

4.11 HAZARDS AND HAZARDOUS MATERIALS

4.11.1 Introduction and Methodology

The purpose of this section is to identify potential hazards associated with development of the project and identify project design features that would reduce potential hazards to a less-than-significant level.

This section is based on the 2016 Phase I Environmental Site Assessment (Phase I ESA) of the project site prepared by Dudek, which is included as Appendix T of this environmental impact report (EIR). The Phase I ESA consisted of a site reconnaissance of the project site; a database search of regulatory agency records; a review of historical aerial photographs, topographic maps, Sanborn fire insurance maps, and City Directory listing; an environmental lien search; an interview with a property representative; and the review of previous reports prepared for the project site.

4.11.2 Existing Conditions

Historic and Existing Uses

The 12.5-acre project site originally consisted of a relatively low-lying tidal mudflat area directly east of Buena Vista Lagoon, at an elevation of approximately 6 feet above mean sea level (amsl). Vegetation at the project site was cleared in 1972, and fill material was deposited on the project site from Buena Vista Creek and Lagoon, which raised the elevation of the project site to approximately 16 to 19 feet amsl. Subsequently, in 1983, an additional 3 to 4 feet of fill was placed on site without compaction. Portions of the project site have been used to dry reeds cleared from Buena Vista Creek on an annual basis since 2004. Previous documentation of the project site indicates that no development has occurred on the project site in the past.

The following presents a summary of the aerial photographs reviewed:

- **1939 Aerial:** The project site is depicted as undeveloped and appears to be part of a riverbed. State Route 78 (SR-78) and Jefferson Street are present. The Buena Vista Lagoon is located to the west of the project site, and the land immediately to the north, east, and south appears to be undeveloped native land. Agricultural uses are located to the far north and south of the project site.
- **1947 Aerial:** The site remains the same with a slight increase in vegetation on the project site.
- **1963 Aerial:** The project site appears to have been backfilled and is covered with low-lying vegetation. SR-78 has been widened, and the northern portion of Buena Vista Lagoon has been filled in. The land to the north is undeveloped. Residential housing has

been constructed to the far south. The land to the east has been graded and a sewer treatment plant is under construction.

- **1974 Aerial:** The project site has been cleared and graded. Dirt pads are shown on the project site and the parcel to the east of the project site. Construction of the sewer pump station is complete and the site is surrounded by vegetation. The area to the south of the project site has been filled in and dirt roads are present. Jefferson Street has been widened and an overpass was constructed over SR-78. To the east, the Westfield Carlsbad shopping center is under construction. The land to the far north has been constructed and consists of residential uses.
- **1990 Aerial:** In the 1990 aerial photograph, the project site is similar to the 1974 aerial photograph.
- **2002 Aerial:** In the 2002 aerial photograph, the project site is similar to the 1990 aerial photograph with increased vegetation. The area to the northwest of the project site consists of businesses.
- **2005 Aerial:** In the 2005 aerial photograph, the project site and vicinity are similar to the 2002 aerial photograph.
- **2009 Aerial:** In the 2009 aerial photograph, the project site and vicinity are similar to the 2005 aerial photograph.
- **2010 Aerial:** In the 2010 aerial photograph, the project site and vicinity are similar to the 2009 aerial photograph.
- **2012 Aerial:** In the 2012 aerial, several rectangular objects are present on the southwest portion of the subject property, north of Buena Vista Creek. The remainder of the subject property and surrounding properties appear to be similar to the 2010 photograph.

Environmental Database Findings

As part of the Phase I ESA, a database search report was obtained from Environmental Data Resources Inc. (EDR). 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 standards for Phase I ESA database searches. A list and description of the databases searched are included in Appendix T. The project site was not listed in the computerized regulatory database search prepared by EDR. However, 7 sites located within 1 mile of the project site were identified in the EDR report, some of which were listed in multiple databases.

Site Reconnaissance

Observations made during the site reconnaissance performed by Dudek on July 19, 2016, are summarized below:

- There are no structures currently located at the site. In addition, no evidence of structures was observed during the site inspection.
- The project site is surrounded by a chain-link fence to the north and west.
- Portions of the site appear to have been cleared of vegetation, and vehicle tracks are visible.
- Concrete, asphalt brick, and polyvinyl chloride (PVC) debris are scattered throughout the site.
- Two storm drain manholes are present along the northern boundary of the site.
- No evidence of storage tanks was observed on the project site.
- No evidence of hazardous materials dumping or staining was observed at the site.
- No surface water or drains were observed on the site.
- No distressed vegetation, soil disturbances, or unnaturally discolored ponds were observed on the site.
- No groundwater wells, cisterns, cesspools, septic tanks, or sumps were observed on site.
- No transformers were observed on site.
- No abnormal odors were present on site.

Interviews

The County of San Diego Department of Environmental Health was contacted for information regarding hazardous materials; however, no records were identified for the project site.

4.11.3 Thresholds of Significance

Based on the significance criteria established by Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.) and the City of Oceanside, a significant impact from hazards and hazardous materials would generally occur as a result of project implementation if the project 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 or acutely hazardous materials, substances, or waste within one-quarter 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 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.
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.
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
8. 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.

4.11.4 Environmental Impacts

1. 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 involve the routine transport of gasoline and other potentially hazardous materials to the project site. All hazardous materials used during the construction phase would follow the guidelines outlined in the project-specific stormwater pollution prevention plan, including the standard best management practices (BMPs) to ensure that all hazardous materials are stored and managed properly and that no hazards occur during the construction phase of the project. In addition, as outlined in Section 4.10, Hydrology and Water Quality, mitigation measure (MM) MM-HYD-3 would be implemented during the construction period, ensuring proper storage, use, and disposal of all hazardous materials on site. MM-HYD-3 also outlines the protection of all storm drain inlets downstream of the construction site to eliminate entry of hazardous substances off site. Additionally, any transport of hazardous fuels would occur in accordance with standards set forth by the City of Oceanside, and the state and federal health and safety requirements; therefore, significant risk to the surrounding community is not anticipated.

Once project construction is complete, the transport, use, or disposal of hazardous materials during the operational phase of the project would be limited to commercial

cleaning products, landscaping chemicals and fertilizers, and other substances associated with commercial uses that are required to comply with all federal, state, and local laws regulating the management and use of hazardous materials. Therefore, impacts associated with long-term operation of the site would not result in significant impacts to the public or the environment.

The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction or operations. Impacts would be less than significant.

2. *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?*

No evidence or suspicion of release(s) of petroleum products or chemicals onto the land surface, nor signs of stressed vegetation, disposals, ground settlement, or other similar conditions were observed during site inspection.

During construction, there is a potential for construction debris to accumulate and for hazardous materials to be contained in stockpiles on the project site. To offset these impacts, a site-specific erosion control plan, stormwater pollution prevention plan, and BMPs would be implemented on site (MM-HYD-1). To protect against the accidental release of hazardous substances during storage of construction materials, all construction materials, including equipment and supplies, that need to be stored on site, would be fitted with the appropriate BMPs, kept within the construction staging areas, and covered when not in use (MM-HYD-2 and MM-HYD-3). Refer to Section 4.10, Hydrology and Water Quality, of this EIR for detailed descriptions of these mitigation measures.

During operation, hazardous materials would be limited to commercial cleaning products, landscaping chemicals and fertilizers, and other substances associated with commercial uses. Approximately 7.1 acres of the project site would be pervious to minimize surface runoff and reduce the reach of accidental releases of hazardous substances. Additionally, the project would be required to comply with all federal, state, and local laws regulating the management and use of common hazardous materials. The project's compliance with these regulations would ensure that the project would not create a potential hazard to the public through the release of hazardous materials into the environment during construction or operations. Therefore, impacts would be less than significant.

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

The project is not located within 0.25 mile of an existing or proposed school. The nearest school is Buena Vista Elementary, located approximately 0.6 mile south of the project site. Therefore, impacts would be less than significant.

4. *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 a result, would it create a significant hazard to the public or the environment?*

A Phase I ESA was prepared by Dudek in 2016 to determine whether any environmental hazards are present at the site or surrounding areas (see Appendix T). As part of the Phase I ESA, a database search report was obtained from EDR that 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 were that the project site is not located on a list of hazardous material sites compiled pursuant to California Government Code, Section 65962.5. One upstream site, Bubble Bath Car Wash, may potentially affect the project site. According to the July 2003 County of San Diego Department of Environmental Health Case Closure Summary, three underground storage tanks (two unleaded gasoline and one diesel) were removed from the site in 1997. During tank removal, diesel and gasoline impacts to the soil were observed. Impacted soil was excavated (reportedly 1,687 tons) and disposed of off site. Groundwater results presented in the Department of Environmental Health summary show a maximum concentration of 85 micrograms per liter ($\mu\text{g/L}$) of methyl-tert butyl ether (MTBE). The summary stated that the MTBE concentrations were expected to be below the maximum contaminant level within 7 years. However, based on the groundwater flow direction (toward the project site) and elevated concentrations of MTBE, impacts would be potentially significant. Mitigation in the form of a site mitigation plan (MM-HAZ-1) would reduce potentially significant impacts to a level below significance.

5. *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 proposed project is not located within the planning area of an airport land use plan, nor is it within 2 miles of a public airport. The nearest public airport is Oceanside Municipal Airport, located approximately 2.6 miles north of the project site. Additionally, McClellan-Palomar Airport is located approximately 4.5 miles southeast of

the proposed project. Therefore, the project would not expose workers or customers to safety hazards associated with airports. Impacts would be less than significant.

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 proposed project is not within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area. Therefore, no impact would occur.

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

Both the City of Oceanside's and the City of Carlsbad's General Plan Public Safety Elements identify the main through streets and highways within each city that would be the primary relocation routes for people who are forced from their homes during a disaster. The major streets within the project area identified as a relocation route within both plans are Interstate 5, Carlsbad Village Drive, SR-78, and El Camino Real. The project site is located immediately adjacent to SR-78. Primary access to SR-78 from the project site would be provided from Jefferson Street, while secondary access would be provided from El Camino Real. Construction of the proposed project could interfere with emergency response and access through construction-related lane closures on Jefferson Street. However, as identified in Table 3-2 of Section 3.2, the applicant would provide a traffic control plan to emergency service providers in the Cities of Oceanside and Carlsbad. Implementation of the traffic control plan would ensure that the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

8. *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 is located in an urbanized area and is surrounded by development. Additionally, the project site is bounded by SR-78 to the north, Buena Vista Creek to the east and south, and Jefferson Street and Buena Vista Lagoon to the west. Wildlands are not adjacent to the project site. While Buena Vista Creek is marked by vegetation near the project site, it does not represent a significant potential for wildland fires. The project would comply with the City of Oceanside Code of Ordinances, Chapter 11, Fire Protection, which provides regulations for fire prevention measures including fire sprinklers and landscape restrictions. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including

where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Impacts would be less than significant.

4.11.5 Mitigation Measures

MM-HAZ-1 Site Mitigation Plan. Prior to the issuance of the grading permit, a Site Mitigation Plan for hazardous materials shall be prepared to the satisfaction of the City of Oceanside and shall include the following strategies for managing contaminated soil and groundwater if encountered during construction:

- Findings of previous environmental investigations at the site
- Development plans
- Anticipated constituents of concern (hazardous waste/materials) that may be encountered
- Procedures for characterizing and managing excavated materials, including emergency response procedures
- Likely disposal fate of excavated material based on excavation plan and contaminants of concern identified, if any
- Dewatering contingency options
- Stormwater management options
- Regulatory considerations
- Worker health and safety plan for management of contaminated materials

Copies of the Site Management Plan and Health and Safety Plan shall be incorporated into worker training and maintained on site during construction of the proposed project. The measures contained in the Site Management Plan and the Health and Safety Plan shall comply with the most recent applicable hazardous material and worker safety codes and regulations.

4.11.6 Level of Significance After Mitigation

With the incorporation of mitigation measure MM-HAZ-1, impacts would be less than significant.