3.8
HAZARDS AND HAZARDOUS MATERIALS

This section of the Draft EIR discusses the potential presence of hazardous materials and conditions on and near the project site, and analyzes the potential risk of any such conditions in proximity to existing and proposed development. This analysis is based on the results of the Phase I Environmental Site Assessment (ESA) prepared in connection with the project site, included as Appendix H; an Initial Site Assessment: Proposed EVA Lane Driveway Approach on Airline Highway – Gavilan College San Benito Campus/Fairview Corners Residential Project (EMC, 2010) (ISA), included as Appendix I; the San Benito County General Plan; and the San Benito County Emergency Operations Plan (EOP).

3.8.1 ENVIRONMENTAL SETTING

On-Site Uses

The project site is undeveloped land that is used to cultivate barley. The land is annually disced and periodically grazed by cattle. There are no trails, roads, or other improvements on the site, except for an agricultural water pump station operated by Sunnyslope County Water District (Sunnyslope) located in the northwestern corner of the site along Fairview Road. The pump is connected to an agricultural water line that currently serves the project site. The project site does not support overhead or underground utility transmission lines.

On-Site Topography

The project site's topography consists of undulating hills with an overall relative elevation change of 45 feet. A former stock pond is located in a ground depression near the northeast corner of the site. The highest elevation is near the center of the site and the lowest points are in

the southwest corner near Fairview Road and in the northeast corner in the vicinity of the former stock pond. The site rises from Fairview Road to the crest of a hill located approximately 1,100 feet east of Fairview Road. Existing drainage patterns on the site follow the topography and generally flow in three directions: west of the crest of the hill, the site drains toward Fairview Road; to the east, the site drains to a low point in the site's northeastern corner; and along the southern boundary, the crest of the hill is interrupted by a saddle, which causes drainage to flow southward toward the adjacent property (refer to Figure 7, Existing Drainage). Depth to groundwater is approximately 120 feet below ground surface.

Surrounding Uses

The project site is bounded by rural residential uses and grassland along Old Ranch Road to the north, very low density residential uses and grassland along Harbern Way to the east, the Foxhollow Herb Farm (small agricultural operation cultivating lavender and other herbs and flowers) to the southeast, the approved but undeveloped Gavilan College San Benito Campus project to the south, and Fairview Road and the Cielo Vista single-family residential subdivision to the west. The Ridgemark Golf and Country Club, which includes a gated residential community, is located further to the south across Airline Highway. The approved but undeveloped 292-acre Santana Ranch project site is located approximately one mile to the north, on Fairview Road. The undeveloped area located between the approved Santana Ranch project and the project site is identified by the County as the Central Fairview Study Area. The Award Homes residential subdivision, on the west side of Fairview Road, just north of the Cielo Vista subdivision, has been approved by the City of Hollister, but has not yet been developed.

The Hollister Municipal Airport, which supports general aviation activities, is located more than three miles from the project site. Due to the project site's location, it is not within the San Benito County Airport Land Use Compatibility Plan. There are no public-use airports or private airstrips within two miles of the project site.

Phase I Environmental Site Assessment Findings

A Phase I ESA dated October 30, 2007, was prepared by Terrasearch Inc. to determine the presence or absence of hazardous materials on or near the project site. The ESA did not recommend a Phase II investigation, and the findings of the ESA are summarized as follows.

Based on the site observations, interviews, review of site plans, and review of relevant San Benito Water District and San Benito County Planning and Building Department files, a 20-foot wide easement to the San Benito Water Conservation and Flood Control District (District) is located on the north and east sides of the site. Based on interviews and review of regulatory agency files, the site consists of undeveloped land with no improvements, except for the water

pump station and related valves and barrel-shaped cement structures and electrical boxes. Interviews revealed that the site is used for periodic grazing as well as the cultivation of barley; these uses are generally not associated with the use of hazardous materials. As noted below, a review of historic aerial photographs (1939 – 1999) show that the site consisted of bare land during much of that time as well, with the exception of the Water District easement. (Terrasearch 2007). No surficial evidence indicating the presence of underground storage tanks was observed on the site. Additionally there was no visual evidence on the site of sumps, drains, pits, debris piles or stained soils indicating the presence of hazardous materials, including polychlorinated biphenyls (PCBs). EDR Radius Reporting indicated that the federal EPA Radon Zone for San Benito County is "2", which is associated with low exposure potential for radon by the United States Geological Survey (USGS). No secondary contamination sources were reported within a one- mile radius of the site. The report also confirms that the site is not located within a 100-year FEMA flood zone.

Records Search

Terrasearch (2007) and EMC Planning Group (2010) performed a search of federal, state, and local databases listing contaminated sites, Brownfield sites (i.e., a development site having the presence or potential presence of a hazardous substance, pollutant, or contaminant), underground storage tank (UST) sites, waste storage sites, toxic chemical sites, contaminated well sites, clandestine drug lab sites, and other sites containing hazardous materials. No such sites were found within one mile of the project site (Department of Toxic Substances Control 2010). In addition, the project site is not listed on any of these databases.

Aerial Photographs and Topographical Maps

As part of the ESA research, a review was conducted of available aerial photographs dating from 1939. The photographic evidence reveals that the project site has been vacant and has changed little over the past 60 years. Aerial photographs of the project site and vicinity dating back to 1939 were obtained as part of the ESA process. Historic United States Geological Survey (USGS) topographic maps of San Benito County dating back to 1921 were reviewed as part of EMC Planning Group's review. With the exception of the San Benito County Water District equipment and easement at the northwest corner, the site has never been developed or improved with structures.

Interviews With Current and Past Property Owners

The current and previous owners of the site as well as a current lessee were interviewed during preparation of the ESA. All three interviewees noted that, with the exception of the Water District pump equipment, the site has always been undeveloped and used for dry farming or

grazing, and that to their knowledge, no hazardous materials have been stored on the site. The ESA concluded that based on the evaluation conducted in connection with the project site and given that these types of land uses do not involve the use of pesticides, the likelihood of contamination with agricultural pesticides is low (Terrasearch 2007).

Project Site Reconnaissance

Terrasearch performed site reconnaissance in 2007. A detailed evaluation was performed by walking the project site to document the occurrence of any potential environmental concerns, including past or present petroleum storage tanks, surface stains, solid waste disposal, and transformers. Surrounding land uses were also identified during the site reconnaissance. As noted above, no evidence of potential environmental concerns was observed on the project site or surrounding lands during the site reconnaissance.

Hazardous Materials

As noted above, the ESA found no evidence of hazardous materials on the site or associated with the District water pump station or any other uses. The report concludes that based on a review of literature, aerial photography, historic topographic maps, County and regulatory agency files, there is no evidence of any uses that would indicate contamination on or near the site. The ESA conclusions about whether specific hazardous materials may be present on the project site are summarized below.

Agricultural Pesticides

As noted previously, the ESA determined that there is a low likelihood that agricultural pesticide residues are present on the site based on the historic use of the site for dry farming or grazing.

Asbestos

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties, such as thermal insulation, chemical and thermal stability, and high tensile strength. With regard to naturally occurring asbestos, according to the Department of Conservation, Division of Mines and Geology, rock formations that contain naturally occurring asbestos are known to be present in 44 of California's 58 counties, including San Benito County in the Clear Creek/New Idria area, approximately 70 miles southeast of the City of Hollister. The project site contains only undeveloped land. No structures have been or are currently present on the site except for the water pump station. According to the ESA, no asbestos materials were observed on the site or otherwise indicated to be present (Terrasearch 2007). Therefore, asbestos is not a significant environmental concern.

Lead

Lead-Based Paint

Lead is a highly toxic metal that was used until the late 1970s in a number of products, most notably paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Primary sources of lead exposure are deteriorating lead-based paint, lead-contaminated dust, and lead-contaminated soil. Since the project site contains only undeveloped land with no structures (except for the water pump station), no lead-based paint was observed on the site or otherwise indicated to be present. Therefore, lead-based paint is not a significant environmental concern.

Aerially Deposited Lead

Tetraethyl lead was used as a gasoline additive for automobiles from the 1920s until its use was banned by the State of California in January, 1992 and the federal government in January, 1996. As a fuel additive, tetraethyl lead prevents knocking or pinging in high compression engines. However, the lead in gasoline was borne in exhaust emissions where it was dispersed into the air and eventually settled onto the ground. Lead can potentially accumulate in soils, especially near roads, at levels high enough to cause health concerns.

The Department of Toxic Substances Control (DTSC) has identified concerns with potential presence of lead contaminated soils adjacent to roadways, due to the historical use of leaded gasoline in motor vehicles. Although lead additives in fuels were phased out by 1995, aerially deposited lead can persist in the environment. According to information obtained from the DTSC website, lead deposited on soils from automobile emissions remains in the top few centimeters of soil. Risks of exposure to aerially deposited lead along roadways are greatest during transport and disposal of contaminated soils, although these risks can be substantially reduced by capping the contaminated soils or burying them on-site, as permitted by the DTSC. This Draft EIR evaluates this potential concern in connection with the proposed Airline Highway EVA route, as discussed further below.

Polychlorinated Biphenyls

Polychlorinated Biphenyls (PCBs) are mixtures of synthetic chemicals with similar chemical structures. Because of their non-flammability, chemical stability, high boiling point, and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications. The project site contains only undeveloped land. No structures are on-site except for the water pump station. The ESA found no evidence of PCBs on the site (Terrasearch 2007). Therefore, PCBs are not a significant environmental concern.

3.8.2 REGULATORY SETTING

Definition of Hazardous Materials

A material 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. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR), Section 66260.10, in accordance with Health and Safety Code Section 25501(o), as follows:

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

Factors that influence the health effects of exposure to hazardous materials include the dose to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

Federal Laws and Regulations

United States Environmental Protection Agency

The United States Environmental Protection Agency (EPA) provides leadership in the nation's environmental science, research education and assessment efforts. The EPA works closely with other federal agencies, including the United States Occupational Safety and Health Administration (OSHA), the United States Department of Transportation (DOT), and the National Institutes of Health (NIH), as well as state and local governments and Native American tribes, to develop and enforce environmental protection laws and regulations. The EPA is responsible for researching and setting national standards for a variety of environmental programs and delegates to states the responsibility for issuing required permits as well as monitoring and enforcing compliance.

The California Department of Toxic Substance Control (DTSC) is authorized to implement the State's hazardous waste management program for the U.S. EPA. The U.S. EPA continues to regulate hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act.

Comprehensive Environmental Response, Compensation and Liability Act

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. § 9601 *et seq*.) introduced active federal involvement to emergency response, site remediation, and spill prevention, most notably the Superfund program.

This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA contains prohibitions and requirements concerning closed and abandoned hazardous waste sites, provides for liability of persons responsible for releases of hazardous waste at these sites, and establishes a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions: Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response, and long-term remedial response actions, which permanently and significantly reduce the dangers associated with releases or threatened releases of hazardous substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List (NPL).

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6901 *et seq*.) gave the U.S. EPA the authority to control hazardous waste from "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. In addition, the RCRA sets forth a framework for the management of non-hazardous wastes.

The 1984 amendments to the RCRA enabled the U.S. EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. The program established tank and leak detection standards, including spill and overflow protection devices for new tanks. The tanks must also meet certain performance standards to ensure that the stored material will not corrode the tanks.

The federal Hazardous and Solid Waste Amendments (HSWA) (42 U.S.C. § 9601 *et seq.*) to the RCRA required the phasing out of the practice of "land disposal" of hazardous waste. Some of the other mandates of this law include increased U.S. EPA enforcement authority, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

Federal Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) (15 U.S.C. § 2601 *et seq.*) authorizes the U.S. EPA to secure information on all new and existing chemical substances and to control any of these substances determined to cause an unreasonable risk to public health or the environment. This Act also includes requirements for the storage, use, and disposal of Polychlorinated Biphenyl (PCB)-containing materials.

Federal Insecticide, Fungicide, and Rodenticide Act

The primary focus of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. § 136 *et seq.*) is to provide federal control of pesticide distribution, sale, and use. The U.S. EPA was given authority under the FIFRA not only to study the consequences of pesticide usage, but also to require users (farmers, utility companies, and others) to register when purchasing pesticides. Through later amendments to this law, users also must take exams for certification as applicators of pesticides. All pesticides used in the United States must be registered by the U.S. EPA. Registration assures that pesticides are properly labeled and will not cause unreasonable harm to the environment.

State Laws and Regulations

Cal-EPA and the State Water Resources Control Board

The California Environmental Protection Agency (Cal-EPA) and the State Water Resources Control Board (SWRCB) establish rules governing the use of hazardous materials and the management of hazardous waste. Within Cal-EPA, the California Department of Toxic Substances Control (DTSC) has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with Cal-EPA, for the management of hazardous materials and the generation, transport, and disposal of hazardous waste.

San Benito County is currently responsible for implementing Chapter 6.95 of Division 20 of the California Health and Safety Code (§ 25500 *et seq.*) relating to hazardous materials release response plans and inventory.

Cal-OSHA

The California Occupational and Health Administration (Cal-OSHA) is responsible for implementing workplace regulations. Cal-OSHA considers an asbestos-containing material (ACM) as one containing at least 1 percent asbestos. A contractor certified by the California Contractor's State License Board to conduct asbestos-related work must perform the removal or

disturbance of 100 square feet or more of ACM. Requirements specifically addressing asbestos are contained in Title 8 of the California Code of Regulations (CCR) and in the California Health and Safety Code.

California Water Code

California Water Code Section 231 requires the California Department of Water Resources (DWR) to develop well construction standards to protect California's groundwater quality. DWR Bulletin 74-90 (Supplement to Bulletin 74-81), California Well Standards, Water Wells, Monitoring Wells, Cathodic Protection Wells (June 1991), contains the minimum requirements for constructing, altering, maintaining and destroying these types of wells. The standards apply to all water well drillers in California and the local agencies that enforce them.

California Health and Safety Code

The California Hazardous Waste Control Act (HWCA) (Health & Safety Code § 25100 *et seq.*) is the State's equivalent to the RCRA and closely parallels it by regulating the generation, storage, transportation, treatment, and disposal of hazardous waste in the State. The primary authority for enforcement of HWCA and RCRA itself lies with the DTSC. The EPA has granted the State the authority to administer all regulations under both the RCRA and the HCWA.

California Health and Safety Code Sections 25531 *et seq.* incorporate the requirements of the 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 Risk Management Plan (RMP). The RMP must be submitted to the appropriate local authorities, the designated local administering agency, and the EPA for review and approval.

Local Laws and Regulations

San Benito County Environmental Health Department

San Benito County is responsible for implementing Chapter 6.95 of Division 20 of the California Health and Safety Code (§ 25500 *et seq.*), relating to hazardous materials release response plans and inventory. The San Benito County Environmental Health Department (SBCEHD) has been designated the lead agency for hazardous materials programs, and acts as the single point of contact for issuance of permits. Site inspections of all hazardous materials programs (i.e., aboveground tanks and underground tanks, hazardous waste treatment, hazardous waste generators, hazardous materials management plans, etc.) are consolidated and accomplished by a single inspection.

The program provides emergency response to chemical events to furnish substance identification; health and environmental risk assessment; air, soil, water, and waste sample collection; incident mitigation and cleanup feasibility options; and on-scene coordination for state Superfund incidents. The program also provides for the oversight, investigation, and remediation of unauthorized releases from underground tasks.

San Benito County Emergency Operations Plan

The San Benito County Emergency Operations Plan (EOP) (2005) provides guidance for the County's response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations – both during war and peacetime. The EOP concentrates on operational concepts and response procedures relative to large scale disasters, and addresses operations for the entire County.

San Benito County General Plan

Safety Element

The following policies from the Safety Element of the San Benito County General Plan are relevant to the proposed project:

> **Policy 3.** It will be the County's policy to require that lands which are subdivided and developed in the future to residential or commercial uses be designed and constructed in such a manner that levels of "acceptable risk" identified in Appendix A of the Seismic Safety Element are not exceeded.
>
> It will be the County's further policy that these uses will supply adequate water for normal use and fire suppression. Roads which are suitable for safe passage for emergency vehicles, legible street name signs and two means of access to all parcels except on those with cul-de-sacs 600 feet or less.
>
> **Policy 4.** It will be the County's policy to update periodically information on existing hazards and reduce the risk from them.

3.8.3 Standards of Significance

The following thresholds for evaluating a project's environmental impacts are based on the State CEQA Guidelines and standards used by San Benito County. For purposes of this Draft EIR, impacts are considered significant if the following could result from implementation of the proposed project:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (during operation or construction);
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter mile of an existing or proposed school;
- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- Be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, and thus result in a safety hazard for people residing or working in the project area (Because the project site is not located within an airport land use plan or located within two miles of a public airport, public use airport, or private airstrip, there would be no impact; therefore, this topic area is not evaluated further. See Chapter 5.0, Other Sections Required By CEQA);
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- 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.

3.8.4 PROJECT IMPACTS AND MITIGATION MEASURES

Hazards Associated With Routine Use or Accidental Release of Hazardous Materials

Impact HAZ-1: The project may create a significant hazard to the public or the environment through the routine transport, use, or disposal or hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This is a **potentially significant** impact.

Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during

construction. Transportation, storage, use and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance with these laws and regulations would ensure that human health and the environment are not impaired from exposure to hazardous materials. In addition, MM HYD-1a and MM HYD-1b require the project developer to implement a Storm Water Pollution Prevention Plan (SWPPP) during construction activities to prevent contaminated runoff from leaving the project site. Implementation of MM HYD-1a and MM HYD-1b would reduce the impacts of contaminated runoff during construction to a **less than significant level.** Therefore, no significant impacts in this regard would occur during construction activities.

From an operational standpoint, the project proposes only residential and related uses and would not be a large-quantity user of hazardous materials. Small quantities of hazardous materials in the form of typical household products would be used on-site, including cleaning solvents, paints, disinfectants, pesticides, and fertilizers. Handling, usage and disposal requirements (e.g., Cal. Health & Safety Code § 25531) would apply. The potential risks posed by the use and storage of these hazardous materials are primarily limited to the immediate vicinity of the materials, and are anticipated to be low. Additionally, as discussed in Section 3.2 (Agricultural Resources), implementation of Specific Plan Policy RM-4.3 #3 would limit the use of pesticides and fertilizers in common open space areas between development on the site and abutting properties. Further, implementation of MM AG-1 ensures the provision of open space buffer areas around the perimeter of the site and reduces the effects of pesticide and fertilizer use in these areas to a **less than significant level.**

There is a possibility that aerially deposited lead from gasoline exhaust may be present in undisturbed soils within the Caltrans right-of-way in the location of the planned EVA route on Airline Highway. Placement and construction of the EVA route in this location was evaluated in the Gavilan College San Benito Campus EIR and approved by the Gavilan Community College District as part of the San Benito Campus project. The planned EVA route would utilize the existing driveway opening in this location, which would minimize the extent of disturbance. The Gavilan College District has confirmed (email correspondence, March 7, 2011) that the proposed EVA route will be constructed in compliance with all Caltrans conditions of approval, including the protocols required by DTSC.

In summary, the project would not create a significant hazard to the public or the environment from routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions. Impacts would be **less than significant with mitigation incorporated.**

Impact HAZ-2: The proposed project site is located more than one-quarter mile from existing schools, but within one-quarter mile of a proposed school. This is a **potentially significant** impact.

The project site is not currently located within one-quarter mile of a school; the closest school for school-aged children would be the one proposed to be located within the recently approved but not yet built Santana Ranch project (approximately two miles away) and for adults, the approved but not yet built Gavilan College San Benito Campus, which is planned on the adjoining parcel to the south. As noted below in the discussion of Impact HAZ-3, the project site is not included on a list of any hazardous materials sites. As noted above under the discussion of Impact HAZ-1, the project proposes only residential and related uses and would not be a large-quantity user of hazardous materials. Small quantities of hazardous materials in the form of typical household products would be used on-site, including cleaning solvents, paints, disinfectants, pesticides, and fertilizers. Handling, usage and disposal requirements (e.g., Cal. Health & Safety Code § 25531) would apply. The potential risks posed by the use and storage of these hazardous materials are primarily limited to the immediate vicinity of the materials, and are anticipated to be low. Additionally, as discussed in Section 3.2 (Agricultural Resources), implementation of Specific Plan Policy RM-4.3 #3 would limit the use of pesticides and fertilizers in common open space areas between development on the site and abutting properties. Further, implementation of MM AG-1 would ensure the provision of open space buffer areas around the perimeter of the site and reduce the effects of pesticide and fertilizer use in these areas to a less than significant level. Therefore the project construction and operations would not create a significant hazard to nearby schools. The impacts would be **less than significant with mitigation incorporated**.

Impact HAZ-3: The project site is not included on a list of any hazardous materials sites and therefore would not create a significant hazard to the public or the environment in this regard. Therefore, **no impact** would occur.

As noted above, the Environmental Site Assessment and Initial Site Assessment (see Appendices H and I) found that the project site is not included on any list of hazardous materials sites maintained by the County Health Department, EPA or DTSC. Additionally, a search of the Envirostor website (DTSC 2010) revealed that there are no listed sites within one mile of the project site. Therefore **no impact** would occur.

No mitigation is required.

Impact HAZ-4: The project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This is a **less than significant** impact.

The current San Benito County Emergency Operations Plan (EOP) contains procedures for responding to various types of large-scale emergencies within San Benito County, and defines emergency response and management roles for County officials. The project would be required to adhere to the emergency response and management activities defined within the EOP, and therefore it would not impair implementation of or physically interfere with the EOP.

The proposed project would not impair implementation of an emergency response or evacuation plan. The proposed project consists of a maximum of 220 residential units provided on 60 acres with access to Fairview Road in an area of the County identified for development. Additionally, all new roadways would be constructed to County standards, which meet load and access requirements for emergency vehicles. Furthermore, a secondary access to the site will be provided on an emergency basis by the EVA road planned by the approved Gavilan College San Benito Campus project, which extends from the proposed project site, through the adjoining San Benito College Campus, to Airline Highway, as shown on the Circulation Diagram (Figure 14). The Gavilan College District has confirmed (email correspondence March 7, 2011) that the proposed EVA will be constructed in compliance with County and Caltrans conditions of approval. In the event the proposed project precedes construction of the Gavilan College San Benito Campus and/or the Gavilan College San Benito Campus is not built, the developer(s) of the proposed project will construct an EVA lane acceptable to the San Benito County Public Works Department and in accordance with County standards prior to the issuance of any residential building permits. The developer would be required to provide an all-weather road connecting all residential units to the EVA to Airline Highway, or in the event the proposed project precedes construction of the Gavilan College San Benito Campus and/or the campus project is not built, to the alternative EVA to be approved by the County for emergency access purposes.

Therefore, the project's impacts in this regard would be **less than significant**.

No mitigation is required.

Impact HAZ-5: The project may expose people or structures to a significant risk of loss, injury, or death involving wildland fires. This is a **less than significant** impact.

Wildland fire impact may be considered significant if the proposed project would 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. According to CalFire, the project site is classified within the "moderate" fire severity zone, by the San Benito County Fire Hazard Severity Zone Map (2007). However, the project site is not located in an area prone to wildland fire or excessive fuel loading, and the County Fire Station is located in the vicinity on Fairview Road, and is readily accessible to emergency and fire personnel should an incident occur. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires and impacts would be **less than significant.**

No mitigation is required.

3.8.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

Impact HAZ-6: Implementation of the proposed project in addition to past, present and reasonably foreseeable, probable future projects, may result in cumulative hazardous risk impacts. This is considered a **less than significant** cumulative impact.

Implementation of the proposed project would result in potential short-term impacts during construction activities associated with exposure to hazardous substances such as fuels, oils, mechanical fluids, and other chemicals used during construction. Further, typical household products that may be hazardous are also anticipated to be on-site in small quantities during operation of the project. However, any hazardous materials impacts would be site-specific and are generally not affected by cumulative development in the region. As described in this Section 3.8, with proper implementation of mitigation measures incorporated herein and adherence to applicable laws and regulations, the proposed project would not contribute to an increase in the potential for soil or groundwater contamination or the potential risk of upset as a result of current or past land uses. The proposed project would not combine with any planned growth in the area to cause an impact greater or more significant than the project impact alone, or result in incremental impacts associated with hazardous materials in combination with other past, present or reasonably foreseeable future projects, which would be considered significant. Therefore, the cumulative impact of the project would be considered **less than significant.**

No mitigation is required.

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