

3.7 Hazards and Hazardous Materials

This section provides an assessment of potential impacts related to hazards and hazardous materials that could result from project implementation. Potential hazards addressed in this section include releases of hazardous materials during construction, use of hazardous materials during operation, hazardous materials in soil and groundwater, and hazards related to aviation, emergency preparedness, and wildfires.

3.7.1 Environmental Setting

Hazardous Materials Definition

The term “hazardous materials” refers to both hazardous substances and hazardous wastes. Under federal and state laws, materials, including wastes, may be considered hazardous if they are specifically listed by statute as such or if they exhibit one of the following four characteristics: toxicity (causes adverse human health effects), ignitability (has the ability to burn), corrosivity (causes severe burns or damage to materials), or reactivity (can react violently, explode, or generate vapors). The term “hazardous material” is defined in law as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment (California Health and Safety Code, Section 25501[o]).

In some cases, past industrial or commercial activities may have resulted in spills or leaks of hazardous materials, resulting in soil and/or groundwater contamination. Excavated soils having concentrations of certain contaminants, such as lead, gasoline, or industrial solvents, that are higher than certain acceptable levels must be managed, treated, transported, and/or disposed of as a hazardous waste. The California Code of Regulations (CCR), Title 22, Sections 66261.10 through 66261.24, contains technical descriptions of characteristics that would cause a soil to be designated a hazardous waste.

Federal and state laws require that hazardous materials be specially managed. California regulations are compliant with federal regulations and in most cases, are more stringent. Regulations also govern the management of potentially hazardous building materials, such as asbestos-containing materials, lead-based paint, and polychlorinated biphenyls (PCBs) during demolition activities that could potentially disturb existing building materials.

Historic Property Uses

Coast Highway was paved in 1918 and was officially commissioned as one of the original U.S. highways in the late 1920s. During the decades between 1920 and 1940, the car culture phenomenon encouraged the expansion of auto-related businesses, such as service stations, car dealerships, and auto supply stores, along the Highway (Torti Gallas 2009). Historic aerial photographs dating back to 1938 were reviewed to identify land uses (NETR 2015). The parcels of land along Coast Highway appear to have supported some commercial and residential uses

with patches of vacant land until the mid-1960s. The parcels have largely developed with primarily commercial uses along the Coast Highway since the 1960s.

Hazardous Material Sites

Based on a review of hazardous material databases (see Section 3.7.2, “Regulatory Framework,” below), hazardous materials may currently be or previously have been stored and used at numerous facilities and locations within the project vicinity for a variety of purposes. Some of these facilities within the area may have experienced unauthorized releases into soil or groundwater, and these releases may or may not have been reported to the appropriate agency or agencies.

A search of the State Water Resources Control Board (SWRCB) GeoTracker and the Department of Toxic Substances Control (DTSC) EnviroStor databases revealed that there are hazardous sites located along the project area. Facilities which are listed as “completed – case closed” are not discussed, as they do not represent an environmental concern.

There are a number of active leaking underground storage tanks (LUST) sites under investigation and cleanup within the project area, including the following:

- Arco Facility #9749 (802 North Coast Highway)
- Buck’s Texaco (628 South Coast Highway)
- Pop’s Hot Rod Garage (305 Wisconsin Avenue)
- Rashid South Hill Shell (1202 South Coast Highway)
- H.G. Fenton (1517 South Coast Highway)
- Mobil 18-GCL (1742 South Coast Highway)
- Econo Lube’N Tube (1942 South Coast Highway)
- Golden State Gas Inc. (1943 South Coast Highway)

In addition, Tri-City Plating, Inc. (1307 South Coast Highway) is designated as a State Response cleanup site with groundwater potentially affected by volatile organic compounds due to metal plating activities.

Sensitive Receptors

Preschools, schools, daycare centers, nursing homes, and hospitals are considered sensitive receptors for hazardous material issues because children and the elderly are more susceptible than adults to the effects of many hazardous materials. The following are schools and known day care centers within 0.25 mile of the project area:

- Oceanside High School located at 1 Pirates Cove Way, approximately 0.24 mile east of the Complete Streets improvements (Segment 2)
- Sweet Busy Bees Center located at 901 Pier View Way, approximately 0.22 mile east of the Complete Streets improvements (Segment 2)

- Diego Valley Charter School at 815 Mission Avenue, approximately 0.15 mile east of the Complete Streets improvements (Segment 2)
- Saint Mary Star of the Sea School at 515 Wisconsin Avenue, adjacent to the Incentive District and Complete Streets improvements (Segment 3)
- Ditmar Elementary School at 1125 South Ditmar Street, adjacent to the Incentive District and Complete Streets improvements (Segment 3)
- South Oceanside Elementary School located at 1806 South Horne Street, approximately 0.23 mile east of the Incentive District and Complete Streets improvements (Segment 5)
- Children’s House of Oceanside Preschool and Toddlers located at 1004 Vista Way, approximately 0.20 mile east of the Incentive District and Complete Streets improvements (Segment 5)

Airports

The nearest public airport to the project area is Oceanside Municipal Airport, located approximately 1.8 miles northeast of the project area. According to the Oceanside Municipal Airport Land Use Compatibility Plan (ALUCP), the northern portion of the project area is located within the Airport Influence Area, the Federal Aviation Administration (FAA) Height Notification Boundary, and within the Airport Overflight Notification Area (ALUC 2010).

The nearest private airstrip to the project area is the Marine Corps Air Station (MCAS) Camp Pendleton Airport, located approximately 6 miles northeast of the project area. According to the MCAS Camp Pendleton Airport LUCP, the project area is located outside of the Airport Influence Area, FAA Height Notification Boundary, Airport Overflight Notification Area, and the designated safety areas (ALUC 2008).

Wildfires

Both the State of California and County of San Diego map the Fire Hazard Severity Zones (FHSZs) within San Diego County. According to the California Department of Forestry and Fire Protection (CALFIRE), the FHSZs are based on an evaluation of fire history, existing and potential fuel, flame length, blowing embers, terrain, weather, and the likelihood of buildings igniting. The proposed project is within a Local Responsibility Area (LRA) unzoned Fire Hazard Severity Zone, also referred to as “non-very high fire hazard severity zone” (CALFIRE 2007). Therefore, the project area has a low potential for risk of wildfire hazards.

Evacuation Routes

The City of Oceanside General Plan Public Safety Element includes evacuation routes for people who are forced from their homes during a disaster. The main through streets and highways within the city would be the primary relocation routes, and schools would serve as refuge centers capable of providing food and shelter (City of Oceanside 2002). Coast Highway, including within the project area, is a designated evacuation route for the city.

3.7.2 Regulatory Framework

Federal

Resources Conservation and Recovery Act

The Resources Conservation and Recovery Act (RCRA) is the principal law governing the management and disposal of hazardous materials. RCRA is considered a “cradle to grave” statute for hazardous wastes in that it addresses all aspects of hazardous materials from creation to disposal. RCRA applies to this project because RCRA is used to define hazardous materials and provide requirements for their storage, use, and disposal; off-site disposal facilities and the wastes each may accept are regulated under RCRA.

Emergency Planning and Community Right-to-Know Act

The Emergency Planning and Community Right-to-Know Act (EPCRA) improved community access to information regarding chemical hazards and facilitated the development of business chemical inventories and emergency response plans. EPCRA also established reporting obligations for facilities that store or manage specified chemicals. Under EPCRA, contractors using hazardous materials (e.g., fuels, paints and thinners, solvents) would be required to prepare and implement written emergency response plans to properly manage hazardous materials and respond to accidental spills.

US Department of Transportation Hazardous Materials Transportation Act of 1975

The U.S. Department of Transportation (US DOT), in conjunction with the U.S. Environmental Protection Agency (USEPA), is responsible for enforcement and implementation of federal laws and regulations pertaining to safe storage and transportation of hazardous materials. The Code of Federal Regulations (CFR) 49, 171–180, regulates the transportation of hazardous materials, types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.

The Federal Motor Carrier Safety Administration

The Federal Motor Carrier Safety Administration, a part of the US DOT, issues regulations concerning highway transportation of hazardous materials, the hazardous materials endorsement for a commercial driver’s license, highway hazardous material safety permits, and financial responsibility requirements for motor carriers of hazardous materials. Contractors would be required to comply with the Federal Motor Carrier Safety Administration storage and transportation requirements to reduce the possibility of spills.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration (OSHA) is the federal agency responsible for ensuring worker safety. These regulations provide standards for safe workplaces and work practices, including those relating to hazardous materials handling. Under OSHA, contractors would be required to comply with hazardous materials management and handling requirements to reduce the possibility of spills.

Hazardous Materials Transport Act

The US DOT, in conjunction with the USEPA, is responsible for implementation and enforcement of federal laws and regulations pertaining to transportation of hazardous materials. The Hazardous Materials Transportation Act of 1974 directs the US DOT to establish criteria and regulations regarding the safe storage and transportation of hazardous materials. Code of Federal Regulations (CFR) 49, 171–180, regulates the transportation of hazardous materials, types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.

Federal Regulation 49 Code of Federal Regulations Part 77

The FAA is the federal agency that identifies potential impacts related to air traffic and related safety hazards. CFR Part 77 establishes standards and notification requirements for objects affecting navigable airspace. This notification serves as the basis for:

- Evaluating the effect of the proposed construction or alteration on operating procedures
- Determining the potential hazardous effect of the proposed construction on air navigation
- Identifying mitigating measures to enhance safe air navigation
- Charting of new objects

FAA Federal Aviation Regulation (FAR) Part 77 includes the establishment of imaginary surfaces (airspace that provides clearance of obstacles for runway operation) that allows the FAA to identify potential aeronautical hazards in advance, thus preventing or minimizing adverse impacts to the safe and efficient use of navigable airspace. The regulations identify three-dimensional imaginary surfaces through which no structure should penetrate. The nearest public airport to the project area is Oceanside Municipal Airport; the project area is not located within the airport's FAA FAR Part 77 Airspace Surfaces. Section 77.17 (Obstruction Standards) also states that an object would be an obstruction to air navigation if it is higher than 200 feet above ground level. Exceedance of 200 feet above ground level or the 100:1 imaginary surface requires notification to FAA (per FAA FAR Part 77). An object that would be constructed or altered within the height restriction or imaginary surface area of the airport is not necessarily incompatible (ALUP 2008), but would be subject to FAA notification and an FAA aeronautical study to determine whether the proposed structures would constitute a hazard to air navigation.

State

Hazardous Waste Control Act (California Health and Safety Code, Section 25100 et seq.)

The Hazardous Waste Control Act (HWCA) is the state equivalent of RCRA and regulates the generation, treatment, storage, and disposal of hazardous waste. This act implements the RCRA “cradle-to-grave” waste management system in California but is more stringent in its regulation of non-RCRA wastes, spent lubricating oil, small-quantity generators, transportation and permitting requirements, as well as in its penalties for violations.

California Hazardous Materials Release Response Plans and Inventory Law of 1985

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires preparation of hazardous materials business plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the state. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including the California Environmental Protection Agency (CalEPA) and the California Emergency Management Agency. The California Highway Patrol and the California Department of Transportation enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

Health and Safety Code, Section 2550 et seq.

This code and the related regulations in 19 California Code of Regulations (CCR) 2620, et seq., require local governments to regulate local business storage of hazardous materials in excess of certain quantities. The law also requires that entities storing hazardous materials be prepared to respond to releases. Those using and storing hazardous materials are required to submit a Hazardous Materials Business Plan to their local Certified Unified Program Agency (CUPA) and to report releases to their CUPA and the State Office of Emergency Services.

California Division of Occupational Safety and Health

The California Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA requires many entities to prepare injury and illness prevention plans and chemical hygiene plans, and provides specific regulations to limit exposure of construction workers to lead. Under Cal/OSHA, contractors are required to comply with its handling and use requirements to increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

Health and Safety Code, Section 25270, Aboveground Petroleum Storage Act

Health and Safety Code Sections 25270 to 25270.13 apply to facilities that operate a petroleum aboveground storage tank with a capacity greater than 660 gallons or combined aboveground storage tanks capacity greater than 1,320 gallons or oil-filled equipment where there is a reasonable possibility that the tank(s) or equipment may discharge oil in “harmful quantities” into navigable waters or adjoining shore lands. If a facility falls under these criteria, it must prepare a Spill Prevention Control and Countermeasure (SPCC) Plan.

Government Code Section 65962.5, Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the “Cortese List” (after the Legislator who authored and enacted the legislation). The list, or a site’s presence on the list, has bearing on the local permitting process, as well on compliance with CEQA. There are nine Cortese List sites located within the project area. The comprehensive “Cortese List” includes the following facilities or sites:

- Hazardous materials sites from DTSC’s EnviroStor database
- Leaking underground storage tank and other hazardous materials sites from SWRCB’s GeoTracker database
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit
- “Active” Cease and Desisted Orders (CDO) and Cleanup and Abatement Orders (CAO) sites from the SWRCB
- Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

Government Code Section 1541, Utility Notification Requirements

Title 8, Section 1541 of the CCR requires excavators to determine the approximate locations of subsurface utility installations (e.g., sewer, telephone, fuel, electric, water lines, or any other subsurface installations that may reasonably be encountered during excavation work) prior to opening an excavation. The California Government Code (Section 4216 et seq.) requires owners and operators of underground utilities to become members of and participate in a regional notification center. According to Section 4216.1, operators of subsurface installations who are members of, participate in, and share in the costs of a regional notification center are in compliance with this section of the code. Underground Services Alert of Southern California (known as DigAlert) receives planned excavation reports from public and private excavators and transmits those reports to all participating members of DigAlert that may have underground facilities at the location of excavation. Members will mark or stake their facilities, provide information, or give clearance to dig (DigAlert 2014).

California Fire Code

The California Fire Code, Article 80, includes specific requirements for the safe storage and handling of hazardous materials. These requirements reduce the potential for a release of hazardous materials and for mixing of incompatible chemicals, and specify the following design features to reduce the potential for a release of hazardous materials that could affect public health or the environment:

- Separation of incompatible materials with a noncombustible partition
- Spill control in all storage, handling, and dispensing areas
- Separate secondary containment for each chemical storage system

The California Fire Code, Article 79, includes specific requirements for the safe storage and handling of flammable and combustible liquids. Specific requirements address fire protection; prevention and assessment of unauthorized discharges; labeling and signage; protection from sources of ignition; specifications for piping, valving, and fittings; maintenance of above-ground tanks; requirements for storage vessels, vaults, and overfill protection; and requirements for dispensing, using, mixing, and handling of flammable and combustible liquids (California Building Standards Commission 2013).

Local

Certified Unified Program Agency

In 1993, Senate Bill (SB) 1082 was passed by the State Legislature to streamline the permitting process for those businesses that use, store, or manufacture hazardous materials. The passage of SB 1082 provided for the designation of a CUPA that would be responsible for the permitting process and collection of fees. The CUPA would be responsible for implementing at the local level the unified program, which serves to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for the following environmental and emergency management programs:

- Hazardous Waste
- Hazardous Materials Business Plan
- California Accidental Release Prevention Program
- Underground Hazardous Materials Storage Tanks
- Aboveground Petroleum Storage Tanks/Spill Prevention Control and Countermeasure Plans
- Hazardous Waste Generator and On-Site Hazardous Waste Treatment (tiered permitting) Programs

In the County of San Diego, the Hazardous Materials Division of the San Diego County Department of Environmental Health is designated as the CUPA responsible for implementing the above-listed program elements. The laws and regulations that established these programs require that businesses that use or store certain quantities of hazardous materials submit a Hazardous Materials Business Plan that describes the hazardous materials usage, storage, and disposal to the CUPA. The contractors constructing the project and City of Oceanside as the lead agency of the project would be required to prepare and implement an Hazardous Materials Business Plan.

County of San Diego Hazardous Waste Management Plan

San Diego County adopted a Hazardous Waste Management Plan pursuant to state law. The plan identifies means to minimize generation of hazardous waste and to dispose of waste generated within the County. The City of Oceanside adopted portions of the County's Hazardous Waste Management Plan as Chapters I through XI of the City's General Plan Hazardous Waste Management Element.

San Diego County Emergency Operations Plan

The San Diego County Office of Emergency Services (OES) is the designated lead agency for emergency response within the County, including within the City of Oceanside, and coordinates the implementation of the San Diego County Emergency Operations Plan (EOP). The San Diego County EOP identifies potential evacuation routes within the County that include, but are not limited to, Interstate 5, 8 and 15; State Highway 76 and 78, and numerous major and secondary highways. The project area is not located within an emergency evacuation route identified in the County of San Diego General Plan (County of San Diego 2011).

City of Oceanside Zero Waste Strategic Resource Management Plan

In 2012, the City of Oceanside passed a Zero Waste Strategic Resource Management Plan to ensure that the City retains its current high levels of stable, environmentally sound solid waste collection and disposal at the lowest possible costs (Oceanside 2017). The plan provides recommendations for the following solid waste collection and disposal system components: contract issues, collection service, disposal service, recycling service, and household hazardous waste disposal. The Zero Waste Strategic Resource Management Plan has allowed the City to implement programs and provide resources to the community that have increased the City's diversion rate from 58 percent to 71 percent in less than 3 years. The goal of the plan is for the city to have a 75 percent diversion rate by 2020.

City of Oceanside Emergency Plan

The City of Oceanside adopted an Emergency Plan in 1973, which forms the basis for the conduct and coordination of emergency operations within the City. The Emergency Plan provides a system for the effective management of emergency situations; identifies lines of authority and relationships; assigns tasks and responsibilities; ensures adequate facilities, services, and resources; and provides a framework for adequate resources for recovery operations (City of Oceanside 2009).

City of Oceanside General Plan

The State of California requires that each city adopt a comprehensive general plan that provides long-term guidance for development within the city's jurisdiction. The sections of the City of Oceanside General Plan that address goals and policies related to hazards and hazardous materials are the Public Safety Element and the Hazardous Waste Management Element. Both of these elements are described in greater detail below.

Public Safety Element

The Public Safety Element identifies potential hazards to the community's citizens, sites and structures, public facilities, and infrastructure. The Public Safety Element establishes policies to minimize dangers to residents, workers, and visitors, while identifying actions needed to manage crisis situations such as earthquakes, floods, and fires. Evacuation routes and refuge centers are identified within the Public Safety Element. Coast Highway, including within the project area, is a designated evacuation route for the city. The following goals and policies related to hazards and hazardous materials are applicable to the proposed project:

Goal: Take the action necessary to ensure an acceptable level of public safety for prevention and reduction of loss of life and personal property of the citizens of Oceanside.

Fire Hazard Policy 1: Maintain the necessary equipment, personnel and water supply levels required for the current class 3 and class 9 insurance ratings, which apply to properties within five road miles of a fire station and within 1,000 feet of a fire hydrant and to properties within five road miles of a fire station but beyond 1,000 feet of a fire hydrant, respectively.

Fire Hazard Policy 2: Continue an active and effective fire prevention program through public education, code enforcement and inspection service.

Hazardous Waste Management Element

The City of Oceanside Hazardous Waste Management Element is the primary planning document providing the overall policy direction toward the effective management of the city's hazardous waste. The element is composed of provisions drafted by the County of San Diego and City of Oceanside. The element includes hazardous waste minimization efforts in the city and criteria for specific hazardous waste facilities that are tailored to the City of Oceanside's concerns. The purpose of the element is to provide health and safety measures necessary for the protection of the citizens of Oceanside during the siting of hazardous waste facilities in accordance with Health and Safety Code 25199 et seq. and in coordination with the San Diego County Hazardous Waste Management Plan.

3.7.3 Impacts and Mitigation Measures

Significance Criteria

For the purposes of this analysis and consistent with Appendix G of the CEQA Guidelines, the proposed project would result in potentially significant impacts if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
2. 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.
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.
4. 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 create a significant hazard to the public or the environment.
5. For a project located within an area covered by an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.

6. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.
7. 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.

Impacts related to implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan are discussed in Section 3.14, Transportation and Traffic.

Impact Analysis

Issue 1 and Issue 2: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of, or through foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Complete Streets Improvements

Implementation of the Complete Streets improvements would result in the reconfiguration of Coast Highway from four travel lanes to two travel lanes and would create continuous bicycle lanes, provide street parking, and construct intersection roundabouts, medians, and curb adjustments. These anticipated construction activities would likely require the transport, storage, use, and disposal of small amounts of hazardous materials, including fuels (e.g., gasoline, diesel), hydraulic fluids, oils and lubricants, paint, and other similar materials in varying quantities on the project site.

The City would be required to comply with all relevant and applicable federal, state, and local laws and regulations that pertain to the transport, storage, and disposal of hazardous materials and waste during construction. In the event of an accidental release during construction, containment and clean up would be conducted in accordance with existing regulatory requirements. Each contractor that handles hazardous materials would be required to have a Hazardous Materials Business Plan that would require that hazardous materials used for construction are stored in appropriate containers, with secondary containment to contain a potential release. The California Fire Code would require measures for the safe storage and handling of hazardous materials. Furthermore, if 1 acre or more is disturbed at a time, the project would be required to comply with the Construction General Permit, which requires a site-specific Storm Water Pollution Prevention Plan (SWPPP) (see Section 3.5 Geology, Soils, and Seismicity).

The SWPPP would contain best management practices (BMPs) to prevent construction pollutants (including sediment and/or hazardous materials) leaving construction sites in runoff. In addition, as an existing major street within the city, Coast Highway is currently already used for routine transport of hazardous materials. Temporary construction of the Complete Streets improvements would not disrupt the regular and existing transport of hazardous materials through the implementation of MM Complete Streets TR-3, which would require the City to prepare and implement a Traffic Control Plan for all anticipated lane and intersection closures. The Traffic

Control Plan would show all signage, striping, delineation detours, flagging operations and any other devices that would be used during construction to guide motorists, including those transporting hazardous materials, safely through construction areas and allow for adequate access and circulation to the satisfaction of the City. For these reasons, impacts would be less than significant related to the transport, use, or disposal of hazardous materials, or due to upset or accidental release of hazardous materials.

Once the Complete Streets project has been constructed, Coast Highway would continue to operate as it does under existing conditions, functioning as a right-of-way that would include the occasional routine transport of hazardous materials (e.g., gasoline for service stations). In the event of an accidental release during transport, containment and clean up would be conducted in accordance with existing applicable regulatory requirements. Compliance with the federal and state standards is required; therefore, operational impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant.

Incentive District

Implementation of the Incentive District would encourage redevelopment, including the potential construction of commercial, mixed-use, and residential uses. Construction within the Incentive District would potentially require the transport, storage, use, and disposal of small amounts of hazardous materials, including fuels (e.g., gasoline, diesel), hydraulic fluids, oils and lubricants, paints, solvents and cleaning products, and other similar materials in varying quantities within the project site. Existing zoning within a small portion of the Incentive District includes land zoned as Light Industrial, which permits uses such as automobile painting, food product manufacture, textile manufacture, and other similar uses which could use small amounts of hazardous materials.

Future project applicants and private developers submitting projects under the Incentive District would be required to comply with all relevant and applicable federal, state, and local laws and regulations that pertain to the transport, storage, and disposal of hazardous materials and waste during construction. In the event of an accidental release during construction, containment and clean up would be conducted in accordance with existing applicable regulatory requirements. Each contractor that handles hazardous materials would be required to have a Hazardous Materials Business Plan that would require that hazardous materials are stored in appropriate containers with secondary containment to contain a potential release. The California Fire Code would require measures for the safe storage and handling of hazardous materials. In addition, construction activities that disturb 1 acre or more would be required to prepare and implement a SWPPP under the state Construction General Permit, which would contain BMPs to prevent pollutants (including sediment and/or hazardous materials) from leaving construction sites in runoff. Compliance with the federal and state standards is required; therefore, impacts related to the transport, use, or disposal of hazardous materials, or due to upset or accidental release of hazardous materials would be less than significant.

Operation of changed land uses under the Incentive District could include the transport, storage, use, and disposal of a variety of hazardous materials. Commercial and residential uses would use

hazardous chemicals common in other commercial and residential settings. These chemicals could include familiar materials such as pesticides related to landscaping maintenance, toners, paints, lubricants, and kitchen and restroom cleaners as well as relatively small quantities of fuels, oils, and other petroleum-based products. Each business that handles hazardous materials would be required to have a Hazardous Materials Business Plan that would require hazardous materials to be stored in appropriate containers with secondary containment to contain a potential release. The California Fire Code requires any businesses that would use and/or store hazardous materials or employ hazardous processes to submit a hazardous materials information form and obtain a hazardous materials permit. The Oceanside Fire Department requires all new commercial and other users to follow applicable regulations (i.e., RCRA, Fire Code, Hazardous Materials Business Plan) regarding storage and handling of hazardous waste prior to approval of their business license (Oceanside Fire Department 2017). All hazardous materials are required to be stored and handled according to manufacturer's directions and local, state, and federal regulations. The Oceanside Fire Department administers the California Fire Code through regular site inspections to ensure hazardous materials are stored and handled properly. Compliance with the federal and state standards is required; therefore, impacts related to the transport, use, or disposal of hazardous materials, or due to upset or accidental release of hazardous materials would be less than significant.

Mitigation Measures: No mitigation measures are required.

Significance Determination: Less than significant

Issue 3: Would the project result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

As described within Section 3.7.1, there are seven schools within 0.25 mile of the project area, including Oceanside High School at 1 Pirates Cove Way; Sweet Busy Bees Center at 901 Pier View Way; Diego Valley Charter School at 815 Mission Avenue; Saint Mary Star of the Sea School at 515 Wisconsin Avenue; Ditmar Elementary School at 1125 South Ditmar Street; South Oceanside Elementary School at 1806 South Home Street; and Children's House of Oceanside Preschool and Toddlers at 1004 Vista Way. For the Complete Streets improvements, Coast Highway's existing right-of-way is currently adjacent to or within 0.25 mile of these schools, and operation of the right-of-way would not differ from current conditions. While the Incentive District could encourage new development or development which could be located adjacent to or near schools, the land uses within the Incentive District boundaries would remain similar to existing conditions, but would allow for higher residential densities in some planning areas and a more defined land use pattern. The anticipated use, transport, and disposal of hazardous materials during construction and operation of the proposed project would be in relatively small quantities commonly associated with construction equipment and commercial and residential uses (e.g. paints, fuels, oils, solvents, cleaning supplies, landscaping pesticides/herbicides).

These uses would be sporadic in frequency, localized, and would have very limited exposure such that there would be no substantive emissions of hazardous materials that would adversely affect students or staff. In addition, the City and future project applicants would be required to comply with all applicable federal, state, and local regulations and guidelines for storing and handling hazardous materials. Each contractor and business that handles hazardous materials would be required to have a Hazardous Materials Business Plan that would require that hazardous materials used for construction are stored in appropriate containers, with secondary containment to contain a potential release. The California Fire Code would require measures for the safe storage and handling of hazardous materials. Therefore, the proposed project would not result in a significant impact related to exposure of schools to hazardous materials.

Mitigation Measures: No mitigation measures are required.

Significance Determination: Less than significant

Issue 4: Would the project 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 not create a significant hazard to the public or the environment?

As described within Section 3.7.1 above, a search of the SWRCB GeoTracker and DTSC EnviroStor databases showed eight active LUST sites and one State Response cleanup site located within the project area. Each of these sites is discussed in detail below.

Arco Facility # 9749 (802 North Coast Highway)

The ARCO #9749 is an active leaking gasoline underground storage tank (LUST) site located at the north corner of the intersection of the North Coast Highway and Neptune Way and adjacent to the proposed project area (Mustang Realty 2016). Soil vapor results indicate that shallow soil has been remediated and is not anticipated to extend to off-site areas where construction of the Complete Streets improvements would occur. The direction of groundwater flow is to the northwest and passes beneath the project area. Gasoline and its constituents were detected in groundwater sampled on February 4, 2016, from Well MW-8, located in the San Luis Expressway and within the Complete Streets improvement area. However, the depth to groundwater measured on August 9, 2016, was about 45 to 50 feet below the ground surface (bgs). Therefore, construction activities within the Complete Streets improvements would be unlikely to encounter contaminated groundwater. This site is not located within the Incentive District, so future development or redevelopment under the Incentive District would not occur.

Buck's Texaco (628 South Coast Highway)

Buck's Texaco is an active LUST site, adjacent to the Complete Streets improvements and within the Incentive District (Donan Environmental Services 2014, 2016). The soil gas survey conducted in 2014 concluded that soil vapor with gasoline or its constituents was present at an off-site area on Wisconsin Avenue west of South Coast Highway and within the Incentive District. Soil excavation activities in this area could encounter soil with soil vapor that contains gasoline and its

constituents. The direction of groundwater flow is to the southwest and passes beneath the project area. The plume of gasoline and its constituents floating on the groundwater surface and dissolved in groundwater samples detected during the June 14 and 15, 2016, sampling event extends from the site downgradient beneath and beyond the project area. However, the depth to groundwater measured on August 9, 2016, was about 31 to 40 feet bgs. Therefore, construction activities associated with the Complete Streets improvements would be unlikely to encounter contaminated groundwater. However, future redevelopment within the Incentive District could require excavation beyond 31 to 40 feet bgs (e.g., two or more subsurface parking levels), and therefore could encounter contaminated groundwater. In addition, as discussed, soil excavation activities within the project area associated with redevelopment in the Incentive District could encounter soil with soil vapor that includes gasoline and its constituents.

Pop's Hot Rod Garage (305 Wisconsin Avenue)

This Cleanup Program site is located at the east corner of the intersection of Wisconsin Avenue and Cleveland Street, within the Incentive District (Geocon Consultants 2016). Polychlorinated biphenyl (PCB)-containing electrical equipment was stored at the site from the 1970s to 1992 and inspection reports from 1989 to 1992 indicated that a leaking capacitor was observed at the site. Soil samples were collected in 2013 to evaluate the extent of PCBs in on-site soils; no off-site investigation is documented to have occurred. The findings identified PCBs in on-site soil at depths of up to 6 feet bgs. The Geocon work plan proposed excavation to 8 feet bgs and off-site disposal of the excavated soils. The GeoTracker website indicates that the County of San Diego Department of Environmental Health (DEH) approved the work plan in 2014. However, no subsequent documents are on the GeoTracker website and it is unknown whether the excavation and off-site disposal occurred. Therefore, construction activities associated with future development in the Incentive District may encounter soil contaminated with PCBs.

Rashid South Hill Shell (1202 South Coast Highway)

The Rashid Shell (now a Valero Station) is an active LUST site located at the east corner of the intersection of the South Coast Highway and Oceanside Boulevard, adjacent to the Complete Streets improvements and within the Incentive District (Wayne Perry, Inc. 2016). Soil vapor results from a 2000 survey indicated that soil around the perimeter of the site did not contain detectable benzene, toluene, ethyl benzene, and xylenes (gasoline constituents). However, a 2004 soil vapor survey detected benzene and ethylbenzene in soil at the off-site 1220 South Coast Highway property just to the southeast (Conestoga-Rovers 2015); soil excavation in this area could encounter soil vapor with gasoline and its constituents. The direction of groundwater flow is to the southwest and passes beneath the project area (Wayne Perry, Inc. 2016). The plume of gasoline and its constituents floating on the groundwater surface and dissolved in groundwater detected during the July 18, 2016, sampling event extends from the site downgradient beneath and beyond the project area. The depth to groundwater was about 32 to 41 feet bgs and future redevelopment within the Complete Streets improvements would be unlikely to reach groundwater. However, the Incentive District could require excavation that reaches groundwater. Therefore, construction activities associated with the Incentive District could encounter contaminated groundwater.

H.G. Fenton (1517 South Coast Highway)

The H.G. Fenton site is an active site assessment located at on the southwest side of the South Coast Highway, adjacent to the Complete Streets improvements and within the Incentive District (DEH 2016). Sample results from a 2015 sampling event indicated soil and groundwater were contaminated with petroleum hydrocarbons, presumably gasoline (MTBE, a gasoline additive was also detected). The site investigation has just started and the nature and extent of contamination is unknown. The DEH has required the responsible party to submit an initial site assessment workplan by June 1, 2017. Depending on the extent of the release, construction activities associated with the Complete Streets improvements and the Incentive District could encounter contaminated soil, soil vapor, or groundwater.

Mobil 18-GCL (1742 South Coast Highway)

The Mobil 18-GCL site is an active gasoline LUST site located at the north corner of the intersection of the South Coast Highway and Cassidy Street, adjacent to the Complete Streets improvements and within the Incentive District (Cardno 2014, 2016). On-site soil vapor extraction has reduced on-site concentrations of gasoline and its constituents; however, concentrations remain elevated in off-site Well MW-4, located in the southbound lanes of the South Coast Highway, and future soil vapor extraction is planned. Construction activities associated with the Complete Streets improvements and the Incentive District may encounter soil and/or soil vapor with gasoline and its constituents. The direction of groundwater flow is to the southwest and passes beneath the project area. The plume of gasoline and its constituents dissolved in groundwater extends from the site downgradient beneath and beyond the project area. However, the depth to groundwater was about 24 to 27 feet bgs. Therefore, construction activities associated with the Complete Streets improvements would be unlikely to encounter contaminated groundwater. However, future redevelopment within the Incentive District could require excavation beyond 24 to 27 feet bgs, and therefore could encounter contaminated groundwater.

Econo Lube'N Tube (1942 South Coast Highway)

This site is an active gasoline LUST site located along the northeast side of the South Coast Highway, adjacent to the Complete Streets improvements and within the Incentive District (Stantec 2016a, 2016b). Gasoline and its constituents have been detected in soil samples from beneath the South Coast Highway but at depths of about 20 feet or more, suggesting construction activities associated with the Complete Streets improvements would not be anticipated to encounter soil and/or soil vapor with gasoline and its constituents. However, future redevelopment within the Incentive District could require excavation beyond 20 feet bgs, and therefore could encounter contaminated soils. The direction of groundwater flow ranges from northwest to northeast and passes beneath the project area. The plume of gasoline and its constituents floating on the groundwater surface and dissolved in groundwater extends from the site beneath and beyond the project area. However, the depth to groundwater was about 22 to 33 feet bgs. Therefore, construction activities associated with the Complete Streets improvements would be unlikely to encounter contaminated groundwater. However, future redevelopment within the Incentive District could require excavation beyond 22 to 33 feet bgs, and therefore could encounter contaminated groundwater.

Golden State Gas Inc. (1943 South Coast Highway)

The Golden State Gas site is an active gasoline LUST site located on the northwest corner of the intersection of the South Coast Highway and Vista Way, adjacent to the Complete Streets improvements and within the Incentive District (Frey Environmental 2016a, 2016b). The site has an operational soil vapor and air sparge extraction system with soil vapor probes in downgradient (west) areas. The remediation system has reduced on-site concentrations, but gasoline and its constituents continue to be detected in on-site and off-site soil vapor probes. Construction activities in the project area may encounter soil and/or soil vapor with gasoline and its constituents. The direction of groundwater flow is generally to the west and passes beneath the project area. The plume of gasoline and its constituents floating on the groundwater surface and dissolved in groundwater extends from the site downgradient beneath and beyond the project area. However, the depth to groundwater was about 22 to 34 feet bgs on September 13, 2016. Therefore, construction activities associated with the Complete Streets improvements would be unlikely to encounter contaminated groundwater. However, future redevelopment within the Incentive District could require excavation beyond 22 to 34 feet bgs, and therefore could encounter contaminated groundwater.

Tri-City Plating, Inc. (1307 South Coast Highway)

The Tri-City Plating site is an active Corrective Action site located along the southwest side of the South Coast Highway just south of Godfrey Street, adjacent to the Complete Streets improvements and within the Incentive District (AMEC 2015). This site is a former plating shop that released volatile organic compounds (VOCs), predominantly tetrachloroethene and trichloroethene, to soil and groundwater. The site has an operational soil vapor extraction system that has removed the VOCs to levels where the regulatory agency is considering site closure. Another extraction event has been scheduled to evaluate whether the contaminants remain below action levels or whether some residual levels remain that will require further cleanup. Given the current status, construction activities associated with both the Complete Streets improvements and Incentive District are unlikely to encounter VOCs from this former plating shop in soil.

Impact Analysis Discussion

Complete Streets Improvements

As detailed above, construction activities associated with the Complete Streets improvements would be unlikely to encounter contaminated soil or groundwater at all sites listed above, except potentially at or associated with H.G. Fenton (1517 South Coast Highway). However, as described within Chapter 2, Project Description, this contaminated site would be located within Segment 4 of the Complete Streets improvements. This segment would provide for a single traffic lane, a Class II striped bike lane, and on-street parking in both directions. These improvements would occur on the existing paved road surface itself, and would not include excavation beyond a foot or two in depth. Therefore, implementation of the Complete Streets improvements would not encounter contaminated soils or groundwater. Nevertheless, if 1 acre or more is disturbed at a time, the project would be required to comply with the Construction General Permit. This requires preparation and implementation of a site-specific SWPPP, which would contain BMPs to prevent pollutants (including sediment and hazardous materials) from leaving the construction

site in runoff. Compliance with the federal and state standards is required. Therefore, the Complete Streets improvements would not create a significant hazard to the public or the environment, and impacts would be less than significant. No mitigation measures would be required.

Incentive District

As detailed above, future soil excavation activities within the Incentive District could encounter contaminated soil, soil vapor, and/or groundwater contamination at or associated with Buck's Texaco (628 South Coast Highway), Pop's Hot Rod Garage (305 Wisconsin Avenue), Rashid South Hill Shell (1202 South Coast Highway), H.G. Fenton (1517 South Coast Highway), Mobil 18 GCL (1742 South Coast Highway), Econo Lube'N Tube (1942 South Coast Highway), and Golden State Gas Inc. (1943 South Coast Highway). For projects that would disturb 1 acre or more at a time, the project would be required to comply with the Construction General Permit. This requires preparation and implementation of a site-specific SWPPP, which would contain BMPs to prevent pollutants (including sediment and hazardous materials) from leaving the site in runoff. Nevertheless, the potential for contaminated soil and soil vapor to be encountered and released into the environment during project construction would be considered a significant impact. Because the timing of the future Incentive District projects is unknown, it is also unknown whether the contaminated sites listed above would be remediated by then. For this reason, this would be a potentially significant impact of the projects implemented under the Incentive District.

Mitigation Measures:

MM Incentive District HAZ-1: To assess the status of the remediation of the contaminated sites listed above, as well as checking for any newly contaminated sites, individual project proponents for each proposed project within the Incentive District area (the applicant or its contractor) shall conduct a Phase I Environmental Site Assessment in general accordance with ASTM Standard 1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, or later versions if any. The ASTM standard requires checking for active contaminated sites within a specified radius that have the potential to affect a given project. In the event that the extent of contamination from a site extends to a proposed project site, the applicant or its contractor for each proposed project would implement MM Incentive District HAZ-2.

MM Incentive District HAZ-2: If the Phase I Environmental Site Assessment prepared in accordance with MM Incentive District HAZ-1 determines that contamination is present on a project site proposed for development, the following additional measures shall be required:

- a. The applicant's construction contractor(s) shall prepare and implement a site-specific Health and Safety Plan in accordance with 29 CFR 1910.120 to protect construction workers and the public during all excavation and grading activities. This plan shall be submitted to the City for review prior to commencement of construction. Note that the project applicant or its contractor would also be required to implement MM

Incentive District HAZ-2b, Soil and Groundwater Management Plan, described further below. The Health and Safety Plan shall include, but is not limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site health and safety plan.
 - A summary of all potential risks to construction workers and maximum exposure limits for all known and reasonably foreseeable on-site chemicals.
 - Specified personal protective equipment and decontamination procedures, if needed.
 - Emergency procedures, including route to the nearest hospital.
 - Procedures to be followed in the event that evidence of potential soil contamination (such as soil staining, noxious odors, debris, or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but not be limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying the County of San Diego Department of Environmental Health, and retaining a qualified environmental firm to perform sampling and remediation.
- b. In support of the Health and Safety Plan described above, the applicant or its contractor shall develop and implement a Soil and Groundwater Management Plan that includes a materials disposal plan specifying how the construction contractor will remove, handle, transport, and dispose of all excavated material and groundwater from dewatering activities in a safe, appropriate, and lawful manner. The plan must identify protocols for soil and groundwater testing and disposal, identify the approved disposal site, and include written documentation that the disposal site will accept the waste. Contract specifications shall mandate full compliance with all applicable local, state, and federal regulations related to the identification, transportation, and disposal of hazardous materials, including those encountered in excavated soil or groundwater.

Significance Determination: Less than significant with mitigation

Issue 5: For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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 public airport to the project area is Oceanside Municipal Airport, located approximately 1.8 miles northeast of the project area. According to the Oceanside Municipal Airport Land Use Compatibility Plan (ALUCP), the northern portion of the Complete Streets

improvements is located within the Airport Influence Area, the FAA Height Notification Boundary, and within the Airport Overflight Notification Area (ALUC 2010). The ALUCP designates safety zones around the airport, which are established for the purpose of evaluating the safety compatibility of land use development in the Airport Influence Area. The Complete Streets improvements and Incentive District are located outside of the designated safety zones, and is not at risk to aircraft accidents near runway ends.

Implementation of the Complete Streets improvements would result in the reconfiguration of Coast Highway within the existing right of way from four travel lanes to two travel lanes and would create continuous bicycle lanes, provide street parking, and create roundabouts, medians, and curb adjustment. These improvements would occur at ground level and would not create hazards to overflight safety and/or airspace protection factors. Impacts related to public airport hazards would be less than significant for the Complete Streets improvements.

The Incentive District would encourage redevelopment, including increased residential, commercial, and mixed-use development. The FAA must be notified of any proposed construction or alteration having a height greater than 200 feet above ground level. The Incentive District would allow increased height of buildings in certain planning areas, to a maximum of 65 feet with discretionary approval, well below the FAA's 200-foot notification limit. In addition, the Incentive District is not located within the Airport Influence Area, FAA Height Notification Boundary, or the Airport Overflight Notification Area (ALUC 2010). Applicants would be required to comply with all applicable federal, state, and local regulations related to public airport safety standards. Compliance with these standards is required; therefore, impacts related to public airport hazards would be less than significant.

Mitigation Measures: No mitigation measures are required.

Significance Determination: Less than significant

Issue 6: 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 nearest private airstrip to the project area is the MCAS Camp Pendleton Airport, located approximately 6 miles northeast of the project area. According to the MCAS Camp Pendleton Airport LUCP, the project area is located outside of the Airport Influence Area, FAA Height Notification Boundary, Airport Overflight Notification Area, and the designated safety areas (ALUC 2008). Additionally, the Complete Streets improvements would be implemented at ground level, and the maximum allowable height for structures in the Incentive District would be 65 feet with discretionary approval. Therefore, due to distance from the private airstrip and the low profile of the proposed project components, the project area would not result in a safety hazard for people residing or working in the project area, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Significance Determination: Less than significant

Issue 7: 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 project area is situated within an entirely developed and urban area and is not located near wildlands that have high fire sensitivity. According to CALFIRE, the project area is located within a non-very high fire hazard severity zone, meaning the project area has a low potential for risk of wildfire hazards (CALFIRE 2007). Nevertheless, the proposed project would be subject to all applicable California Fire Code requirements. Compliance with federal, state, and local codes related to fire safety is required. Impacts regarding wildfire risk would be less than significant.

Mitigation Measures: No migration measures are required.

Significance Determination: Less than significant
