

4.7 HAZARDS AND HAZARDOUS MATERIALS

This section describes the existing setting of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Villa Storia Planned Development (PD) Plan (proposed project). The following analysis is based upon the Phase I Environmental Site Assessment (Phase I ESA) that was prepared for the proposed project by GeoTek, Inc. (GeoTek) in 2012. The analysis is also based upon the Limited Phase II Environmental Site Assessment (Phase II ESA) that was prepared for the proposed project by GeoTek in 2012 and are both incorporated by reference herein (Geotek 2012a, 2012b). Both the Phase I and II ESAs are included in Appendix G of this EIR.

4.7.1 Relevant Plans, Policies, and Ordinances

Federal

Federal Toxic Substances Control Act and Resource Conservation and Recovery Act

The Federal Toxic Substances Control Act of 1976 (15 U.S.C. 2601–2697) and the Resource Conservation and Recovery Act (RCRA) of 1976 (42 U.S.C. 6901–6992) established a program administered by the U.S. Environmental Protection Agency (EPA) for regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (PL 98-616), which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act. Under the authority of RCRA, the regulatory framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste is found in 40 CFR, Parts 260–299.

Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the United States Code (U.S.C.). State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. These agencies also govern permitting for hazardous materials transportation. Title 49 CFR reflects laws passed by Congress as of January 2, 2006.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA; 42 U.S.C. 9601–9675), commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases

or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants.

International Fire Code

The International Fire Code (IFC; ICC 2012), created by the International Code Council (ICC), is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code (IBC) use a hazard classification system to determine what protective measures are required to protect life safety in relation to fire. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

Federal Aviation Administration Functions

The Federal Aviation Administration (FAA) has primary responsibility for the safety of civil aviation. The FAA's major functions regarding hazards include the following: (1) developing and operating a common system of air traffic control and navigation for both civil and military aircraft, (2) developing and implementing programs to control aircraft noise and other environmental effects of civil aviation, (3) regulating U.S. commercial space transportation, and (4) conducting reviews to determine that the safety of persons and property on the ground are protected.

Federal Response Plan

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

State

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (CalOSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 330 et seq.). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

California Hazardous Waste Control Act

The Department of Toxic Substances Control is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code, Section 25100 et seq.), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal requirements. While the Hazardous Waste Control Act is generally more stringent than RCRA, until the EPA approves the California hazardous waste control program (which is charged with regulating the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Act lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

According to 22 CCR 66001 et seq., substances having a characteristic of toxicity, ignitability, corrosivity, or reactivity are considered hazardous waste. Hazardous wastes are hazardous substances that no longer have a practical use, such as material that has been abandoned, discarded, spilled, contaminated, or are being stored prior to proper disposal.

Toxic substances may cause short-term or long-lasting health effects ranging from temporary effects to permanent disability or death. For example, toxic substances can cause eye or skin irritation, disorientation, headache, nausea, allergic reactions, acute poisoning, chronic illness, or other adverse health effects if human exposure exceeds certain levels (the level depends on the substance involved). Carcinogens (substances known to cause cancer) are a special class of toxic substances. Examples of toxic substances include most heavy metals, pesticides, and benzene (a

carcinogenic component of gasoline). Ignitable substances (e.g., gasoline, hexane, and natural gas) are hazardous because of their flammable properties. Corrosive substances (e.g., strong acids and bases such as sulfuric (battery) acid or lye) are chemically active and can damage other materials or cause severe burns upon contact. Reactive substances (e.g., explosives, pressurized canisters, and pure sodium metal, which react violently with water) may cause explosions or generate gases or fumes.

Other types of hazardous materials include radioactive and biohazardous materials. Radioactive materials and wastes contain radioisotopes, which are atoms with unstable nuclei that emit ionizing radiation to increase their stability. Radioactive waste mixed with chemical hazardous waste is referred to as “mixed wastes.” Biohazardous materials and wastes include anything derived from living organisms. They may be contaminated with disease-causing agents, such as bacteria or viruses (22 CCR 66261.1 et seq.).

Cortese List

Government Code Section 65962.5, commonly referred to as the Cortese List, was originally enacted in 1985. Provisions set forth in Section 65962.5 require that the Department of Toxic Substances Control compile and update a list of the following:

- All hazardous waste facilities subject to corrective action
- All land designated as hazardous waste property or border zone property
- All information received by the Department of Toxic Substances Control on hazardous waste disposals on public lands
- All sites listed pursuant to Section 25356 of the Health and Safety Code (hazardous substance release sites)
- All sites included in the Abandoned Site Assessment Program

California Accidental Release Prevention Program

Similar to the EPA Risk Management Program, the California Accidental Release Prevention (CalARP) Program (19 CCR 2735.1 et seq.) regulates facilities that use or store regulated substances, such as toxic or flammable chemicals, in quantities that exceed established thresholds. The overall purpose of CalARP is to prevent accidental releases of regulated substances and reduce the severity of releases that may occur. The CalARP Program meets the requirements of the EPA Risk Management Program, which was established pursuant to the Clean Air Act Amendments.

California Health and Safety Code

In California, the handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95, of the California Health and Safety Code (Section 25500 et seq.). Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan. Hazardous materials business plans contain basic information about the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for Hazardous Materials Business Plans. Each business shall prepare a Hazardous Materials Business Plan if that business uses, handles, or stores a hazardous material (including hazardous waste) or an extremely hazardous material in disclosable quantities greater than or equal to the following:

- 500 pounds of a solid substance
- 55 gallons of a liquid
- 200 cubic feet of compressed gas
- A hazardous compressed gas in any amount (highly toxic with a Threshold Limit Value of 10 parts per million or less)
- Extremely hazardous substances in threshold planning quantities (California Health and Safety Code, Section 25503.5).

In addition, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by California code, facilities are also required to prepare a risk management plan and California accidental release prevention plan. The risk management plan and accidental release prevention plan provide information about the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts.

California Fire Code

The California Fire Code (CFC) is Chapter 9 of Title 24 of the CCR. It was created by the California Building Standards Commission, and it is based on the IFC created by the ICC. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment.

To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years.

California Emergency Services Act

Under the Emergency Services Act (California Government Code, Section 8550 et seq.), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an integral part of the plan, which is administered by the Governor's Office of Emergency Services. The Office of Emergency Services coordinates the responses of other agencies, including the EPA, California Highway Patrol, Regional Water Quality Control Boards (RWQCBs), air quality management districts, and county disaster response offices.

Regional Water Quality Control Board (RWQCB)

The RWQCB implements the California Water Code which regulates waste discharges to land. If a discharge of waste threatens a water of the state, a report waste discharge or an application for a waiver of a report of waste discharge must be filed with the RWQCB. The RWQCB accomplishes its permitting responsibility by issuing either a general or site-specific permit (Waste Discharge Permit) or a waiver of a permit.

Local

San Diego County Emergency Plan

The San Diego County Emergency Plan is a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents and nuclear defense operations. The Plan includes operational concepts relating to various emergency situations, identifies components of the Emergency Management Organization and describes the overall responsibilities for protecting life and property and assuring the overall well-being of the population. The plan also identifies the sources of outside support that might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies and the private sector.

San Diego County Multi-Jurisdiction Hazard Mitigation Plan

The San Diego County Multi-Jurisdiction Hazard Mitigation Plan was prepared in July 2010 to meet federal and state requirements for disaster preparedness to make the county eligible for funding and technical assistance from state and federal hazard mitigation programs. The plan includes a risk assessment to enable local jurisdictions to identify and prioritize appropriate mitigation actions that will reduce losses from potential hazards, including flooding, earthquakes, fires, and man-made hazards. To address potential hazards, the plan then incorporates mitigation

goals and objectives, mitigation actions and priorities, an implementation plan, and documentation of the mitigation planning process for each of the twenty-one participating jurisdictions, including the City of Oceanside.

California Disaster and Civil Defense Master Mutual Aid Agreement

As provided for in the California Emergency Services Act, this agreement was developed in 1950 and adopted by all 58 California counties. This statewide mutual aid system is designed to ensure that adequate resources, facilities, and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with a given situation. San Diego County is located in Mutual Aide Region 6 of the state system, which also includes Imperial, Riverside, San Bernardino, Inyo, and Mono counties.

Oceanside Municipal Airport Land Use Compatibility Plan

The San Diego County Regional Airport Authority develops and adopts Airport Land Use Compatibility Plans (ALUCPs) for each public use and military airport within its jurisdiction. The Oceanside Municipal ALUCP, as amended in December 2010, provides policies to ensure compatibility with the airport and surrounding land uses. These policies span various topics including noise, overflight zones, and safety. The ALUCP is based upon the FAA approved Airport Layout Plan.

City of Oceanside General Plan

State of California Law requires that each city prepare and adopt an approved General Plan that provides comprehensive, long-term guidance for the City's future. General Plans are also required to contain specific elements regarding different areas of planning; relevant elements are as follows:

Hazardous Waste Management Element

The Hazardous Waste Management Element serves as primary guidelines for policies as they relate to effective management of hazardous materials within the City of Oceanside's influence. This element emphasizes policies that minimize hazardous waste within the City and contains siting criteria for specified hazardous waste facilities.

Public Safety Element

The Public Safety Element identifies hazards, such as earthquakes, fires, and tsunamis, and provides guidelines for proper mitigation measures, such as evacuation routes, to ensure safety. Along with long range policies regarding seismic, flooding, and fire hazards, this element also includes a Public Safety Plan. The Public Safety Plan includes maps of indicating areas that have increased susceptibility to these hazards and relocation routes during emergency evacuations.

4.7.2 Existing Conditions

The proposed project site is within the City of Oceanside and is located north of Mission Avenue and State Route 76 (SR-76), south of Frazee Road, west of Spring Creek Way, and east of facilities associated with an existing hockey rink, including a gravel parking lot. Academy Road generally bisects the proposed project site in a north-south orientation. The majority of the proposed project site is vacant land. Surrounding land uses include the Alano Club and a mobile home community to the north, Ivey Ranch Park Association to the south, residential homes to the east/northeast (including San Luis Rey Homes and River Ranch Homes), and Old Mission Montessori School to the west. The nearest airport to the proposed project site is Oceanside Municipal Airport is located approximately 2.4 miles east/southeast.

Historic Uses

Historical uses of the proposed project site were observed via aerial photographs (see Appendix B of the Phase I ESA). The following summarizes the series of photographs observed:

- **1946 aerial:** the proposed project site appears to be vacant.
- **1953 aerial:** the proposed project site appears to be vacant.
- **1963 aerial:** a portion of the western section of the proposed project site appears to be utilized for agricultural purposes while the remainder of the site appears to be vacant. Academy Road is now observed to bisect the proposed project site.
- **1974 aerial:** the proposed project site appears to be vacant.
- **1980 aerial:** the proposed project site appears to be vacant. A structure that appears just west of the site is likely now the existing hockey rink.
- **1990 aerial:** structures, possibly trailers, are observed in the surrounding area east of the hockey rink within the proposed project site, while the remainder of the proposed project site appears to be vacant.
- **1994 aerial:** a parking lot just south of the associated hockey rink can be observed. The remainder of the proposed project site appears to be vacant.
- **2005 aerial:** a rectangular grassy area, likely a sports field, can be observed to the northeast of the hockey rink. The remainder of the proposed project site appears to be similar to the current conditions.
- **2011 aerial:** the proposed project site appears to be similar to the current conditions.

Environmental Database Records Search

As part of the Phase I ESA, a database search report was obtained from Environmental Data Resources, Inc. The report documents findings of various federal, state, and local regulatory database searches regarding properties with known or suspected releases of hazardous materials, chemical handlers, and/or polluters. The searches were performed according to American Society for Testing Materials (ASTM) E 1527-05 standards for Phase I ESA database searches. A list and description of the databases searched are included in Appendix G. Further discussion of the database search, as well as discussion regarding the need for the Limited Phase II ESA, is found in Section 4.7.4 below.

Site Reconnaissance

GeoTek performed site reconnaissance on the proposed project site on September 19, 2012. The observations are summarized below:

- The proposed project site and immediate vicinity are observed to be mostly residential development.
- A hockey rink and an associated gravel parking lot are located adjacent to the western boundary of the proposed project site.
- Several manholes likely associated with a storm drain system are located within the eastern portion of the proposed project site.
- No evidence of obvious hazardous materials, dumping, staining, or discoloration were observed on the proposed project site.
- No odors were present on the proposed project site.
- No evidence of underground storage tanks and their associated structures were observed on the proposed project site.
- Transformers on power poles were observed adjacent to the proposed project site to the west and south. No evidence of leakage of possible internal Poly-Chlorinated Biphenyls (PCB) from the transformers was observed.
- No evidence of other PCB associated facilities and equipment was located on the proposed project site.
- No evidence of illegal or controlled substances being used or manufactured on the proposed project site.
- Solid waste dumpsters likely associated with the hockey rink were observed near the facility near the western boundary of the proposed project site.
- Several storm drain inlet and outlet structures were observed on the proposed project site which consists of a natural drainage to the north/northeast.

Interviews

GeoTek interviewed Melissa Krause of Integral Communities, the project applicant, via a “User Questionnaire”. The questionnaire and responses from Ms. Krause can be found in the Phase I ESA in Appendix G. In summary, Ms. Krause is not aware of any environmental clean-up liens, activity use limitations, or indicators of contamination as it relates to the proposed project site.

4.7.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to hazards and hazardous materials are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous materials would occur 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 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 result, would is 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 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.
- 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.

4.7.4 Impacts Analysis

A. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Construction of the proposed project would entail routine transport of potentially hazardous materials including, but not limited to, gasoline, oil, solvents, cleaners, and paint. Proper Best Management Practices (BMPs) (such as proper and clear labeling of chemicals and preparation of an accidental release plan), Storm Water Pollution Prevention Programs (SWPPPs) (refer to Section 4.8, Hydrology and Water Quality), and hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling, transport, use, and disposal of all hazard materials during the construction phase of the proposed project. Construction would also adhere to any local standards set forth by the City of Oceanside as well as state and federal health and safety requirements that are intended to minimize hazardous materials risk to the public, such as CalOSHA requirements, Hazardous Waste Control Act, CalARP, and the California Health and Safety Code (described in Section 4.7.1). Therefore, impacts are found to be less than significant in relation to the construction phase of the proposed project.

The operational phase of the proposed project primarily involves residential dwelling with associated landscape and facility maintenance; none of the proposed land uses are typically considered hazardous to the public. Hazardous materials would then be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. These substances are required to comply with relevant federal, state, and local health and safety laws, which are intended to minimize health risk to the public associated with hazardous materials. Therefore, impacts related to the operational phase of the proposed project would be less than significant.

B. *Would the project 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 the Phase I ESA site inspection, GeoTek found no evidence of hazardous material release(s) onto the proposed project site. The database search report obtained through Environmental Data Resources, Inc. also shows that the proposed project site is not found on any hazardous site lists (see also response (d) below). As found through observation, the proposed project site has largely appeared vacant since 1946. However, as observed in the 1963 aerial photograph, it appears that a portion of the western section of the proposed project site was used for agricultural purposes. Due to historic uses of pesticides that are currently considered a health risk and no longer in use, hazardous substances may potentially exist in surface and near-surface soils. In October 2012, GeoTek performed a limited Phase

II ESA in which soil samples retrieved from each of the four planning areas at a depth of six inches were tested for pesticides and herbicides used since the 1950s. Based on this analysis, GeoTek concluded that no pesticides or herbicides were detected in the samples retrieved from the proposed project site and that no additional soil analysis for agricultural hazardous materials would be needed. Therefore, impacts would be less than significant.

During both construction and operation of the proposed project, there is potential for release of hazardous materials related to storage, transport, use, and disposal from construction debris, landscaping, and commercial products. However, the proposed project would be required to adhere to federal, state, and local laws, such as CalOSHA requirements, Hazardous Waste Control Act, CalARP, and the California Health and Safety Code (described in Section 4.7.1), that regulate the management and use of hazardous materials, which are intended to minimize risk to public health associated with hazardous materials. Additionally, project proposes residential development, which is not typically considered a source of substantial hazardous materials. Therefore, the proposed project's compliance with these laws would result in less than significant impacts.

C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Old Mission Montessori School, within the Mission San Luis Rey Parish property to the west of the project site and the Ivey Ranch Child Development Center and Preschool (approximately 400 feet southwest), are the schools within one-quarter mile of the project site. Other nearby schools not within a one-quarter mile distance to the proposed project site include Nichols Elementary to the north (approximately 0.3 miles, just outside the one-quarter mile radius), Louise Foussat Elementary to the northwest (approximately 0.77 miles), Cesar Chavez Middle to the northeast (approximately 0.75 miles). As discussed in Section 4.2, Air Quality, the proposed project would not result in significant Toxic Air Contaminant concentrations or hazardous emissions during operation. As previously stated in the above responses, the proposed project would be required to adhere to federal, state, and local laws that regulate the management, use, and disposal of hazardous materials, which are intended to minimize the risk to public health associated with hazardous materials. As discussed in response (b) above, the Phase II ESA performed by GeoTek concluded that the soils of the project site do not contain hazardous agricultural chemicals; therefore, excavation of soils would not release any hazardous materials into the immediate area. Further, residential development is not typically considered a source of substantial hazardous materials. The proposed project's compliance with these laws would result in less than significant impacts to the Old Mission Montessori School, the Ivey Ranch Child Development Center and Preschool, or Nichols' Elementary.

D. Would the project 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 result, would it create a significant hazard to the public or the environment?

A Phase I ESA was prepared by GeoTek in 2012 to determine whether any environmental hazards are present at the site or surrounding areas. As part of the Phase I ESA, a database search report was obtained from Environmental Data Resources, Inc.; which documents various federal, state, and local regulatory database searches regarding properties with known or suspected releases of hazardous materials, chemical handlers, and/or polluters. The findings of the Phase I ESA concluded that the proposed project site is not located on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Of the databases searched, one facility in the EnviroStor Database was identified to be located 0.628 mile from the project site. This facility, listed as the Pala West School, has a status of “no further action” and is not considered an environmental concern. Four facilities were identified in the Leaking Underground Storage Tanks List to occur within 0.5 mile of the project site. One of these facilities is identified as Mission San Luis Rey (0.197 mile from the project site) with no further information provided. The second facility identified is listed as Mission San Luis Rey Parish (0.197 mile from the project site) and appears to be the same facility as the first listed in the Leaking Underground Storage Tanks List. The third facility identified as Mission San Luis Rey Retreat C (0.222 mile from the project site). The fourth facility is also identified as Mission San Luis Rey Retreat C (0.222 mile from the project site) and appears to be the same and/or associated with the third facility. All facilities’ statuses note “completed - case close” and do not represent an environmental concern. Therefore, implementation of the proposed project would not result in impacts to the public or the environment from a listed hazardous materials site.

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?

The nearest airport to the proposed project site is Oceanside Municipal Airport is located approximately 2.4 miles east/southeast. According to the Oceanside Municipal ALUCP, the project site lies within “Review Area 2” and is therefore subject to airspace protection, notification of overflight, and limits to height of structures are the only restrictions; however the project site is not within specific safety zones subject to precise compatible development guidelines and is not subject to land use type restrictions (San Diego County Regional Airport Authority 2010). Additionally, the project site is not located within the FAA notification boundary; the project would only be required to notify the FAA for construction of structures greater than 200 feet above ground level (San Diego County Regional Airport Authority 2010). The project proposed a maximum of a three-story residential dwelling with no structures

reaching 200 feet in height. Therefore the proposed project would not expose workers or patrons to safety hazards associated with airports. Impacts would be less than significant.

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?

The proposed project site is not located within the vicinity of a private airstrip as the surrounding land uses are largely residential development and would not result in safety hazards for people residing or working in the proposed project area. Therefore, no impact would occur.

G. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Academy Road currently serves as the primary access for land uses to the north and would serve as the primary access to the proposed project site. The project proposes for the Mission Avenue/Academy Road intersection to be shifted to the west approximately 100 feet, construction of site improvements to Academy Road, and the removal of barricades to allow for Frazee Road to fully connect between Mission Avenue and Old Grove Road. The City's Public Safety Element lists SR-76 and El Camino Real as the nearest primary evacuation routes. The City of Oceanside has an adopted Emergency Plan that outlines how local jurisdictions would implement a comprehensive emergency management system in response to a disaster; as part of the approval of the proposed project, the disclosure of all natural and manmade hazards must be made to the City, as is found through this EIR (specifically Section 4.6, Geology and Soils, and Section 4.7, Hazards and Hazardous Materials (City of Oceanside 2009).

As discussed in Section 4.14, Traffic and Circulation, during construction of the proposed project, access to Academy Road may be temporarily impeded due to general project construction and Academy Road site improvements. However, preparation and implementation of a City approved Traffic Control Plan (see mitigation measure MM-TRA-6 in Section 4.14, Traffic and Circulation) for the construction phase of the proposed project would require coordination with the City and emergency service providers to ensure that construction does not substantially interfere with emergency response or evacuation. Impacts would be less than significant during construction.

As discussed in Section 4.14, Traffic and Circulation, with proposed improvements and incorporation of traffic mitigation measures, surrounding roadways and intersections would operate at acceptable levels of service. Therefore, under typical circumstances, the proposed project would not result impairment of local roadways. During the operational phase of the proposed project, Frazee Road will no longer exist as a segmented roadway due to the removal of the two barricades near Academy Road, establishing a new access. Generally, this new connection would allow for greater access to and from the proposed project site and the

surrounding residential neighborhoods. No portion of the project would impede the ability of SR-76 or El Camino Real to act as emergency evacuation routes as identified in the City's General Plan Public Safety Element. Therefore, impacts would be less than significant in relation to the operational phase of the proposed project.

H. Would the project 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?

The proposed project site is located in an urbanized area largely comprised of residential development. The site is bounded by Mission Avenue and SR-76 to the south, Mission San Luis Rey and associated facilities to the west, a mobile home community and residential development to the north, and residential development to the east. Beyond the mobile home community and residential development lies San Luis Rey River to the north. While the San Luis Rey River is lined with vegetation, it does not represent a significant potential for wildland fires and wildlands are not adjacent to the proposed project site. Further, according to CAL FIRE's Very High Fire Hazard Severity Zones in LRA (Local Responsibility Area) map, the project site is not located within or adjacent to a Very High Fire Hazard Severity Zone (CAL FIRE 2009). Therefore, impacts would be less than significant.

4.7.5 Mitigation Measures

No mitigation measures are required.

4.7.6 Level of Significance After Mitigation

All impacts would be less than significant and do not require any mitigation.

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