the project area, this site is not expected to represent a significant environmental concern to the project area.

*U.S. Environmental Protection Agency (EPA)*

The U.S. EPA's National Priority List (NPL) identifies sites for priority cleanup under the Superfund Program. No sites were identified on this list within the project area, and one site (Fort Ord) was listed about one mile from the project area. Northern and eastern Seaside was used as a U.S. Army base, and some areas have unexploded ordnance and hazardous materials associated with these past military uses.<sup>2</sup> Based on an interview with the Administrative Record

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<sup>2</sup> Seaside General Plan, Safety Element, City of Seaside, August 2004.

Department staff at Fort Ord, there is no known contamination from Fort Ord in the project area.<sup>3</sup>

### **Aerially-Deposited Lead Near Major Roadways**

Aerially-deposited lead is a common hazardous materials issue in urban areas. Soils adjacent to major roadways often contain elevated concentrations of lead. The lead deposition is the result of tailpipe emissions prior to the time lead was phased out of vehicle fuels. Studies by the California Department of Transportation (Caltrans) suggest that hazardous waste levels of lead, if present, are generally found in soils within 30 feet of the edge of the pavement.<sup>4</sup>

The project area includes an approximately 1,200-foot corridor along both sides of Del Monte Boulevard, an approximately 2,000-foot corridor along both sides of Broadway Avenue, and one side of an approximately 1,200 foot corridor along Canyon Del Rey Boulevard (SR 218). These roadways have been present since before 1947, and properties located adjacent to the roadways may contain elevated concentrations of lead in exposed surface soils, which could pose a health hazard to construction workers and users of the properties. Lead is a state-recognized carcinogen and reproductive toxicant. Exposure of construction workers or future site occupants to lead in soil could result in adverse health effects, depending on the duration and extent of exposure.

### **Schools and Other Sensitive Receptors**

No schools, hospitals, community centers, or other sensitive receptors are currently located within the project area.<sup>5</sup> However, residential receptors are located within the project area. Some populations, such as children, the elderly, and the infirm, are more susceptible to health effects from hazardous materials than the general population. Construction or redevelopment on contaminated properties that could potentially generate vapors or dust-containing contaminants may potentially pose a health risk to sensitive receptors. In addition, commercial businesses in proximity to sensitive receptors may have hazardous emissions or handle hazardous or acutely hazardous materials or wastes that could pose a health risk to these sensitive receptors.

### **Lead, Asbestos, and Other Hazardous Materials in Buildings**

Hazardous materials are commonly found in building materials that may be affected during demolition and renovation activities associated with redevelopment. Prior to 1978, lead compounds were commonly used in interior and exterior paints. Prior to the 1980s, building materials often contained asbestos fibers, which were used to provide strength and fire

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<sup>3</sup> Interview with Sandra Reese, Specific Plan Administrator, Fort Ord Administrative Record, conducted by BASELINE Environmental Consulting on 14 December 2007.

<sup>4</sup> Cal/EPA, DTSC, 2000, Fact Sheet, Variance for Caltrans Districts 4,6,7,8,10,11,12 for Reuse of Lead-Contaminated Soils.

<sup>5</sup> Information reviewed online at <http://www.maps.yahoo.com> and <http://www.greatschools.net>, 4 January 2008.

resistance. Structures in the project area appear to have been constructed within the approximate time frame where lead-based paint and asbestos may have been used in building materials.<sup>6</sup> Historic aerial photos and topographic maps indicate the project area has been developed since before 1947.<sup>7</sup>

### Phase I ESA for Proposed Library/Garage Development

**Figure 4.6-1** shows the area for which a Phase I ESA was conducted; this corresponds to the area designated within the Specific Plan for the library/garage “catalyst” development. A regulatory database search was conducted as part of the Phase I ESA, and identified sites were analyzed in the same way as the *HAZMAT Technical Memorandum* with respect to distance from the library/garage project, groundwater flow direction, and regulatory status. All sites identified in **Table 4.6-1** were also identified by the Phase I ESA database search. In addition to the database review, the Phase I ESA included a regulatory file review for nearby release sites with the potential to impact the library/garage development. The Phase I ESA also included a field reconnaissance of the current businesses located on the library/garage development site.

### Regulatory Database Search and File Review

The following release sites (identified by the regulatory database) were identified as sites with the potential to impact the library/garage development within the project area; as such, regulatory file information was reviewed as part of the Phase I ESA.

### Sites of Concern

The City of Seaside Public Works Department offices and vehicle maintenance yard at 610 Olympia Avenue, is identified by the regulatory database as a California Waste Discharge System (CA WDS) and historical Underground Storage Tank (UST) site. According to records of the Monterey County Health Department, Environmental Health Division (MCHD-EHD), containers holding 30 gallons or more of waste oil are currently reported to be located at this site. As previously discussed, no releases have been reported at this site.

The City of Seaside Public Works Offices and Vehicle Maintenance Yard is also identified as a historical Underground Storage Tank (UST) site. Based on MCHD-EHD records, this site is reported as a property which had four historical UST underground storage tanks: one 5,000-gallon capacity UST containing regular gasoline, installed in 1974; one 4,000-gallon capacity UST containing unleaded gasoline, installed in 1976; and two 500-gallon capacity UST’s containing waste oil and diesel installed in 1980 and 1951 respectively. The Phase I ESA records review did not find documentation for closure sampling of the four USTs. This is considered a

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<sup>6</sup> No lead-based paint or asbestos surveys are known to have been completed for structures within the Specific Plan Area.

<sup>7</sup> EDR, Historical Topographic Map Report and Aerial Photo Decade Package, CirclePoint Seaside, 10 December 2007 (see Appendix A).

recognized environmental concern due to the fact that improper closure and long-term maintenance of the USTs may have led to a subsurface release of the UST contents.

### **Site Inspections**

As part of the Phase I ESA, site inspections of the properties at the library/garage development site were conducted on September 19 and September 30, 2008. The inspections identified conditions at two of the onsite facilities that were determined to represent potential environmental concerns.

- City of Seaside Public Works Offices and Vehicle Maintenance Yard (discussed above) - Long-term vehicle maintenance operations and the storage and distribution of bulk fuels and hazardous materials have occurred at this property (City Vehicle Maintenance Yard). Potential environmental concerns of note include bulk chemical/fuel storage (waste oil barrel containment, aboveground fuel storage tanks), hydraulic hoists, and some oil staining throughout the storage yard.
- Schroeders Machine Shop, located at 615 Broadway Avenue - A silt/oil separator with catch basin was identified during the site inspection and also from the review of the Monterey County Health Department files. Potential environmental concerns may arise from contamination to groundwater from the silt/oil separator and from storage of solvents and other chemical/hazardous materials at this location.

Additional onsite businesses located on or near the proposed library/garage development site have current or historical land uses considered to have a high potential for environmental chemical releases, including automotive repair and laundry facilities.

### **4.6.2 REGULATORY SETTING**

Hazardous materials are regulated by numerous federal, state, and local laws and regulations. The California EPA (Cal/EPA) has the most enforcement authority over hazardous materials regulations in the state. In Monterey County, the MCHD-EHD has responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) Program (described below). The City of Seaside Fire Department provides emergency services to the project area, including acting as first responder to potential hazardous materials incidents.

In the project area, the Monterey Bay Unified Air Pollution Control District (MBUAPCD) has oversight over air emissions, and the Central Coast Regional Water Quality Control Board (Water Board) regulates discharges and releases to surface and groundwater. The Cal/EPA Department of Toxic Substance Control (DTSC) regulates remediation of sites where discharges to land could potentially present a public health risk.

Oversight of investigation and remediation of sites affected by hazardous materials releases can be performed by state agencies, such as DTSC, regional agencies, such as the Water Board, or

local agencies, such as the MCHD-EHD, which oversees investigation and remediation of Leaking Underground Storage Tank (LUST) sites in the project vicinity.

### **Certified Unified Program Agency (CUPA) Program**

The CUPA program was established under California Senate Bill 1082 to reduce the cost and improve the efficiency of hazardous materials regulations. Monterey County's hazardous materials management programs are administered and enforced by MCHD-EHD under the CUPA program. The CUPA program encompasses several hazardous materials programs: Hazardous Materials Management Plans (HMMP) program, California Accidental Release Prevention (CalARP) program (described further below), UST programs, aboveground storage tank programs, hazardous waste generation and disposal, and hazardous materials permitting pursuant to the Monterey County Municipal Code.<sup>8</sup> The five hazardous materials programs administered under the CUPA program are described below.

#### **Hazardous Materials Management Plan**

Businesses that store hazardous materials in excess of specified quantities must report their chemical inventories to MCHD-EHD by preparing a Hazardous Materials Management Plan (HMMP), also known as a Business Plan. This information informs the community on chemical use, storage, handling, and disposal practices. It is also intended to provide essential information to fire fighters, health officials, planners, elected officials, workers, and their representatives so that they can plan for and respond to potential exposures to hazardous materials.

#### **California Accidental Release Prevention Program**

Under the CalARP Program, businesses that use large quantities of acutely hazardous materials must prepare a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential.

#### **Underground Storage Tank Programs**

Because of fire hazards, flammable liquids, such as gasoline, have historically been stored in USTs, which, over time, tend to leak, resulting in potential risks for the general public and the environment. Current regulations require that USTs be installed, monitored, operated, and maintained in a manner that protects public health and the environment. Tanks must be constructed with primary and secondary levels of containment and be designed to protect public health and the environment for the lifetime of the installation. The USTs must be monitored for leaks and built such that a leak from the primary container into the secondary container will be detected. When a UST is proposed to be removed, a detailed permit application must be

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<sup>8</sup> Monterey County Municipal Code, Title 10, Health and Safety, Chapter 8.50: Hazardous Materials Registration and Chapter 10.67: Hazardous Materials Emergency Response, reviewed online at <http://municipalcodes.lexisnexis.com/codes/montereyco/>, 09 January 2008.

submitted to MCHD-EHD, which oversees removal activities to identify evidence of a leakage. The State Water Resources Control Board (SWRCB) maintains an inventory of reported leaking underground storage tank incidents.

### **Hazardous Waste Generation and Disposal**

Once a hazardous material has been used or processed, what remains may be considered a hazardous waste. Nearly all businesses and residences in the project area are expected to generate some amount of hazardous wastes (including household hazardous wastes). Some existing businesses in the project area, such as auto repair and service shops, are expected to generate more than 100 kilograms of hazardous waste per month. These businesses must be registered with U.S. EPA's Resource Conservation and Recovery Act (RCRA) program and are subject to extensive regulations regarding storage and disposal. Many items routinely used by residents and small businesses in the project area, such as paints and thinners, cleaning products, and motor oil, are considered hazardous waste once they are ready for disposal. The MCHD-EHD provides information for proper disposal of businesses and household hazardous waste with the County,<sup>9</sup> and the Monterey Regional Waste Management District operates a household hazardous waste collection facility.<sup>10</sup>

### **Seaside General Plan**

The Safety Element of the Seaside General Plan establishes goals, policies, and implementation plans to ensure that community safety regulations and programs can reduce the potential loss of life, injuries, and property damage associated with man-made hazards. Goals, policies and implementation plans relevant to the project include:

***Goal S-1:*** *Reduce the risk of people and property from hazards related to seismic activity, flooding, geologic conditions, and wildfires.*

***Policy S-1.3:*** *Reduce the risk of wildfire hazards in the community.*

***Implementation Plan S-1.3.1: Fuel Modification***

*Work with the U.S. Army, private property owners, and adjacent jurisdictions to maintain fire retardant landscaping and buffer zones in areas of high wildfire risk.*

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<sup>9</sup> MCHD-EHD, Hazardous Materials Management Services information reviewed online at [www.co.monterey.ca.us/health/environmentalhealth/HazMat/hazWasteGenProg.htm](http://www.co.monterey.ca.us/health/environmentalhealth/HazMat/hazWasteGenProg.htm) and [www.co.monterey.ca.us/Health/EnvironmentalHealth/HazMat/forms/UniversalWaste.pdf](http://www.co.monterey.ca.us/Health/EnvironmentalHealth/HazMat/forms/UniversalWaste.pdf) on 09 January 2008.

<sup>10</sup> Monterey Regional Waste Management District information reviewed online at [www.mrwmd.org](http://www.mrwmd.org) on 09 January 2008.

*Implementation Plan S-1.3.2: Fire Prevention*

*Promote fire prevention in Seaside by:*

- *Working closely with the Seaside Fire Department to implement fire hazard education and fire prevention programs;*
- *Coordinating with water districts and the Seaside Fire Department to ensure that water pressure for existing developed areas and sites to be developed is adequate for fire fighting purposes;*
- *Conform to Fire Department requirements for individual projects;*
- *Adopting and implementing the most recent Uniform Fire Code provisions and appropriate amendments; and*
- *Continuing to require sprinklers in new buildings.*

**Goal S-2:** *Protect the community from public safety hazards related to human activities.*

**Policy S-2.2:** *Minimize the risk to the community associated with hazardous materials.*

*Implementation Plan S-2.2.1: Hazardous Material*

*Minimize public health risks and environmental risks from the use, transport, storage, and disposal of hazardous materials by:*

- *Cooperating with federal, state, and county agencies to effectively regulate the management of hazardous materials and hazardous waste, especially on the former Fort Ord;*
- *Cooperating with the County of Monterey to reduce the per capita production of household hazardous waste in accordance with the County Hazardous Waste Management Plan;*
- *Identifying roadway transportation routes for conveyance of hazardous materials (the City does not exercise jurisdiction along railroad right-of-way or state highways);*
- *Implementing a Multihazard Emergency Plan for accidents involving hazardous materials; and*
- *Cooperating with the Certified Unified Program Agency (CUPA) for Seaside (the County of Monterey, Environmental Health Division) and the Seaside*

*Fire Department to administer Risk Management Plans for businesses within the City.*

*Implementation Plan S-2.2.3: Project Mitigation*

*Protect the community from hazards related to hazardous materials by requiring feasible mitigation to be incorporated into new discretionary development and redevelopment proposals to address hazardous materials impacts associated with those proposals.*

*Policy S-2.3: Reduce the risks associated with transportation activities, such as aircraft over-flight, rail, and roadway systems.*

*Implementation Plan S-2.3.2: Minimize Aircraft Accidents*

*Minimize the potential for accidents related to aircraft operation by coordinating with the Monterey County Airport Land Use Commission (ALUC) to review development proposals for compatibility with the Monterey Peninsula Airport Master Plan, Monterey County Airport Land Use Plan, and California Planning Handbook for comprehensive airport land use planning.*

## **Project Consistency**

Relevant policies, federal, and state regulatory requirements will be implemented for the project at the time of preliminary development plans and tentative map applications. Due to the fact the project does not propose land uses likely to be utilizing hazardous materials and/or petroleum products, the CUPA program regulations are not anticipated to be applicable to project operations.

The General Plan policies pertaining to the minimization and avoidance of risks associated with hazardous materials would apply to the project, as grading, demolition, and construction activities would disturb soils anticipated to be contaminated. Pertinent aspects of these policies have been incorporated into the mitigation measures included in this section, as identified in Mitigation Measures 4.6-1a, 4.6-1b, and 4.6-2.

The project applicant(s) will be required to meet all state and local regulatory requirements for the provision of fire and safety building codes. Compliance with these requirements will ensure consistency with Policy S-1.3. The project area's susceptibility to wildfires is relatively low, and is further discussed below, on page 4.6-14.

The project's conformity to the local airport land use planning documents is further discussed below on page 4.6-14. General compliance with the land use planning guidelines in these documents would ensure that the project is consistent with Policy S-2.3. Risks associated with other transportation activities are discussed in detail in **Section 4.13, Transportation**.

### 4.6.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

#### Methodology

Evaluation of public health and safety conditions related to hazardous materials was based on a review of the *HAZMAT Technical Memorandum*, the Phase I ESA for the proposed library/garage project, the West Broadway Avenue existing conditions report,<sup>11</sup> a site reconnaissance, and a review of other published materials, including regulatory agency database listings of hazardous materials release sites.<sup>12</sup>

#### Significance Criteria

Appendix G of the CEQA Guidelines identifies environmental issues to be considered when determining whether a project could have significant effects on the environment. The project would have a potentially significant impact related to hazards and hazardous materials if it would:

- a) Create a significant hazard to the public or the environment through the routine transport, use, handling, or disposal of hazardous materials;
- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- c) Emit hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within a quarter mile of an existing or proposed school;
- d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 (Cortese List) and, as a result, creates a significant hazard to the public or the environment;
- e) 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 for people residing or working in the project area;
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area;
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;

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<sup>11</sup> City of Seaside, West Broadway Avenue Existing Conditions Report, September 2007.

<sup>12</sup> EDR Environmental Data Resources, EDR Radius Map Report, CirclePoint Seaside, 10 December 2007 (see Appendix B)

- h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

### Issued Not Discussed Further

#### **Emit hazardous emissions or handling of hazardous materials within a quarter mile of an existing or proposed school.**

The project area is not located with a quarter mile of an existing or proposed school. Therefore, there are no impacts related to the exposure of school populations to hazards or hazardous materials associated with the project.

#### **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 for people residing or working in the project area.**

The nearest airport to the project area is the Monterey Peninsula Airport, which is located approximately 1 mile south of the project area. Due to the proximity, the project area, in addition to the entire Monterey Peninsula, is within the planning area of influence of the 1987 Comprehensive Land Use Plan for the Monterey Peninsula Airport.

According to the Comprehensive Land Use Plan for Monterey Peninsula Airport, the project area is designated for commercial and residential land uses. As the project would maintain consistency with these designations, the project would not establish a safety hazard for people residing or working within the project area. Furthermore, the project area is not located within the recommended Clear Zone and Safety Area for any of the runways at the Monterey Peninsula Airport. As such, the project would not result in a safety hazard for aircraft runway and approach zones.

Additionally, as discussed in **Section 4.1, Aesthetics**, while the project would introduce new sources of light and glare to the project area through the facilitation of new development at a greater height than currently exists, Specific Plan guidelines and policies related to lighting standards would reduce such impacts to a less-than-significant level. Additionally, the project area is located in an urbanized area with existing daytime glare and nighttime lighting. As such, the new sources of light and glare would not result in a safety hazard to the Monterey Peninsula Airport.

#### **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.**

The project area is not within the vicinity of a private airstrip and would therefore not result in a safety hazard for people residing or working in the project area.

**Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

Refer to **Section 4.11, Public Services**, for a discussion of emergency response services and emergency plans and access routes.

**Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.**

According to the City's General Plan, the City is subject to wildland fires, specifically within the undeveloped areas in the northern and eastern portions of the City. However, as the project area is located within and surrounded by the urbanized and developed portion of the City, the project area is not located in an area identified as a fire hazard area. Therefore, the project would not impact or expose people or structures to wildland fire hazards.

### Project Impacts

**Impact 4.6-1: Development that may occur within the project area could expose construction workers and/or the public to hazardous materials present in soils and/or groundwater from historical releases of hazardous materials. (Significant)**

Previously detected and undetected releases within the project area may have occurred at facilities that have historically been or are currently involved in the use, transportation, storage, or disposal of hazardous materials. Additionally, lead may be present in shallow surface soils within the proximity of West Broadway Avenue and other major roadways.

It is likely that future development projects that would occur as the West Broadway Avenue Specific Plan is implemented would include excavation and grading of soils for construction of foundations. If structures with underground facilities are proposed, dewatering of groundwater may also be required. Contaminated soil and groundwater, if present, could expose construction workers and/or the public to hazardous materials. Furthermore, releases of hazardous materials to the air through fugitive dust could potentially affect nearby sensitive receptors.

**Mitigation Measure 4.6-1a:** For individual development projects within the project area that involve excavation and/or grading, the following three-part mitigation measure would reduce potential exposures to hazardous materials in soils and groundwater:

1. Prior to the issuance of any grading and/or demolition permit by the City of Seaside Resource Management Services Department, project applicant(s) shall enlist the services of a qualified professional to prepare a Phase I ESA to identify current or historic land uses that included the potential for a release of hazardous materials at the development site. The Phase I ESA shall be performed in conformance with standards adopted by the American Society for Testing and Materials International (ASTM). The Phase I ESA

would identify any limitations to development due to the presence of any sites associated with hazardous materials in the vicinity of the subject site, and present recommendations for further investigation of the site, if warranted. The Phase I would be documented in a written report and submitted to the City of Seaside Resource Management Services as part of development applications.

2. The City Resource Management Services Department shall review the Phase I ESA. If the Phase I ESA concludes that there has been no release of hazardous materials affecting the development site in question, the City may proceed with the issuance of a requested grading and/or demolition permit, provided any other pertinent conditions have been met.

If the Phase I ESA indicates that a release of hazardous materials could have affected a development site, prior to the issuance of any grading and/or demolition permit, the City Resource Management Services Department shall require preparation of a Phase II ESA to be conducted by a qualified environmental professional to assess the presence and extent of said contamination. This would, at a minimum, consist of the collection and analysis of soil samples to determine the possible presence of aerially-deposited lead for redevelopment projects located within immediate proximity to Del Monte Boulevard, West Broadway Avenue, Canyon Del Rey Boulevard, and other major roadways. The Phase II ESA investigation would be conducted in conformance with state and local guidelines and regulatory oversight. The findings of the investigation would be documented in a written report and submitted to the regulatory agency and the City of Seaside.

If the results of the Phase II ESA were to confirm the presence of hazardous materials, site remediation would be required, with oversight by applicable state or local regulatory agencies. Depending on the nature and extent of contamination, site remediation techniques may include washing, venting, bioremediation, or excavation and abatement. Specific remedies would depend on the extent and magnitude of contamination and the requirements of the regulatory agencies. The impact of specific remedies implemented on air quality and resulting health effects, nuisance conditions, risk of upset in the event of an accident, and transportation of contaminated material associated with the remediation would be addressed prior to implementation of the site remedy.

3. For any development site where contamination has been identified or is suspected, construction would only occur in accordance with a site-specific health and safety plan prepared by a certified industrial hygienist. The plan would include provisions for monitoring exposure to construction workers, delineate procedures to be undertaken in the event that contamination is identified above regulated worker exposure limits, and identify emergency procedures and responsible personnel. The health and safety plan would include performance standards identified to minimize the effects of airborne contaminants (for example, stopping work in dusty conditions, limiting excavation areas, wetting down of surfaces, etc.) and construction workers would be required to have received hazardous materials training in accordance with federal and state regulations.

The site-specific health and safety plan would be the responsibility of the contractor(s), and shall be incorporated as conditions of approval of any pertinent grading or demolition permit the City Resource Management Services Department may issue.

**Mitigation 4.6-1b:** In order to further investigate potential environmental impacts and develop site-specific mitigation measures for the library/garage project, the applicant for this potential public/private venture shall submit a complete Phase II ESA (subsurface investigation) to the City Resource Management Services Department and appropriate local and state regulatory authorities as part of the project application materials. Specifically, the Phase II ESA shall address potential contamination from the following identified environmental concerns:

1. Potential impact to soil and groundwater at the City of Seaside Public Works Yard from former USTs, existing hydraulic hoists, bulk storage areas for aboveground gasoline tanks, waste oil storage, and chemical storage (engine anti-freeze) areas.
2. Potential impact to soil and groundwater at Schroeders Machine Shop from the wash area equipped with an oil-water separator and catch basin.
3. Potential impact to shallow groundwater from nearby LUST sites, automotive repair business properties, and a nearby dry cleaner business.

If the Phase II ESA confirms contamination on the project site, the City Resource Management Services Department shall follow the procedure outlined above in Mitigation 4.6-1a, item 2, wherein site specific health and safety plans formulated in response to the Phase II ESA shall be incorporated as conditions of approval of any grading and/or demolition permit issued by the City Resource Management Services Department. In addition, the City Resource Management Division shall also incorporate as conditions of any grading and/or demolition permit any other safety measures that may be imposed for the site by involved state or local regulatory agencies.

***Significance After Mitigation:*** Less than Significant.

**Impact 4.6-2: Demolition or renovation of structures containing lead-based paint, asbestos-containing building materials, or other hazardous materials could release airborne particles of hazardous materials, which may affect construction workers, sensitive receptors, and the general public. (Significant)**

Many of the structures in the project area were likely constructed prior to the 1980s, and as such, may contain asbestos-containing materials, lead-based paint, and other hazardous materials commonly associated with buildings constructed prior to restrictions on the use of these materials. Demolition or renovation of these buildings as part of the Specific Plan could result in the release of lead, asbestos, and other hazardous materials. Exposure to hazardous materials associated with building materials may potentially result in significant health risks to construction workers, sensitive receptors, and the general public.

**Mitigation Measure 4.6-2:** Prior to the issuance of any City permit involving either construction and/or demolition of a building or structure known to be constructed prior to

1980, the project applicant(s) shall engage a qualified professional to conduct a lead-based paint and ACM-containing material survey, which shall be submitted to the City Resource Management Services Department for approval.

The City Resource Management Services Department shall incorporate into any pertinent construction and/or demolition approvals measures developed from the above survey to minimize potential lead paint and asbestos hazards. These measures may include but are not limited to:

- Abatement of all loose and peeling lead-based paint and identified asbestos hazards by a certified contractor in accordance with federal and state requirements.
- Assurance of proper management and/or disposal of other hazardous wastes that may be generated during demolition activities, such as fluorescent light tubes and mercury switches,
- Inclusion of all pertinent federal and/or state construction worker health and safety regulations and procedures related to demolition activities. .

***Significance After Mitigation:*** Less than Significant.

**Impact 4.6-3: Improper use or transport of hazardous materials during construction activities in the project area could result in releases affecting construction workers and the general public. (Significant)**

Construction activities during implementation of the West Broadway Avenue Specific Plan may involve use and transport of hazardous materials. Additionally, construction vehicles would be used on-site for the duration of construction activities that could accidentally release hazardous materials, such as oil, grease, or fuels. These materials could include contaminated soils, groundwater, building materials, fuels, oils, and other chemicals used during construction. Removal, relocation and transportation of hazardous materials could result in accidental releases that would pose health risks to workers, the public, and the environment.

**Mitigation Measure 4.6-3:** Prior to the issuance of any building permit within the project area, the City Resource Management Services Department shall confirm that project plans designate suitable storage areas for material delivery, storage, and waste collection. The City Resource Management Services Department shall ascertain that all such designated storage areas are shown on all development plans and subject to approval of the Director of the City's Resource Management Services Department. These locations shall be as far away as practicable from catch basins, gutters, drainage courses, and water bodies. Any building permit shall incorporate conditions of approval that require at least the following measures to be in place prior to ground disturbance to ensure safe handling of hazardous materials:

- a. All hazardous materials and wastes used or generated during construction, grading, and/or demolition activities would be labeled, stored, and disposed of in accordance with applicable local, state, and federal regulations.

- b. On-site maintenance of an accurate up-to-date inventory, including Material Safety Data Sheets, to assist emergency response personnel in the event of a hazardous materials incident.
- c. All maintenance and fueling of vehicles and equipment would be performed in a designated, bermed area, or over a drip pan that would not allow run-off of spills. Vehicles and equipment would be regularly checked and have leaks repaired promptly. Secondary containment would be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.
- d. Emergency Preparedness and Response Procedures in the event of an accidental spill or other hazardous materials emergency during construction, grading, or demolition activities. These procedures shall include, at a minimum, evacuation procedures, spill containment procedures, required personal protective equipment, as appropriate, in responding to the emergency.

***Significance After Mitigation:*** Less than Significant.

### Cumulative Impacts

The cumulative impact area for hazardous materials is the project area and 1/8 mile area surrounding the project area. The methodology used for evaluating cumulative impacts related to hazards and hazardous materials utilizes the adopted General Plan and its certified EIR. The risks associated with hazardous materials are typically site specific in nature, but can travel below ground. The inclusion of the additional 1/8 mile beyond the project area accounts for the potential for below ground hazardous materials to encroach from outside. The analysis conducted for this project did not identify any significant off-site hazards, such as below ground plumes, that could impact the project area.

Potential hazards related to hazardous materials discussed in this section would affect the immediate environment. Earth moving activities on a particular site within the project area or elsewhere would potentially uncover contaminated soils and groundwater, posing potential impacts to construction workers and nearby sensitive receptors, but these activities on multiple sites would not combine with each other to create cumulative impacts. Implementation of the project with appropriate mitigation measures would therefore not increase the risk of such impacts to surrounding inhabitants or developments. All impacts would be reduced to less than significant levels and there would be no cumulative impact related to hazards and hazardous materials.

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