
3.8 - Hazards and Hazardous Materials

3.8.1 - Introduction

This section describes the existing hazards and hazardous materials setting and potential effects from project implementation of the Sphere of Influence Amendment (SOIA) Area. Descriptions and analysis in this section are based on information contained in the Elk Grove Sphere of Influence Customized Report, prepared on October 21, 2010, by Environmental Data Resources (EDR), Inc., attached to this EIR as Appendix C, and on existing regulatory framework.

Hazardous Materials and Hazardous Wastes

A substance is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. The health effects from exposure to hazardous materials vary based on factors that include the quantity to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

The California Code of Regulations (CCR) defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10).

Hazardous wastes are similarly defined. In particular, hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxicity, ignitability, corrosivity, and reactivity (CCR, Title 22, Chapter 11, Article 3). Toxicity, ignitability, corrosivity, and reactivity are defined in the CCR, Title 22, Sections 66261.20—22261.24.

3.8.2 - Environmental Setting

On October 21, 2010, EDR conducted a search of the regulatory agency databases listed in Table 3.8-1, in order to identify potential hazardous conditions within the proposed sphere of influence amendment area. As indicated above, the complete EDR report can be viewed in its entirety in Appendix C.

Table 3.8-1: Regulatory Agency Databases Searched

Database Type	Definition of Database	Type of Record	Agency	No. of Records within the Proposed Sphere of Influence Amendment Area ^{1, 2}
SSTS	Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act	Types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed	U.S. EPA	2
ICIS	Integrated Compliance Information System	Supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) Program	—	1
FINDS	Facility Index System	Facility information and “pointers” to other sources that contain more detail	U.S. EPA	2
NPDES	National Pollution Discharge Elimination System	A listing of NPDES permits, including stormwater	—	1
HIST CORTESE	California Office of Emergency Information Sites	State index of properties formerly listed as having hazardous waste based on input from fourteen state databases	California Environmental Protection Agency/ Office of Emergency Information	3
LUST	Leaking Underground Storage Tank Incident Reports	Contain an inventory of reported leaking underground storage tank incidents	State Water Resources Control Board	3

Table 3.8-1 (cont.): Regulatory Agency Databases Searched

Database Type	Definition of Database	Type of Record	Agency	No. of Records within the Proposed Sphere of Influence Amendment Area ^{1,2}
CA FID UST	Facility Inventory Database	Active and Inactive Underground Storage Tank locations	State Water Resources Control Board	3
HIST UST	Historical Underground Storage Tank Registered Database	Contains archived registered UST sites	State Water Resources Control Board	3
SWEEPS UST	Statewide Environmental Evaluation and Planning System	No longer maintained	Formerly State Water Resources Control Board	3
CHMIRS	California Hazardous Material Incident Report System	Information on reported hazardous material incidents, i.e., accidental releases or spills	California Office of Emergency Services	2
AST	Aboveground Storage Tank	Contains registered ASTs	State Water Resources Control Board	1
CDL	—	Listing of drug lab locations	—	1
HAZNET	Hazardous Waste Information System	A listing of facilities that generate hazardous waste	California Department of Toxic Substance Control	5
EMI	Emissions Inventory Data	Toxics and criteria pollutant emissions data	CARB and local air pollution control agencies	1

Notes:

¹ Some records are not unique and have been counted in multiple databases.

² The physical location of each of these sites is detailed in the EDR report, found in Appendix C.

Source: EDR Report, 2010.

3.8.3 - Regulatory Framework

Pertinent hazardous materials-related regulations that apply to the proposed area of incorporation originate at both the federal and state level, but many are implemented and enforced at the local or regional level. Sacramento County’s Environmental Management Department (EMD) manages most hazardous materials regulation and enforcement in the proposed area of incorporation. Sacramento County’s EMD defers large cases of hazardous materials contamination or violations of the Central Valley Regional Water Quality Control Board (RWQCB) and the State Department of Toxic Substances Control (DTSC). However, it is common for other agencies to become involved—such as the Sacramento Metropolitan Air Quality Management District in permitting of asbestos abatement,

and federal and state Occupational Safety and Health Administration (OSHA) in preparation of hazardous materials remediation site safety plans—when issues of hazardous materials arise. In addition, the Sacramento Metropolitan Fire District is responsible for hazardous materials emergency first response where a hazardous materials incident imminently threatens life or property.

3.8.4 - Regulatory Framework

Federal

U.S. Environmental Protection Agency

The EPA leads the nation’s environmental science, research, education, and assessment efforts. The EPA’s mission is to protect human health and to safeguard the natural environment, related to air, water, and land. The EPA works closely with other federal agencies, state and local governments, and Indian tribes to develop and enforce regulations under existing environmental laws. The EPA is primarily responsible for researching and setting national standards for a variety of environmental programs and delegates to states and tribes responsibility for issuing permits, and monitoring and enforcing compliance. When national standards are not met, the EPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality. The EPA also works with industries and all levels of government in a wide variety of voluntary pollution prevention programs and energy conservation efforts.

EPA Region 9 has jurisdiction over Elk Grove and the southwestern United States (Arizona, California, Nevada, and Hawaii).

EPA programs related to hazardous materials include:

- Community Right-to-Know Information
- Pesticide Management
- Toxic Release Inventory
- Brownfields (CalSites Database)
- Cleanup Technologies
- Compliance Assistance
- Emergency Response
- Hazardous Waste
- Oil Spills

Resource Conservation and Recovery Act

The 1976 Federal Resource Conservation and Recovery Act (RCRA) and the 1984 RCRA Amendments regulate the treatment, storage, and disposal of hazardous and non-hazardous wastes. The legislation mandated that hazardous wastes be tracked from the point of generation to their ultimate fate in the environment. This includes detailed tracking of hazardous materials during transport and permitting of hazardous material handling facilities.

The 1984 RCRA amendments provided the framework for a regulatory program designed to prevent releases from USTs. The program establishes tank and leak detection standards, including spill and overflow protection devices for new tanks. The tanks must also meet performance standards to ensure that the stored material will not corrode the tanks. Owners and operators of USTs had until December 1998 to meet the new tank standards. As of 2001, an estimated 85 percent of USTs complied with the required standards.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) introduced active federal involvement to emergency response, site remediation, and spill prevention, most notably the Superfund program. The act was intended to be comprehensive in encompassing both the prevention of, and response to, uncontrolled hazardous substances releases. The act deals with environmental response, providing mechanisms for reacting to emergencies and to chronic hazardous material releases. In addition to establishing procedures to prevent and remedy problems, it establishes a system for compensating appropriate individuals and assigning appropriate liability. It is designed to plan for and respond to failure in other regulatory programs and to remedy problems resulting from action taken before the era of comprehensive regulatory protection.

U.S. Department of Transportation

The Hazardous Materials Transportation Act of 1974, as amended, is the basic statute regulating hazardous materials transportation in the United States. This law gives the U.S. Department of Transportation and other agencies the authority to issue and enforce rules and regulations governing the safe transportation of hazardous materials.

State agencies are authorized to designate highways for the transport of hazardous materials. Where highways have not been designated, hazardous materials must be transported on routes that do not go through or near heavily populated areas.

State

California Health and Safety Code

The California Environmental Protection Agency has established rules governing the use of hazardous materials and the management of hazardous wastes. California Health and Safety Code Sections 25531, et seq. incorporate the requirements of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. Health and Safety Code Section 25534 directs facility owners storing or handling acutely hazardous materials in reportable quantities to develop a Resource Conservation and Recovery Act (RCRA). The RMP must be submitted to the appropriate local authorities, the designated local administering agency, and the EPA for review and approval.

CEQA and the Cortese List

The Cortese List (Hazardous Waste and Substances Site List) is a planning document used by the state, local agencies, and developers to comply with CEQA requirements to consider Government Code Section 5962.5 in evaluating proposed development projects. Section 65962.5 states that the list should contain all hazardous waste facilities subject to corrective action, all hazardous waste property or border zone property designations, all information received on hazardous waste disposals on public land, all hazardous substance release sites listed pursuant to Government Code Section 25356, and all sites that were included in the former Abandonment Site Assessment Program.

California Environmental Protection Agency (Cal EPA)

Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal EPA) to develop a Cortese List at least annually. The Department of Toxic Substances Control is responsible for a portion of the information on the list, and other local and state government agencies are required to provide additional information. Cal EPA operates the Air Resources Board, the Department of Pesticide Regulation, Department of Toxic Substances Control, Integrated Waste Management Board, Office of Environmental Health Hazard Assessment, and the State Water Resources Control Board. The function of each is discussed below.

Air Resources Board (CARB): To promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants in recognition and consideration of the effects on the economy of the State.

Department of Pesticide Regulation (DPR): Regulates all aspects of pesticide sales and use to protect the public health and the environment for the purpose of evaluating and mitigating impacts of pesticide use, maintaining the safety of the pesticide workplace, ensuring product effectiveness, and encouraging the development and use of reduced risk pest control practices.

Department of Toxic Substances Control (DTSC): The Department's mission is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention. DTSC protects residents from exposures to hazardous wastes. DTSC operates programs to:

- Deal with the aftermath of improper hazardous waste management by overseeing site cleanups.
- Prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly.
- Take enforcement actions against those who fail to manage hazardous wastes appropriately.
- Explore and promote means of preventing pollution, and encourage reuse and recycling.
- Evaluate soil, water and air samples taken at sites, and develop new analytical methods.

Integrated Waste Management Board (IWMB): Protects the public health and safety and the environment through waste prevention, waste diversion, and safe waste processing and disposal. The IWMB is responsible for managing California's solid waste stream. The Board is helping California divert its waste from landfills by:

- Developing waste reduction programs.
- Providing public education and outreach.
- Assisting local governments and businesses.
- Fostering market development for recyclable materials.
- Encouraging used oil recycling.
- Regulating waste management facilities.
- Cleaning up abandoned and illegal dump sites.

Office of Environmental Health Hazard Assessment (OEHHA): OEHHA is responsible for developing and providing risk managers in state and local government agencies with toxicological and medical information relevant to decisions involving public health. OEHHA also works with federal agencies, the scientific community, industry, and the general public on issues of environmental as well as public health.

State Water Resources Control Board (SWRCB): Preserves and enhances the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. The SRWQCB maintains the Leaking Underground Storage Tank Information System (LUTIS) Database, which contains information on registered leaking underground storage tanks (LUSTs) in the State.

California Occupational Safety and Health Agency (CalOSHA)

CalOSHA sets and enforces standards that insure safe and healthy working conditions for California's workers. The Division of Occupational Safety & Health is charged with the jurisdiction and supervision over workplaces in California that are not under federal jurisdiction. CalOSHA regulates issues involving unsafe workplace conditions, worker exposure to chemicals, illness due to workplace exposure, or improper training.

State Regulatory Programs Division (SRPD)

The SRPD oversees the technical implementation of the State's Unified Program; a consolidation of six environmental programs at the local level, and conducts reviews of Unified Program agencies to ensure their programs are consistent statewide, conform to standards, and deliver quality environmental protection at the local level. SRPD also carries out the State's hazardous waste recycling and resource recovery program designed to facilitate recycling and reuse of hazardous waste. SRPD conducts a corrective action oversight program that assures any releases of hazardous constituents at generator facilities that conduct onsite treatment of hazardous waste are safely and

effectively remediated, and oversees the hazardous waste generator and onsite waste treatment surveillance and enforcement program carried out by local Unified Programs.

California Department of Transportation (Caltrans) and California Highway Patrol

The California Vehicle Code Section 31303 requires that hazardous materials be transported via routes with the least overall travel time, and prohibits the transportation of hazardous materials through residential neighborhoods. In California, the California Highway Patrol (CHP) is authorized to designate and enforce route restrictions for the transportation of hazardous materials. To operate in California, all hazardous waste transporters must be registered with the Department of Toxic Substances Control (DTSC). Unless specifically exempted, hazardous waste transporters must comply with the California Highway Patrol Regulations, the California State Fire Marshal Regulations, and the United States Department of Transportation Regulations. In addition, hazardous waste transporters must comply with Division 20, Chapter 6.5, Article 6 and 13 of the California Health and Safety Code, and the Title 22, Division 4.5, Chapter 13 of the California Code of Regulations, both of which are administered by DTSC.

Central Valley Regional Water Quality Control Board (RWQCB)

There are nine Regional Water Quality Control Boards (RWQCBs) throughout the State. The Central Valley RWQCB has jurisdiction over the City of Elk Grove, with offices in Sacramento. Individual RWQCBs function as the lead agencies responsible for identifying, monitoring, and cleaning up LUSTs. Storage of hazardous materials in USTs is regulated by the State Water Resources Control Board (SWRCB), which oversees the nine RWQCBs.

Local

The Sacramento County Environmental Management Department (EMD) is both the local environmental health regulatory agency and the countywide Certified Unified Program Agency. EMD is also the Local Oversight Program for underground storage tank site investigation, cleanup, and closure, and it is the Local Enforcement Agency (LEA) for landfills. The Central Valley Regional Water Quality Control Board (CVRWQCB) also has jurisdiction over the management of surface and groundwater contamination such as the cleanup of spill sites. Finally, the Sacramento Metropolitan Air Quality Management District (SMAQMD) is involved in the assessment of health and environmental hazards associated with both “criteria” and toxic (or hazardous) air pollutants.

City of Elk Grove

Approval by LAFCo of this SOIA does not authorize any change in land use or governance. However, the proposed project would adjust the City of Elk Grove’s SOI and allow the City the opportunity to file an annexation request with LAFCo to annex lands within the SOIA Area. The City of Elk Grove General Plan establishes goals and policies to guide both present and future development within the City’s jurisdiction. Therefore, the City of Elk Grove’s General Plan policies

related to hazards and human health that may apply to potential future development in the SOIA Area are provided below.

- **Policy SA-2:** In considering the potential impact of hazardous facilities on the public and/or adjacent or nearby properties, the City shall consider the hazards posed by reasonably foreseeable events. Evaluation of such hazards shall address the potential for events at facilities to create hazardous physical effects at offsite locations that could result in death, significant injury, or significant property damage. The potential hazardous physical effects of an event need not be considered if the occurrence of an event is not reasonably foreseeable as defined in Policy SA-3. Absent substantial evidence to the contrary, a “hazardous physical effect” from an event shall be a level of exposure to a hazardous physical effect in excess of the levels identified in Policy SA-4.
- **Policy SA-3:** For the purpose of implementing Policy SA-2, the City considers an event to be “reasonably foreseeable” when the probability of the event occurring is as indicated in the table below.

Land Use	Probability of Occurrence per Year
“Agriculture, Light Industrial and Industrial” Uses involving continuous access and the presence of limited number of people but easy evacuation, e.g. open space, warehouses, manufacturing plants, etc.	Between 100 in one million and 10 in one million (10-4 to 10-5)
“Commercial” Uses involving continuous access but of easy evacuation, e.g. commercial uses, offices, etc.	Between 10 in one million and 1 in one million (10-5 to 10-6)
“Residential” All other land uses without restriction including institutional uses, residential areas, etc.	1 in one million and less (10-6)

- **SA-3-Action 1:** As part of the environmental review process for proposed projects, the City shall analyze potential safety-related impacts resulting from or affecting new development which could cause or be affected by reasonably foreseeable events. This analysis shall include the potential for events to occur at the facility, and the potential for hazardous physical effects to result from such events with respect to the hazards listed in Table SA-A.
- **SA-3-Action 2:** The City shall maintain a database which records, in maps and text, the identified offsite hazards from any reasonably foreseeable events at hazardous facilities in Elk Grove, and shall make this information available to the public.
- **Policy SA-4:** The Maximum Acceptable Exposure standards shown in Table SA-A shall be used in determining the appropriateness of either:
 - (1) Placing a use near an existing hazardous facility which could expose the new use to hazardous physical effects, or
 - (2) Siting a hazardous facility that could expose other nearby uses to hazardous physical effects.

Absent substantial evidence to the contrary, the placement of land uses that do not meet the Maximum Acceptable Exposure standards shall be considered to result in a significant, adverse impact for the purposes of CEQA analysis.

- **Policy SA-5:** The City will cooperate with other local, regional, state, and federal agencies, and with rail carriers in an effort to secure the safety of all residents and businesses in Elk Grove.
- **SA-5-Action 1:** Establish an Emergency Operations Center (EOC) to coordinate and direct overall emergency response operations. The establishment of the EOC should be coordinated with the Elk Grove Police Department, appropriate City departments, the Elk Grove CSD Fire District, and the County Sheriff's Department.
- **SA-5-Action 2:** Establish an emergency response organization consisting of representatives from the Elk Grove Police Department, City departments, the Elk Grove CSD Fire Department, County agencies, utility agencies, schools, and the public.
- **SA-5-Action 3:** Participate in State mutual aid agreements with neighboring cities and counties; State and federal emergency relief agencies; and private enterprises such as Red Cross, Salvation Army, and local medical institutions to assist in shelter, relief, and first aid operations. Encourage cooperation among adjacent communities to provide backup fire suppression and law enforcement assistance in emergency situations.
- **SA-5-Action 4:** Participate in the Standard Emergency Management System.
- **SA-5-Action 5:** Comply with the State of California Emergency Services Act.
- **Policy SA-7:** The City of Elk Grove will work to identify and eliminate hazardous waste releases from both private companies and public agencies.
- **Policy SA-8:** Storage of hazardous materials and waste shall be strictly regulated, consistent with state and federal law.
- **SA-8-Action 1:** Regularly review the City's codes to ensure that City regulations reflect the most up-to-date standards for the storage, handling, and use of hazardous and toxic materials.
- **SA-8-Action 2:** Secondary containment and periodic examination shall be required for all storage of hazardous and toxic materials, consistent with the requirements of state or federal law.
- **SA-8-Action 3:** As part of the review and approval of development plans and building permits, ensure that secondary containment is provided for hazardous and toxic materials.
- **SA-8 Action 4:** Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material/waste database search shall require that the site and surrounding area be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.
- **Policy SA-9:** The City shall seek to ensure that all industrial facilities are constructed and operated in accordance with up-to-date safety and environmental protection standards.

- **SA-9-Action 1:** Support continued enforcement of permitting requirements for radioactive materials, and enforce public safety standards for the use of these materials, including the placarding of transport vehicles.
- **Policy SA-10:** Industries which store and process hazardous or toxic materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the City of Elk Grove.
- **SA-10-Action 1:** Consider the impact of proposed industrial development projects with respect to transport of hazardous materials within the city. To the extent feasible, uses requiring substantial transport of hazardous materials should be located to direct such traffic away from the city's residential and commercial areas.
- **Policy CI-24:** The City shall consider the recommendations in the Comprehensive Land Use Plans (CLUPs) for airports within or adjacent to Elk Grove in the review of potential land uses or projects.
- **Policy CI-25:** The City shall ensure that new development near airports be designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, Caltrans, and the Federal Aviation Administration.

3.8.5 - Thresholds of Significance

According to Appendix G, Environmental Checklist, of the CEQA Guidelines, hazards and hazardous materials impacts resulting from the implementation of the proposed project would be considered significant if the project would:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) 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?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) 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?
- 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 the project area? (Refer to Section 7.0 Effects Found Not To Be Significant)

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- 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? (Refer to Section 7.0 Effects Found Not To Be Significant)
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

3.8.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Transport or Disposal of Hazardous Materials

Impact HAZ-1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Impact Analysis

This impact evaluates the proposed project’s potential to create hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The proposed project itself would not construct or develop any structures or infrastructure and, therefore, would not result in a change that would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed project would extend Elk Grove’s SOI boundaries. Handling and transport of materials could occur in the SOIA Area from future activities; however, it would not be a result of the proposed project and, therefore, is not within the scope of this EIR.

The proposed project could result in indirect effects associated with reasonably foreseeable urbanization of the SOIA Area. Implementation of future land use development in the SOIA Area could require the demolition of a variety of structures, including residential, commercial, and agricultural buildings. Since these structures may contain lead-based paint and/or asbestos-containing building materials, construction workers could be exposed to these hazardous substances during demolition.

In addition, there is always a potential to encounter fill materials during construction that could contain hazardous materials. These materials could be hazardous to nearby sensitive receptors and construction workers during site grading and excavation. Similarly, grading and construction of future development projects within the SOIA Area could result in the airborne release of naturally

occurring asbestos fibers, which could significantly impact construction workers and nearby residents.

While the database search indicated the location of LUSTs, additional underground tanks could potentially be located within the SOIA Area. Hazardous fill materials could also be encountered during construction. These tanks and fill materials could contain materials that would be hazardous to construction workers if they were to inadvertently encounter them during site excavation and/or grading.

The proposed project would not create a significant hazard to the public or the environment, because all future activities taking place within the SOIA Area would have to comply with applicable federal, state, and local laws pertaining to the safe handling and transport of hazardous materials, including California Division of Occupational Safety and Health (Cal OSHA) requirements. In addition, incorporation of Mitigation Measure HAZ-1 below would serve to mitigate any risks associated with the exposure of individuals to hazardous materials during construction activities. Accordingly, less than significant impacts would occur.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM HAZ-1 Prior to environmental clearance for a development permit for a parcel within the SOIA Area, the County or City of Elk Grove (pursuant to City of Elk Grove General Plan, SA-8, Action 4) will require that a Phase I site assessment be completed by a qualified professional (e.g., a California registered environmental assessor). The study will identify current and historical land uses or conditions that may have resulted in a release of hazardous materials into the environment, or impact the proposed development of the site. The assessment will be performed in conformance with standards adopted by American Society for Testing Materials (ASTM) for Phase I site assessments. The Phase I site assessment shall identify any limitations to development that are due to the presence of hazardous materials in the vicinity of the subject site, and present recommendations for further investigation of the site, if necessary.

Level of Significance After Mitigation

Less than significant impact.

Accident Conditions Involving Release of Hazardous Materials

Impact HAZ-2: **The 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.**

Impact Analysis

This impact evaluates the proposed project's potential to create hazards caused by accident conditions involving release of hazardous materials. Implementation of the SOIA could indirectly result in hazardous impacts within the SOIA Area. It is likely that implementation of the SOIA would lead to the development of hundreds of new buildings, and the rural, open space, agricultural character of the area could reasonably be foreseen to change to that of an urbanized environment. Given the known agricultural nature of the SOIA Area, it is highly likely there are concentrations of pesticides in excess of residential ESLs in the soils within the SOIA Area, and as a result, there is a potential for future residents to be exposed to hazardous materials in concentrations that are potentially hazardous to human health.

Several federal, state, and county agencies are currently responsible for regulating hazardous materials generation, use, and disposal. The proposed project would not result in any greater need to regulate hazardous materials, hazardous wastes, accidental spills, or contaminated properties. Nor would the ownership of the properties identified in this section change or become the responsibility of City of Elk Grove.

Furthermore, the project does not include the use, storage, or transport of hazardous materials and/or substances. In this context, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No significant hazard would be created beyond the existing current conditions in the proposed SOIA. Sacramento County has hazard materials plans and policies in place, and the proposed SOIA would act within the existing framework until the City of Elk Grove annexes the SOIA Area into the City of Elk Grove. While the project may result in a change that would have a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, incorporation of Mitigation Measure HAZ-1 above, as well as federal, state, and local laws related to hazardous substances, would render any impacts less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement Mitigation Measure HAZ-1.

Level of Significance After Mitigation

Less than significant impact.

Hazardous Materials Located Near Schools

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

Impact Analysis

This impact evaluates the proposed project's potential to emit hazardous substances near a school.

The project does not involve the creation, relocation, or changes to operation of any facilities that could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. The act of amending the City of Elk Grove's SOI would not create any additional emissions or result in the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school beyond the current existing conditions. Franklin Elementary School is the only school located within the proposed SOIA Area in the westernmost portion. Because of the distance and nature of the proposed project, no impacts are anticipated.

Level of Significance Before Mitigation

No impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

No impact.

Hazardous Materials Site Listing

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

Impact Analysis

This impact evaluates the proposed project's potential to be located on a hazardous materials site.

The SOIA Area contains one parcel of land that is listed as an RCRA generator of hazardous wastes according to the EPA's Envirofacts database (EPA 2010). The proposed SOIA Area does not contain parcels of land that are listed on the DTSC's Hazardous Waste and Substances List (DTSC 2010) or the EPA's Superfund National Priorities List (EPA 2010). Pursuant to the CEQA, DTSC maintains a Hazardous Waste and Substances Sites List (Cortese List, Government Code Section 65962.5). As part of the Cortese list, DTSC also tracks "Calsites"—mitigation or Brownfield sites that are subject to Annual Workplans and/or are listed as Backlog sites, and confirmed release sites that are not currently being worked on by DTSC. Before placing a site in the backlog, DTSC ensures that all necessary actions have been taken to protect the public and environment from any immediate hazard

posed by the site. There are currently no sites listed on the DTSC Cortese List in the County of Sacramento or any area surrounding the project site; therefore, no impact would occur.

As provided in the setting discussion, the SOIA Area includes numerous sites identified on various agency databases (see Table 3.8-1 for a more comprehensive list). However, the project does not involve the physical disruption of these existing sites. As a result, it is reasonable to conclude that the project would not create or increase existing hazards to the public or the environment compared with existing conditions in the area of incorporation. While the proposed project could result in indirect effects regarding exposure to identified hazardous sites associated with reasonably foreseeable urbanization and ground-disturbing activities of the SOIA Area, implementation of Mitigation Measure HAZ-1 above would render any impacts less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement Mitigation Measure HAZ-1.

Level of Significance After Mitigation

Less than significant impact.

Interference With Emergency Plans

Impact HAZ-5: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact Analysis

This impact evaluates the proposed project’s potential to impair or physically interfere with an emergency response plan or emergency evacuation plan.

Currently, three sets of plans are maintained by the Emergency Operations Center, including supporting documentation to a master preparedness plan known as the Multi-Hazard Functional Plan. The format of this document is in accordance with guidelines established by the Governor’s Office of Emergency Services. Essentially, the Multi-Hazard Functional Plan consolidates all hazard-specific plans prepared by several agencies throughout the County into a single document.

The proposed SOIA Area is currently covered under the County’s Multi-Hazard Functional Plan. It is likely that implementation of the SOIA would lead to the development of hundreds of new buildings, and the rural, open space, agricultural character of the area could reasonably be foreseen to change to that of an urbanized environment. The indirect urban development foreseeable associated with the proposed SOIA would not impair implementation of, or physically interfere with, any emergency response/evacuation plans, because the project will not close or modify any roadways that would be

used for such purposes. Further, future streets included within SOIA will comply with the County/City's design standards pertaining to emergency access.

The expansion of SOI boundary would not require the County to provide its own emergency response plan/emergency evacuation plan. Municipal or contract staff would create their own Multi-Hazard Functional Plan, or they would work with the County to implement a new or an existing Multi-Hazard Functional Plan. The project would not impair implementation of or physically interfere with the adopted emergency response plan or emergency evacuation plan; rather, the project provides for implementation and adoption of such plans.

Level of Significance Before Mitigation

No impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

No impact.

Wildland Fires

Impact HAZ-6: **The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.**

Impact Analysis

Wildland fires are those fires that pose a threat to the more rural areas of the County. Grass fires and peat fires are the two main types of wildland fires of concern in Sacramento County. Grass fires are an annual threat in the unincorporated area of the County, especially in recreational areas such as the American River Parkway. Peat fires are unique to the Delta where peat is subject to spontaneous combustion. Once started, these fires become very difficult to control. Peat can still burn some distance underground, even when the upper layers of peat are saturated with water over an extended period of time. Once the ground has dried out, a peat fire may return to the surface. Urbanized areas do not have fire hazards associated with high levels of vegetation.

CalFire defines wildland, wildland fires, and wildland urban interface as follows:

- Wildland: Uncultivated land, other than fallow, neglected or maintained for such purposes as wood or range-forage production, wildlife, recreation, protective watershed cover, or wilderness.
- Wildland Fire: Any fire occurring on undeveloped land.
- Wildland Urban Interface: The geographical point where flammable vegetation meets manmade structures.

The proposed SOIA Area includes areas deemed “wildlands”; however, these areas are not located in a Fire Hazard Severity Zone as identified by CalFire. It is likely that implementation of the SOIA would lead to the development of hundreds of new buildings, and the rural, open space, agricultural character of the area could reasonably be foreseen to change to that of an urbanized environment. The SOIA Area does not include the development of hillsides above the 15 percent slope line or within Fire Hazard Severity Zones. The risks to people and structures from a wildland fire on hillsides would not be significant, because (1) adequate fire protection will be available, (2) structures will utilize fire-resistant building materials (e.g., Class “A” roofing materials), and (3) the street and circulation system will comply with County/City design standards pertaining to emergency access.

The proposed SOIA Area is almost completely undeveloped, and the proposed project would not create any new areas of undeveloped land or flammable vegetation defined as wildland beyond what currently exists. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, since the SOIA Area is not located in a Fire Hazard Severity Zone. Thus, any impacts related to project implementation would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

Exposure to Electric and Magnetic Fields

Impact HAZ-7: **The project would not expose people to electric and magnetic fields from nearby high-voltage lines.**

Impact Analysis

Electric and magnetic fields (EMFs) are invisible lines of force that surround any electrical device that is plugged in and turned on. EMFs are made up of waves of electric and magnetic energy moving together (radiating) through space. Electric fields are produced by electric charges and magnetic fields are produced by the flow of current through wires or electrical devices. EMFs are commonly associated with power lines. A person standing directly under a high-voltage transmission line may feel a mild shock when touching something that conducts electricity. These sensations are caused by the strong electric fields from the high-voltage electricity in the lines. They occur only at close range because the electric fields rapidly become weaker as the distance from the line increases.

High-voltage transmission lines cross the SOIA Area east of State Route 99 and south of Grant Line Road. No federal agency has yet set extremely low frequency EMF standards for transmission lines;

therefore, no established threshold exists. Presently, no state, county, or city has provisions or codes regulating development near major transmission lines or substations. The State Department of Education developed distance setback requirements from high-voltage transmission lines for educational facilities. These setback distances are as follows: 100 feet from a 50-kilovolt (Kv) to 133 Kv line; 150 feet from a 220-Kv to 230-Kv line; and 350 feet from a 500-Kv to 550-Kv line. However, the State Department of Education revised its policy in 2003 and now allows school districts to encroach within these setbacks, based upon specific findings made in an EMF Management Plan.

The City of Elk Grove or Sacramento County does not have any setback requirements in place related to EMF. CEQA advises that a project's impact is significant if it creates a potential public health hazard. In an effort to deal with the uncertainty of EMF, several utility companies and some government jurisdictions have addressed the EMF issue through "prudent avoidance." Prudent avoidance serves to limit public exposure to EMF through planning and design measures involving relatively small investments of money and effort. The California State Board of Education standard for schools (typically the most rigorous standard) is to set buildings back 100 feet from the transmission line right-of-way.

As stated previously, no land use plan is proposed in conjunction with the SOIA application. The proposed project could result in indirect effects and exposure to EMF associated with reasonably foreseeable urbanization and ground-disturbing activities of the SOIA Area. However, with the adoption of "prudent avoidance," serving to limit public exposure to EMF with 100-foot setbacks from transmission line right-of-ways, any impacts resulting from EMF would be considered less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

