

## Section 2.4

# Hazards and Hazardous Materials

---

This section describes existing hazards and hazardous materials conditions and the applicable regulatory framework, and assesses potential impacts from hazards and hazardous materials that may result from implementing the proposed project. Finally, cumulative impacts and mitigation measures that would reduce potentially significance impacts are identified.

### 2.4.1 Existing Conditions

This section is divided into discussions of potential hazards to public safety and the environment related to hazardous materials, emergency response, evacuation plans, and wildland fire. This section also presents information on potential effects from vector sources as they relate to public health and safety. The discussion on hazards and hazardous materials describes sites with known hazardous materials issues, sites with potential hazardous materials issues, hazardous materials transportation, hazardous materials disposal, and hazardous materials release threats. The discussion on emergency response and evacuation plans identifies operations and plans that exist to protect lives and property in the event of a disaster within the County. The wildland fires discussion examines fire threat hazards, wildland urban interface (WUI) areas, and the history of wildland fires in the County.

Existing potential hazards and hazardous materials within the project area are described below.

#### 2.4.1.1 Hazardous Materials

The California Health and Safety Code, Section 25501, defines a hazardous material as:

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

Hazardous materials are common in almost all aspects of life. They are used daily in homes and most businesses, but often in quantities that are not of concern to the general public. They are routinely encountered during construction activities and are used in greater quantities that may be of public concern at certain agricultural, commercial, manufacturing, and industrial activities. Hazardous materials typically require special handling, reuse, and disposal because of their potential to harm human health and the environment.

The State of California defines hazardous materials or waste as any toxic, ignitable, flammable, reactive, and/or corrosive substance (California Code of Regulations [CCR], Title 22, Section 66261 and 40 CFR 261.3). Hazardous wastes are most commonly associated with certain manufacturing and industrial activities and commercial operations, including gas stations, hospitals, chemical and paint suppliers, and retail businesses (i.e., dry cleaners). Hazardous wastes also can be a by-product of daily operations, and include such items as aerosols, asbestos, batteries, fluorescent light bulbs, mercury, motor oil, or lead-based paints.

The primary concerns associated with the release of a hazardous material are the short- and long-term effects that exposure may have on the public. Specific health concerns differ based on the material but may include asthma, poisoning, skin rashes, and allergic reactions, and also the effects from such hazards as fires and explosions. To minimize potential impacts, hazardous materials are governed by regulations that require proper storage and handling, employee and public noticing, spill contingency planning, business/environmental management plans, and other emergency preventative and response measures necessary to ensure public safety and minimize the risk of accidental releases and associated environmental impacts. These regulations are discussed in detail under Section 2.4.2, *Regulatory Setting*.

### **2.4.1.2 Hazardous Materials Sites Databases**

There are a number of government data sources available that identify sites that could have experienced a release or supported the use of hazardous substances that could have resulted in a hazardous condition on site. Listed below are key sources of data that are used to identify specific properties with potential environmental conditions and/or historic uses of hazardous materials.

1. Hazardous Waste and Substances Sites from the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) EnviroStor Database.
2. Leaking Underground Storage Tank Sites by county and fiscal year from the State Water Resources Control Board (SWRCB) GeoTracker Database.
3. Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
4. Active Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB.
5. Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the California Health and Safety Code, identified by DTSC.
6. Active and closed solid waste sites (Solid Waste Inventory System [SWIS] database) maintained by the California Integrated Waste Management Board (CIWMB).
7. Hazardous Materials Establishment Listing maintained by the County.
8. Site Assessment and Mitigation (SAM) Case Listing of contaminated sites that have previously or are currently undergoing environmental investigations and/or remedial actions (maintained by the County).
9. The Resource Conservation and Recovery Information System, which is a database of Resource Conservation and Recovery Act (RCRA) facilities that is maintained by the U.S. Environmental Protection Agency (EPA).
10. The U.S. Army Corps of Engineers' list of Formerly Used Defense Sites (FUDS).
11. A list of school properties with environmental assessments and the findings maintained by the DTSC School Property Evaluation and Cleanup Division, which is responsible for assessing, investigating, and cleaning up proposed school sites.

Databases with sites located in the unincorporated County are discussed below. Sites listed in the Resource Conservation and Recovery Information System and the Hazardous Materials Establishment databases were not included in this discussion because information contained in these databases is repetitive of other databases.

## EnviroStor

The following site types are included in the DTSC EnviroStor Database: Federal Superfund Sites (National Priorities List); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School Sites. Information includes site name, site type, status, address, any restricted use (recorded deed restrictions), past use(s) that contain contaminants of concern, potential environmental media affected, site history, and planned and completed activities (County of San Diego 2007a). In the County of San Diego, there are approximately 25 sites listed on the EnviroStor Database.

## GeoTracker

The GeoTracker database is a geographic information system (GIS) that provides online access to environmental data including underground fuel tanks, fuel pipelines, and public drinking water supplies. GeoTracker contains information about leaking underground fuel tanks (LUFT) and can identify and display LUFT sites within various distances of wells. This provides users with the ability to assess potential threats to their drinking water sources. GeoTracker also has information and data on non-LUFT cleanup programs, including Spills-Leaks-Investigations-Cleanups sites, Department of Defense (DOD) sites, and Land Disposal programs (County of San Diego 2007a). There are more than 6,800 County sites listed in the GeoTracker database. Of these sites, 575 are listed as *Open* (SWRCB 2015). Sites may be closed by the SWRCB once it is determined that they do not pose a threat to human health and safety, or the environment.

## Active Cease and Desist Orders and Cleanup and Abatement List

The list of active Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB is a compilation of “all cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13004 of the Water Code, that concern the discharge of wastes that are hazardous materials.” The orders that are *active*, meaning the necessary actions have not yet been completed, are on this list. The SWRCB updates this list by deleting sites when there is no longer any discharge of wastes and/or where the necessary cleanup or abatement actions were taken. At the time of preparing the EIR there were approximately seven sites located within the incorporated County, most of them being closed landfills (SWRCB 2016).

## Solid Waste Inventory System Database

The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout the state. The types of facilities found in this database include landfills; closed disposal sites; transfer stations; materials recovery facilities; composting sites; transformation facilities; waste tire sites; and construction, demolition, and inert debris facilities and operations (County of San Diego 2007a). There are 152 facility/site listings within both the incorporated and unincorporated areas of the County that are under the jurisdiction of the County’s Local Enforcement Agency (CalRecycle 2015).

## County of San Diego Site Assessment and Mitigation Program Case Listing

The County SAM Program is within the Land and Water Quality Division of the County of San Diego Department of Environmental Health (DEH) and is applicable to the entire County. The goal of the SAM Program is to protect human health, water resources, and the environment within the County

by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the CCR. The SAM's Voluntary Assistance Program also provides regulatory oversight for environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances. For future projects under the proposed project that require discretionary review and are located on a site that is on the SAM list, the project's status would be identified and remediation requirements coordinated with the DEH SAM project manager.

### **Formerly Used Defense Sites Listing**

FUDS are real properties that are under the jurisdiction of the Secretary of Defense and owned by, leased by, or otherwise possessed by the United States. FUDS are located throughout the United States, and in many cases, the ownership of these properties has been transferred to private individuals, corporations, state and local governments, federal agencies, and tribal governments. FUDS include, but are not limited to, hazardous, toxic, and radioactive waste; military munitions, including munitions constituents; containerized hazardous, toxic, and radioactive waste; building demolition and debris removal; and potentially responsible party sites (government shares burden with private entity) (County of San Diego 2007a).

There are approximately 146 FUDS in the County, including FUDS within incorporated cities. Many FUDS have potential hazardous waste contamination problems, such as disposal areas and LUFTs. Some of the FUDS are associated with military uses such as military camps that included troop training and bombing ranges, disposal areas, LUFT, live munitions and explosives, practice rounds, and unexploded ordnance. These unexploded ordnances pose the greatest safety hazard to the public. Remediation of FUDS sites include RCRA Emergency Permit and Removal Action Workplan/Remedial Action Plan (RAW/RAP) remediation and exemptions under the California Health and Safety Code, Division 20 (County of San Diego 2007a).

#### **2.4.1.3 Sites with Potential Hazardous Materials Issues**

Sites that have experienced historical use of hazardous materials could create a potential hazard to humans and the environment when a new land use is proposed. Uses proposed under the project would be accessory to existing agricultural uses. Historic land uses that have the potential to result in current site contamination include agriculture, burn sites, landfills, formerly used defense sites, and petroleum storage.

#### **Historic Agriculture**

Agricultural activities include the application of fertilizers, herbicides, and pesticides. Soils contaminated by past agricultural activities are a growing concern, generally because of land use changes involving proposed housing developments on former agricultural lands. Investigation of suspected pesticide contamination on properties proposed for development typically includes soil sampling in areas where materials were stored, handled, and mixed in addition to identifying the historical crops grown, pesticides applied, and the methods of application. The investigation and any remedial actions related to pesticide contamination focuses on the elimination of human or environmental exposure. A complicated issue relative to pesticide-contaminated sites is how they are treated under existing hazardous substances regulations. Even though the concentrations in soil may exceed the Title 22 levels for a hazardous waste, legally applied pesticides (and the resulting residues in soil) are not regulated the same way as the other contaminated sites discussed below. As

a result, existing pesticide-contaminated sites are not required to be inventoried and tracked. However, regulations are in place to address contaminated sites when they are proposed for development, to protect workers from health risks, and to address risks from transporting contaminated soil off site. Constituents of concern at former agricultural sites that may pose a human health risk include organochloride pesticides and metals (County of San Diego 2007a).

### **Burn Dump Sites**

Burn ash refers to the debris, refuse, ash, and ash-contaminated soil that is produced from the open burning of municipal solid waste. In San Diego County, numerous burn ash sites exist from the time when open burning was the primary method used to dispose of solid waste. This was common from the 1900s to the early 1970s. Ash from the open burning of municipal solid waste is the most common, but not the only source of burn ash. Historically, some open burning and low temperature incineration did occur with specific commercial wastes streams, often disposed of on site. Ash from these sites could have very different characteristics from those of municipal solid waste. Burn ash can be commingled with other solid wastes, including incompletely burned refuse.

There are many environmental issues and concerns regarding the management of burn ash sites. Burn ash commonly contains elevated concentrations of lead and other heavy metals, often at concentrations that require it to be disposed of as hazardous waste. Without appropriate care, burn ash and burn ash contaminated soil have a potential for causing public health and environmental impacts. During development activities soil containing burn ash must be properly managed on- and off site, if transported from the site. The primary pathways for potential public health and environmental impacts include dust migration, surface erosion, and surface water contamination (County of San Diego 2007a).

### **Landfills**

Open, abandoned, and closed landfills present potential issues related to the exposure of humans to hazards when a project is proposed on or near a landfill site. Projects that propose the construction of buildings on landfill property within 1,000 feet of buried waste are subject to specific requirements pursuant to the 27 CCR 21190. This section identifies specific requirements for design and construction such that gas migration into buildings will not occur. While this regulation is only applicable to projects located on landfill property (but not for non-landfill property), it provides useful guidance for a range of construction design considerations that may be used to minimize potential impacts from landfill gas migration when projects are located within 1,000 feet of buried waste. Major underground utilities within 1,000 feet of a landfill can also act as a conduit for landfill gas, and should be evaluated for this risk (County of San Diego 2007a).

The CIWMB maintains a SWIS database that contains information on solid waste facilities, operations, and disposal sites throughout the state. The types of facilities found in this database include landfills, transfer stations, material recovery facilities, composting sites, transformation facilities, waste tire sites, and closed disposal sites. It is estimated that approximately 50–60 of these facilities are located in the unincorporated County.

### **Active Landfills**

There are seven active landfills in the San Diego region that serve the residents, businesses, and military operations of both incorporated and unincorporated areas. The Sycamore, Otay, Ramona, and Borrego landfills are owned and operated by the private waste service company, Allied Waste

Industries. Las Pulgas and San Onofre landfills are owned and operated by the U.S. Marine Corps, and the Miramar Landfill is owned and operated by the City of San Diego. The Marine Corps-operated landfills are not available for public disposal.

### **Transfer Stations**

Solid waste not placed directly in the landfills is deposited temporarily in several privately operated transfer stations or rural bin sites located throughout the County. The region's transfer stations and bin sites play a vital role in accommodating throughput to landfills, serving as collection and separation points of solid waste and recyclables.

### **Inactive Landfills**

The Landfill Management Unit of the County Public Works Department manages and maintains 11 closed landfills throughout the County and San Diego Metropolitan Area, and it maintains the gas collection system at the Bell Jr. High Landfill located in the City of San Diego. At least five other closed landfills are maintained by other parties. Although closed landfill sites no longer accept solid waste, there is a great deal of maintenance required to keep them environmentally safe.

At inactive landfills, the County and others monitor landfill gas and maintain active landfill gas control systems, maintain the soil cover system, monitor groundwater quality and surface water, and employ stormwater best management practices (BMPs) to ensure that closed landfills do not pollute surface or ground water or pose an explosion or health hazard.

### **Petroleum Storage Sites**

Petroleum hydrocarbons are the most commonly used group of chemicals in society today. Petroleum hydrocarbons encompass a wide range of compounds, including but not limited to fuels, oils, paints, dry cleaning solvents, and non-chlorinated solvents. These compounds are used in all facets of modern life and can cause soil and groundwater contamination if not properly handled. Underground storage tanks (USTs) and aboveground storage tanks (ASTs) that store petroleum are common sources of contamination into soils and groundwater in the County. Property owners with USTs and ASTs on their land often include retailers who sell gasoline to the public, such as service stations and convenience stores, or others who use tanks solely for their own needs, such as fleet service operators or agricultural users.

USTs are defined by law as “any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground” (exceptions apply). USTs are common sources of petroleum contamination into soils and groundwater and the presence of such contamination is typically identified during removal of USTs. Leaking USTs can result in vapor intrusion from volatile organic compounds and benzene into homes when chemicals seep down into the soil and groundwater and travel through soil as vapor. These vapors may then move up through the soil into nearby buildings through cracks in the foundation, contaminating indoor air. While vapor intrusion is uncommon, it should be considered when there is a known source of soil or groundwater contamination nearby. DEH oversees the inspection, monitoring, and plan review of all UST facilities. Two divisions within DEH are responsible for these functions. The Hazardous Materials Division (HMD) performs annual inspections of all regulated USTs, plan review for new installation, repair, upgrade, and closure of USTs. The DEH Land and Water Quality Division is responsible for the inspections of all UST closures, the review of post tank removal work plans, all sampling and analyses, and determination

of whether a release had occurred and whether further site assessment is required. San Diego County Code, Title 6, Division 8, Chapter 10, Underground Storage of Hazardous Substances, gives DEH the authority to inspect all regulated USTs in San Diego County. Additional information about DEH's UST program is available in Section 2 of DEH's *Site Assessment and Mitigation Manual* (County of San Diego 2007a).

#### **2.4.1.4 Hazardous Waste Transportation**

In California, unless specifically exempted, it is unlawful for any person to transport hazardous wastes unless the person holds a valid registration issued by the DTSC. The DTSC maintains a list of active registered hazardous waste transporters throughout the state. There are five registered hazardous waste transporters within the unincorporated areas of the County. The process of transporting hazardous waste often involves transfer facilities. A transfer facility is any facility that is not an onsite facility that is related to the transportation of waste. These facilities include, but are not limited to, loading docks, parking areas, storage areas, and other similar areas. Although not all transfer facilities hold hazardous waste, any operator of a facility that accepts hazardous waste for storage, repackaging, or bulking must obtain formal authorization for those activities through the hazardous waste permit process. Hazardous waste transporters are exempt from storage facility permit requirements so long as they observe the limits on storage time and handling.

Hazardous waste transfer facilities fall into three main categories.

1. An exempt transfer facility operated by a registered transporter.
2. A transfer facility operating under the authority of an RCRA permit.
3. A transfer facility operating under the authority of a Standardized Permit.

A transfer facility may be either permitted or exempt. The permit authorizes the activities and establishes the conditions that must be followed by the operator of a permitted transfer facility.

Exempt facilities are owned and operated by the transporter of the waste.

#### **2.4.1.5 Hazardous Materials Disposal**

Through the RCRA, Congress directed EPA to create regulations that manage hazardous waste from "the cradle to the grave." Under this mandate, EPA has developed strict requirements for all aspects of hazardous waste management, including the recycling, treatment, storage, and disposal of hazardous waste. Facilities that provide recycling, treatment, storage, and disposal of hazardous waste are referred to as treatment, storage, and disposal facilities (TSDFs). Regulations pertaining to TSDFs are designed to prevent the release of hazardous materials into the environment and are more stringent than those that apply to generators or transporters. Within the unincorporated County, multiple TSDF sites exist, such as those owned and operated by the U.S. military and San Diego Gas and Electric Company.

#### **2.4.1.6 Hazardous Materials Emergency Response**

The County of San Diego Department of Environmental Health, Hazardous Incident Response Team (DEH-HIRT) consists of 10 California State Certified Hazardous Materials Specialists. The team was founded in 1981 by the Unified Disaster Council and is funded by a Joint Powers Agreement. This team services all unincorporated San Diego County areas, 18 municipalities, 2 military bases, and 5 Indian reservations. There are over 400 responses a year in the DEH-HIRT operational area. DEH-

HIRT responds jointly with the San Diego Fire-Rescue Department Hazardous Incident Response Team to investigate and mitigate hazardous materials-related emergencies or complaints. Emergency response activities include mitigation, containment, control actions, hazard identification, and threat evaluation to the local population and the environment. DEH-HIRT is also responsible for handling all after-normal-business-hours complaints for the DEH. Recent DEH-HIRT incidents include responses to the 2007 firestorm, responses to fires at factories that store and use hazardous materials, and responses to accidents involving vehicles transporting fuel, liquid oxygen, pesticides, and other hazardous materials.

### **2.4.1.7 Emergency Response and Evacuation Plans**

Emergency response plans include elements to maintain continuity of government, emergency functions of governmental agencies, mobilization and application of resources, mutual aid, and public information. Emergency response plans are maintained at the federal, state, and local levels for all types of disasters, including human-made and natural. It is the responsibility of governments to undertake an ongoing comprehensive approach to emergency management in order to avoid or minimize the effects of hazardous events. Local governments have the primary responsibility for preparedness and response activities.

To address disasters and emergency situations at the local level, the Unified Disaster Council (UDC) is the governing body of the Unified San Diego County Emergency Services Organization. The UDC is chaired by a member of the County Board of Supervisors and is composed of representatives from the 18 incorporated cities. The County Office of Emergency Services (OES) serves as staff to the UDC.

Potential hazards or events that may trigger an emergency response action in the County include earthquakes, tsunamis, floods, wildland fires, landslides, droughts, hurricanes, tropical storms, and freezes. Emergency response actions could also be triggered by a hazardous material incident; water or air pollution; a major transportation accident; dam failure, water, gas, or energy shortage; an epidemic; a nuclear accident; or act of domestic or international terrorism.

#### **Operational Area Emergency Plan**

In the County, there is a comprehensive emergency plan known as the Operational Area Emergency Plan. Stand-alone emergency plans for the Operational Area include the following.

- San Diego County Nuclear Power Plant Emergency Response Plan
- San Diego County Operational Area Oil Spill Contingency Element of the Area Hazardous Materials Plan
- San Diego County Operational Area Emergency Water Contingencies Plan
- Unified San Diego County Emergency Services Organization Operational Area Energy Shortage Response Plan
- Unified San Diego County Emergency Services Organization Recovery Plan
- San Diego County Multi-Jurisdictional Hazard Mitigation Plan
- San Diego Urban Area Tactical Interoperable Communications Plan
- San Diego County Draft Terrorist Incident Emergency Response Protocol



In addition to the above plans, the OES maintains Dam Evacuation Plans for the Operational Area. Emergency plans for dam evacuation are necessary to plan for the loss of life, damage to property, displacement of people, and other ensuing hazards that can occur from dam failure. In the event of dam failure, damage control and disaster relief would be required, and mass evacuation of the inundation areas would be essential to save lives. Dam evacuation plans contain information concerning the physical situation, affected jurisdictions, evacuation routes, unique institutions, and event responses. In addition, the plans include inundation maps showing direction of flow; inundation area boundaries; hospitals, schools, and multipurpose staging areas; command posts/sites; and mass care and shelter facilities/sites. Unique institutions, as defined by the OES, include the following types of facilities: hospitals, schools, skilled nursing facilities, retirement homes, mental health care facilities, care facilities with patients that have disabilities, adult and childcare facilities, jails/detention facilities, stadiums, arenas, and amphitheaters.

### **San Diego Multi-Jurisdictional Hazard Mitigation Plan**

The Multi-Jurisdictional Hazard Mitigation Plan (HMP) was developed with the participation of all jurisdictions in the County, including every incorporated city and the unincorporated County. The plan includes an overview of the risk assessment process, identification of hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the County.

Hazards profiled in the plan include wildfire, structure fire, floods, coastal storms, erosion, tsunamis, earthquakes, liquefaction, rain-induced landslides, dam failure, hazardous materials incidents, nuclear materials release, and terrorism. The plan sets forth a variety of objectives and actions based on a set of broad goals including: (1) promoting disaster-resistant future development; (2) increasing public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancement of hazard mitigation coordination and communication with federal, state, local, and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, particularly people, critical facilities or infrastructure, and County-owned facilities due to dam failure, earthquake, coastal storm, erosion, tsunami, landslide, flood, structural fire/wildfire, and man-made hazard.

### **Emergency Air Support**

Helicopters and small planes are used in a variety of emergency response actions, such as search and rescue operations and water retrieval to extinguish wildfires. During an emergency response, aircraft tend to fly low to the ground, thus increasing the potential hazards to aircraft from towers and other objects within airspace. The California Department of Forestry and Fire Protection (CAL FIRE) and the County Sheriff's Department Aerial Support Detail, Air Support to Regional Enforcement Agencies (ASTREA) base carry out emergency response actions. CAL FIRE is the largest fire department in California and the third largest fire department in the United States. Firefighters working for CAL FIRE are responsible for fulfilling their mission to provide comprehensive fire protection and other related emergency services, including protection of life and property. The County Sheriff's ASTREA operates aircraft throughout the County on a daily basis. These aircraft are involved in law enforcement, search and rescue, and fire-related missions.

### 2.4.1.8 Wildland Fire Hazards

A vast amount of the County's undeveloped lands support natural habitats, such as grasslands, sage scrub, chaparral, and some coniferous forest. In the context of fire ecology, these areas are known as wildlands. Fire ecology research has shown that the natural fire regime for the shrublands and forests in the County was one of frequent small fires and occasional large fires. Modern society has interrupted and fractured the natural fire process by initiating fire suppression policies, introducing invasive plant species that burn readily, such as eucalyptus trees, and building houses within or adjacent to wildland areas (known as WUI areas) such as the County's backcountry. Although fires can occur anywhere in the County, fires that begin in wildland areas pose a serious threat to personal safety and structures due to rapid spread and the extreme heat that these fires often generate. Past wildfires have taken lives, destroyed homes, and devastated hundreds of thousands of acres of the County's natural resources.

#### Fire Hazard Potential in the County

CAL FIRE has mapped areas of significant fire hazards in the County through their Fire and Resource Assessment Program. These maps place areas of the County into different Fire Hazard Severity Zones (FHSZs) based upon fuels, terrain, weather, and other relevant factors. The majority of the unincorporated area of the County is *State Responsibility Areas* lands.

The FHSZs are divided into three levels of fire hazard severity: Moderate, High, and Very High. The majority of the County is in the High and Very High FHSZs, except for the Desert and eastern Mountain Empire Sub-regions, which are in the Moderate FHSZ. There are also areas of Moderate FHSZs and un-zoned areas in the more densely populated communities around the County.

#### Wildland Urban Interface

WUI is an area where development is located in proximity to open space or lands with native vegetation and habitat that are prone to brush fires. The WUI creates an environment in which fire can move readily between structural and vegetation fuels. Once structures are built within or adjacent to natural habitat settings, it increases the complexity of fighting wildland fires, because the goal of extinguishing wildland fires is often superseded by protecting human life and private property. Defensible space is a separation zone between wildlands and structures that reduces fire speed, intensity, and flame lengths, and limits the spread of wildfire. The loss of lives and property increases in areas where people and structures are placed within the wildlands that are naturally subject to high intensity fires

The WUI is composed of communities that border wildlands or are intermixed with wildlands and where the minimum density exceeds one structure per 40 acres. WUI communities are created when the following conditions occur: (1) structures are built at densities greater than one unit per 40 acres, (2) the percentage of native vegetation is less than 50%, (3) the area is more than 75% vegetated, and (4) the area is within 1.5 miles of an area greater than a census block (1,325 acres).

The 1.5-mile buffer distance was adopted according to the 2001 California Fire Alliance definition of vicinity, which is roughly the distance that pieces of burning wood can be carried from a wildland fire to the roof of a structure (UW 2008, as cited in County of San Diego 2011a).

## Wildland Fire History in the County

The County has a long history of wildland fires. As identified in an annual report produced by CAL FIRE, *Wildfire Activity Statistics*, the County is consistently listed among the top five counties in the state for both number of acres burned and dollar value of fire damage. In the County, fire season is typically defined as occurring from May through November, depending on variations in weather conditions. However, the threat of a wildland fire is always present and is influenced by weather conditions throughout the year.

The 2007 San Diego County firestorms were the second largest in County history, superseded only by the devastating firestorms of October 2003. The firestorms started on October 21, 2007, near the United States–Mexico international border and burned throughout the County until the last fire was fully contained on November 9, 2007. At the height of the firestorms, there were seven separate fires burning in the County. The fires resulted in seven civilian deaths, 23 civilian injuries, and 89 firefighter injuries. More than 6,200 fire personnel fought to control the wildland fires, but the fires consumed approximately 369,000 acres, about 13% of the County's total land mass. In May 2014, the County again experienced firestorms, although not as intense as the 2007 fires, which consumed 26,000 acres, including 65 structures in Carlsbad, San Marcos, and the unincorporated areas of the County.

CAL FIRE mapped areas of significant fire hazards within the County. Areas are placed into different FHSZs based upon fuels, terrain, weather, and other relevant factors. The County General Plan identifies Federal Responsibility Areas, which are areas where the U.S. Forest Service is responsible for wildfire protection; State Responsibility Areas, which are areas where CAL FIRE is responsible for wildfire protection; and Local Responsibility Areas, where local fire protection agencies are responsible for wildfire protection. The majority of the unincorporated area of the County is State Responsibility Area lands (see Figure 2.4-1).

### 2.4.1.9 Vectors

A vector is any insect, arthropod, rodent, or other animal of public health significance that can cause human discomfort or injury or is capable of harboring or transmitting the causative agents of human disease. Typical adverse effects related to vectors are twofold. First, vectors can cause significant public health risks due to the transmission of disease to human and animal populations. Second, vectors can create a nuisance for the residents of the County. In the County, the most significant vector populations include mosquitos, rodents, flies, and fleas. Vector sources around the County include standing water, wetlands, and manure (County of San Diego 2009b).

#### Standing Water

Any source of standing water, including, but not limited to, ponds, reservoirs, natural and constructed wetlands, irrigation ponds, detention basins, percolation and infiltration basins, and other stormwater conveyance and treatment systems that hold standing water, can be breeding grounds for mosquitos and other vectors resulting in adverse public health effects related to disease transmission. Ponds, stormwater BMPs, wetlands, and reservoirs are other major source of vectors. The condition of the water body dictates its potential to generate vectors. For example, flowing and aerated water does not support mosquito breeding, while stagnant water does support mosquito breeding.

## Composting and Manure Management

The presence of large quantities of manure can significantly increase problems related to vectors, particularly from the breeding of flies. Animal raising operations, kennels, and animal agricultural uses, such as poultry ranches or other animal breeding operations, can increase vector populations, if not properly managed.

## Vector Populations and Diseases

### Mosquitos

Almost all mosquitoes need standing water to complete their life cycle. For this reason, mosquitoes are found in areas of standing water including wetlands, irrigation ponds, detention basins, percolation and infiltration basins, and other stormwater conveyance systems. Some mosquito species are vectors of diseases. There are approximately 24 different species of mosquitoes that are found in the County, and of these, there are at least seven that are known to carry diseases that can be passed to humans.

Viruses of concern from mosquitoes include arboviruses (arthropod-borne viruses), a large group of viruses that are spread mainly by bloodsucking insects. In the United States, arboviruses are most commonly spread by mosquitoes. Arboviruses that have been found or may occur in the County include Western equine encephalitis, Saint Louis encephalitis, and most recently, West Nile virus. Birds are often the source of infection for mosquitoes, which can then spread the infection to horses, other animals, and people. Most people infected with arboviruses have few or no symptoms, but arboviruses can cause serious and potentially fatal inflammation of the brain (encephalitis), as well as other complications. The recent spread of West Nile virus has increased the health risk of mosquito contact and increased the importance of preventing mosquito breeding.

### Rodents

Rodents, such as mice, rats, or squirrels, are very destructive pests that can spread disease, contaminate foods and food preparation areas, and cause costly structural damage. Diseases spread by rodents that can harm humans include plague and hantavirus.

Plague is a bacterial disease carried by rodents that is spread through the bite of an infected flea. Rodents, usually ground squirrels, can carry plague. Humans and their pets can also be infected with plague if bitten by infected fleas at campgrounds or rural areas, typically at the higher elevations. The County conducts plague surveillance, mostly at higher elevation localities. Surveillance and testing often yields one or more positive blood tests in ground squirrels each year. In response, plague-warning signs are posted at campgrounds to inform visitors of the appropriate precautions. Hantavirus is a potentially fatal rodent-borne disease. Both hemorrhagic and respiratory strains of hantavirus occur in wild rodents (deer mice and harvest mice) in the County. Humans typically become infected with hantavirus by breathing air-borne particles of wild rodent droppings and urine contaminated with the virus. Symptoms of the virus include fever, headache, nausea, vomiting, and respiratory failure.

### Flies

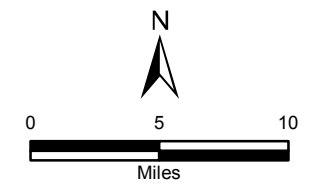
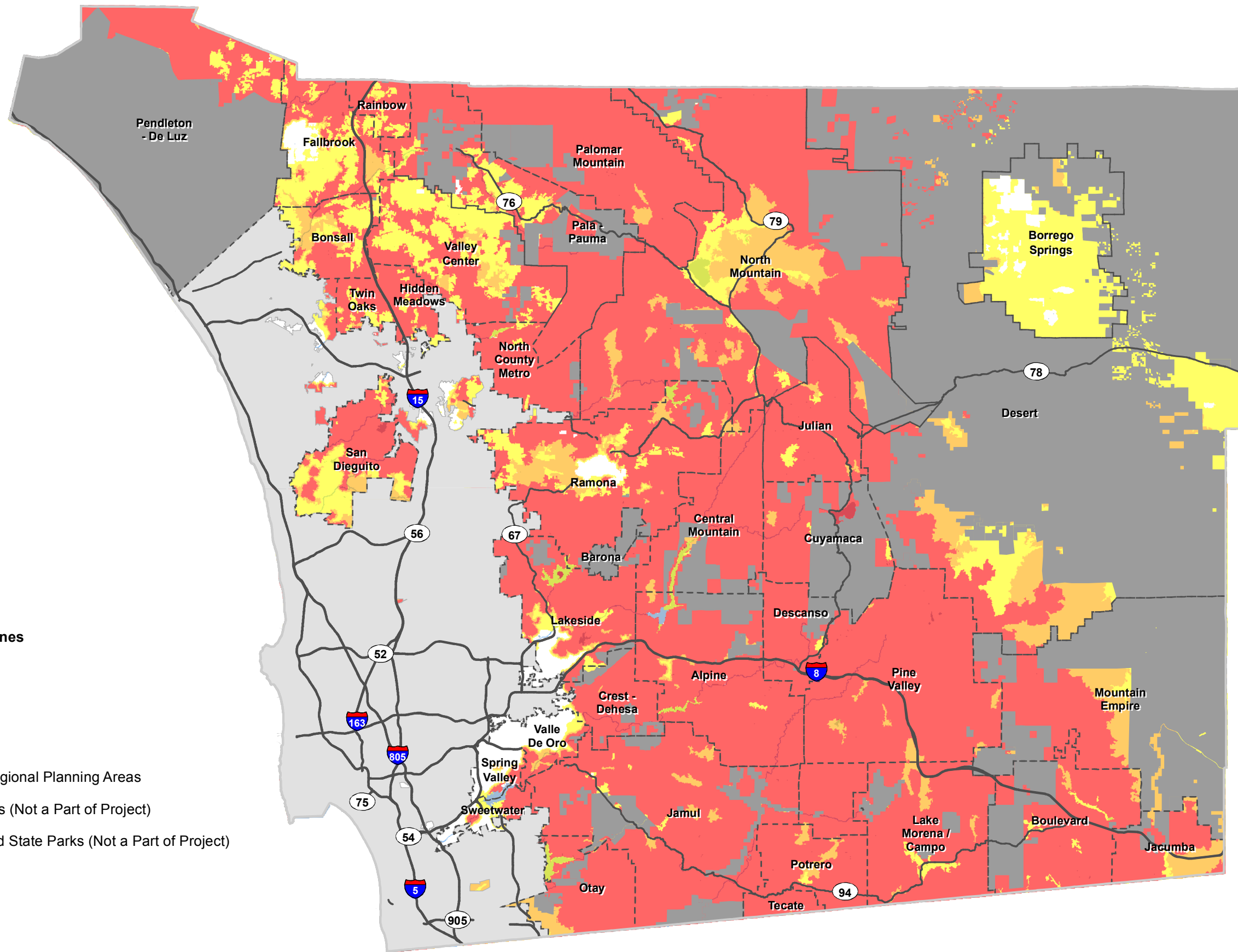
Flies are vectors of disease. When flies forage on feces and spoiled food, they come into contact with pathogens and can spread them to other animals and humans. In 2 weeks, one female fly may lay more than 1,000 eggs in sources including, but not limited to, animal wastes, household garbage,

K:\San\_Diego\projects\County of San Diego\00054\_15\_Ag\_Promotion\mapdoc\EIR\Fig02\_4\_1\_SRA.mxd Date: 3/7/2016 19:54:2

**Fire Hazard Severity Zones**

- Very High
- High
- Moderate

- Community/Subregional Planning Areas
- Incorporated Cities (Not a Part of Project)
- Tribal, Military, and State Parks (Not a Part of Project)
- Lakes/Reservoirs
- Rivers
- Freeways
- Highways



Source: SRA - SanGIS (2015);  
Background Files - SanGIS (2014), BLM (2015).



**Figure 2.4-1**  
**County's State Responsibility Area Lands**  
**County of San Diego Agriculture Promotion Program**



and piled lawn clippings. The most common fly diseases are dysentery, salmonella, E.coli infection, and cholera.

### **Fleas**

Fleas are usually brought into the home by dogs, cats, or other furry pets. In order to live and reproduce, they feed off the blood of humans and animals, such as dogs and cats. Diseases spread by fleas include plague, tapeworm, and typhus.

## **2.4.2 Regulatory Setting**

Several federal, state, regional, and local laws have been established to regulate activities concerning hazards and hazardous materials. This section lists the regulations that apply to these issues. The impact analysis considers these regulations as they pertain to the proposed project.

### **2.4.2.1 Federal Regulations**

#### **Resource Conservation and Recovery Act of 1976**

The goal of the RCRA, a federal statute passed in 1976, is the protection of human health and the environment, the reduction of waste, the conservation of energy and natural resources, and the elimination of the generation of hazardous waste as expeditiously as possible. The Hazardous and Solid Waste Amendments of 1984 significantly expanded the scope of the RCRA by adding new corrective action requirements, land disposal restrictions, and technical requirements. The corresponding regulations in 40 CFR 260–299 provide the general framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste. Other applicable federal laws and regulations include the following.

- **49 CFR 172 and 173:** These regulations establish standards for the transport of hazardous materials and hazardous wastes. The standards include requirements for labeling, packaging, and shipping hazardous materials and hazardous wastes, as well as training requirements for personnel completing shipping papers and manifests.
- **40 CFR Subchapter I—Solid Wastes:** These regulations implement the provisions of the Solid Waste Act and RCRA. These regulations also establish the criteria for the classification of solid waste disposal facilities (landfills), hazardous waste characteristic criteria and regulatory thresholds, hazardous waste generator requirements, and requirements for management of used oil and universal wastes.
- **40 CFR 355 Appendix A—The List of Extremely Hazardous Substances and Their Threshold Planning Quantities:** This list is part of a regulation that establishes requirements for a facility to provide information necessary for developing and implementing State and local chemical emergency response plans, and requirements for emergency notification of chemical releases, including releases of Extremely Hazardous Substances as defined by the Comprehensive Environmental Response, Compensation, and Liability Act.

#### **Comprehensive Environmental Response, Compensation, and Liability Act and the Superfund Amendments and Reauthorization Act of 1986**

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, on December 11, 1980. CERCLA established prohibitions

and 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. The Superfund Amendments and Reauthorization Act amended CERCLA on October 17, 1986. The Superfund Amendments and Reauthorization Act stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites; required Superfund actions to consider the standards and requirements found in other federal and state environmental laws and regulations; provided new enforcement authorities and settlement tools; increased state involvement in every phase of the Superfund program; increased the focus on human health problems posed by hazardous waste sites; encouraged greater citizen participation in making decisions on how sites should be cleaned up; and increased the size of the trust fund to \$8.5 billion.

### **Chemical Accident Prevention Provisions, 40 CFR 68**

The Chemical Accident Prevention Provisions were adopted to address chemical accident prevention at facilities using extremely hazardous substances. The provisions require all facilities that use or handle certain flammable and toxic materials to prepare a Risk Management Plan (RMP) that describes the materials used over the previous 5 years, a worst-case accident scenario and alternatives, a prevention program, and an emergency response program. New RMPs are required every 5 years.

### **Emergency Planning Community Right-to-Know Act**

Also known as Title III of the Superfund Amendments and Reauthorization Act, the Emergency Planning Community Right-to-Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. To implement the EPCRA, Congress required each state to appoint a State Emergency Response Commission. The commissions were required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee for each district. The EPCRA provides requirements for emergency release notification, chemical inventory reporting, and toxic release inventories for facilities that handle chemicals.

### **Hazardous Materials Transportation Act**

The Hazardous Materials Transportation Act was passed in 1975 to provide adequate protection against the risks to life and property associated with the transportation of hazardous material by creating a regulatory framework to address potential threats to health, welfare, and safety. A hazardous material, as defined by the Secretary of Transportation, is any “particular quantity or form” of a material that “may pose an unreasonable risk to health and safety or property” (OHS&A n.d.).

### **EPA Region 9, Preliminary Remediation Goals**

Preliminary Remediation Goals (PRGs) are tools for evaluating and cleaning up contaminated sites. PRGs for the Superfund/RCRA programs are risk-based concentrations derived from standardized equations combining exposure information assumptions with EPA toxicity data. They are considered to be protective for humans (including sensitive groups) over a lifetime. However, PRGs are not always applicable to a particular site and do not address non-human health issues, such as



ecological impacts. Region 9's PRGs are viewed as agency guidelines, not legally enforceable standards.

### **Occupational Safety and Health Act**

The Occupational Safety and Health Administration (OSHA) administers the Occupational Safety and Health Act, which requires special training for handlers of hazardous materials, notification to employees who work in the vicinity of hazardous materials, and acquisition of material safety data sheets from the manufacturer. A material safety data sheet describes the proper use of hazardous materials. The act also requires training of employees to remediate any hazardous material accidental releases.

### **Federal Insecticide, Fungicide, and Rodenticide Act**

The Federal Insecticide, Fungicide, and Rodenticide Act provides for federal regulation of pesticide distribution, sale, and use. All pesticides distributed or sold in the United States must be registered (licensed) by EPA. Before EPA may register a pesticide under the act, the applicant must show, among other things, that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment."

### **International Fire Code**

The International Fire Code (IFC), created by the International Code Council, 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 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.

### **The Robert T. Stafford Disaster Relief and Emergency Assistance Act**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 92-288; U.S. Code, Title 42, Sections 5121-5206) authorizes the President to declare a major disaster in the United States, which authorizes the Federal Emergency Management Agency (FEMA) to administer federal aid to states affected by major disasters. FEMA is allowed to authorize and devote federal resources toward temporary housing, grants for immediate needs of families and individuals, and the repair of public infrastructure, emergency communications systems, and other forms of assistance.

### **Federal Response Plan**

The Federal Response Plan of 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.

### **Division of Vector Borne Infectious Diseases**

The Division of Vector-Borne Infectious Diseases serves as a national and international reference center for vector-borne diseases. As one of the few remaining centers responsible for these agents, it is incumbent on the division to maintain leadership and scientific competence in all major disciplines relating to the field of vector-borne infectious diseases. The mission of the division is to (1) develop and maintain effective surveillance for vector-borne viral and bacterial agents and their arthropod vectors; (2) conduct field and laboratory research and epidemic aid investigations; (3) define disease etiology, ecology, and pathogenesis in order to develop improved methods and strategies for disease diagnosis, surveillance, prevention and control; (4) provide diagnostic reference and epidemiologic consultation, on request, to state and local health departments, other components of the Centers for Disease Control, other federal agencies, and national and international health organizations; and (5) provide intramural and extramural technical expertise and assistance in professional training activities. Emphasis is given to laboratory and epidemiological research to improve diagnosis, surveillance, prevention, and control of diseases of major public health importance such as Lyme disease, dengue/dengue hemorrhagic fever, West Nile virus, yellow fever, arboviral encephalitis, plague, and tularemia. In addition, expertise is maintained for other vector-borne infectious diseases that occur only sporadically or in periodic epidemics.

## **2.4.2.2 State Regulations**

### **Cortese List**

The Cortese List (Government Code Section 65962.5 (a)) is compiled from the DTSC, the State Department of Health Services, the California SWRCB, and the CIWMB, who are required to compile and annually update lists of hazardous waste sites and land designated as hazardous waste property throughout the state. The Secretary for Environmental Protection consolidated the information (also known as the Cortese List) submitted by these agencies.

### **Hazardous Materials Plans**

Two programs found in Chapter 6.95 of the California Health and Safety Code are directly applicable to the CEQA issue of risk due to hazardous substance release. In the County, these two programs are referred to as the Hazardous Materials Business Plan (HMBP) program and the California Accidental Release Prevention (CalARP) program. The County DEH-HMD is responsible for the implementation of the HMBP and CalARP programs. The programs provide threshold quantities for regulated hazardous substances. When the indicated quantities are exceeded, an HMBP or RMP is required pursuant to this regulation.

HMBPs intend to minimize hazards to human health and the environment from fires, explosions, or an unplanned release of hazardous substances into air, soil, or surface water. The HMBP must be carried out immediately whenever a fire, explosion, or unplanned chemical release occurs. An HMBP includes three sections: (1) an inventory of hazardous materials, including a site map, which details their location; (2) an emergency response plan; and (3) an employee-training program. HMBPs serve as an aid to employers and employees in managing emergencies at a given facility.

CalARP incorporates federal and state requirements for the prevention of accidental releases of listed substances into the atmosphere. It requires that an RMP include a hazard assessment program, an accidental release prevention program, and an emergency response plan. The RMP must be revised every 5 years or as necessary. The majority of facilities or businesses in the County that have prepared RMPs are ammonia refrigeration facilities and water treatment/wastewater treatment plants that handle chlorine gas. Congress requires the EPA Region 9 to make RMP information available to the public through EPA's Envirofacts Data Warehouse, which is considered the single point of access to select EPA environmental data.

### **Department of Toxic Substances Control**

DTSC's mission is to restore, protect, and enhance the environment and to ensure public health, environmental quality, and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA of 1976, the California Health and Safety Code, and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

Pursuant to Chapter 6.5 within Title 22 of the CCR, DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose "cradle to grave" regulatory systems for handling hazardous waste in a manner that protects human health and the environment. CalEPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies (CUPAs), including the San Diego County DEH.

### **Underground Storage Tank Act**

CCR Title 23 Section 2620 states that the purpose of the regulation is "intended to protect waters of the state from discharges of hazardous substances from underground storage tanks. These regulations establish construction requirements for new underground storage tanks; establish separate monitoring requirements for new and existing underground storage tanks; establish uniform requirements for unauthorized release reporting, and for repair, upgrade, and closure of underground storage tanks; and specify variance request procedures."

### **Above Ground Petroleum Storage Act**

The Aboveground Petroleum Storage Act (California Health and Safety Code, Section 25270 et seq.) requires registration and spill prevention programs for ASTs that store petroleum. In some cases, ASTs for petroleum may be subject to groundwater monitoring programs that are implemented by the Regional Water Quality Control Boards and the SWRCB. The County DEH is the local administering agency for this program.

### **California Human Health Screening Levels**

The California Human Health Screening Levels (CHHSLs) are concentrations of 54 hazardous chemicals in soil or soil gas that CalEPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by the Office of Environmental Health Hazard Assessment on behalf of CalEPA using standard exposure assumptions and chemical toxicity values published by EPA and CalEPA. There are separate CHHSLs for residential and commercial/industrial sites. The CHHSLs can be used to screen sites for potential human health concerns where releases of

hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSL can be assumed to not pose a significant health risk to people who may live or work at the site. The CHHSLs, which include pesticides, are used by lead agencies (such as the County) and responsible agencies (such as DTSC) when reviewing proposed development projects to determine if potential impacts from contamination may occur. This is particularly important for pesticide-contaminated sites as they are not required to be inventoried, as discussed above under Section 2.4.1.3.

### **Safe Drinking Water and Toxic Enforcement Act**

Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, was enacted as a ballot initiative in November 1986. The proposition was intended by its authors to protect California citizens and the state's drinking water sources from chemicals known to cause cancer, birth defects, or other reproductive harm, and to inform citizens about exposures to such chemicals. Proposition 65 requires the governor to publish, at least annually, a list of chemicals known by the state to cause cancer or reproductive toxicity. Proposition 65 requires that a warning be posted in businesses with ten or more employees except "city, county, or district or any department or agency thereof or the state or any department or agency thereof or the federal government or any department or agency thereof; or any entity in its operation of a public water system" where listed chemicals are used or present.

### **Hazardous Waste Control Law**

The Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) is the basic hazardous waste law for California. It establishes state criteria for defining hazardous waste and its safe handling, storage, treatment, and disposal. The law is designed to provide "cradle-to-grave" management of hazardous wastes, as well as to reduce the occurrence and severity of hazardous material releases. The San Diego County DEH administers the program.

### **Petroleum Storage Tank Regulations**

Under Chapter 6.67 of the California Health and Safety Code, state law regulates construction, installation, operation, and monitoring of aboveground petroleum storage tanks. This law is designed to prevent release of hazardous materials into the environment by either leakage from tanks and associated pipelines or from overfilling and spillage. As such, the program works to reduce the occurrence of hazardous material releases.

Pursuant to 40 CFR 112 (federal law), secondary containment is required for ASTs that are larger than 1,320 gallons, and for ASTs and/or vessels larger than 55 gallons for facilities that store 1,320 gallons or more of petroleum. Spill prevention, control, and countermeasures are to be documented in Spill Prevention, Control, and Countermeasure plans. Compliance with 40 CFR 112 is managed by EPA, which typically delegates oversight to the CUPA.

### **California Department of Pesticide Regulation**

Through a cooperative agreement with EPA, the California Department of Pesticide Regulation is authorized to enforce the Federal Insecticide, Fungicide, and Rodenticide Act through CalEPA. The department's responsibilities include evaluating and registering pesticide products, permitting of pesticide application, conducting enforcement activities, and monitoring residues on agricultural products and in environmental media. The department works with the County Agriculture

Commissioners to review site-specific application permits, investigate pesticide-related illnesses and injuries, and implement pesticide use education programs.

### **California Occupational Safety and Health Act**

In California, under the California Occupational Safety and Health Act (Title 8 of the California Code of Regulations) the California Occupational Safety and Health Administration (Cal/OSHA) assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices. In order for the federal OSHA program to be delegated to the state, Cal/OSHA standards must be at least as stringent as federal OSHA standards, and they are generally more stringent. Cal/OSHA hazardous materials regulations include requirements for safety training, availability of safety equipment, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal/OSHA enforces hazard communication program regulations, which include identifying and labeling hazardous substances, providing employees with material safety data sheets, and describing employee-training programs. Cal/OSHA also has regulations pertaining to other risks in the workplace such as fire hazards, pressurized vessels, electrical, and trip/fall hazards.

### **State Fire Regulations**

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, which include regulations concerning building standards (as also set forth in the California Building Code); fire protection and notification systems; fire protection devices, such as extinguishers and smoke alarms; high-rise building and childcare facility standards; and fire suppression training. The state fire marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

### **California Code of Regulations, Title 24, Part 2, California Building Code**

The California Building Code, revised in 2010, is based largely on the 2009 International Building Code. The California Building Code includes rigorous seismic provisions for hospitals, schools, and essential facilities, as well as the addition of more stringent requirements for materials and construction methods for exterior wildfire exposure. For example, new buildings proposed in a Wildland-Urban Interface Fire Area must conform to the requirements contained in Chapter 7A of the California Building Code.

### **California Code of Regulations, Title 24, Part 9, California Fire Code**

The California Fire Code (CFC), which was revised in 2010, is based largely on the 2009 IFC. The CFC includes stringent requirements for hazardous and toxic materials and fire-resistance-rated construction, as well as rigorous provisions for Wildland-Urban Interface Fire Areas. Requirements include minimum standards for the storage, use, and handling of hazardous and toxic materials, ratings for building materials, and fuel modification of hazardous (i.e., flammable) vegetation. Also, new buildings proposed in a Wildland-Urban Interface Fire Area must conform to the requirements contained in Chapter 47 of the CFC.

### **California Government Code Section 51179**

California Government Code Section 51179 requires that local agencies designate, by ordinance, Very High Fire Hazard Severity Zones (VHFHSZs) within their jurisdictions. Local agencies may also

designate, at their discretion, high fire hazard areas if the agency determines that effective fire protection is necessary in those areas.

### **Assembly Bill 337 (Bates Bill)**

Assembly Bill (AB) 337, also known as the Bates Bill, was passed in 1992 shortly after the East Bay Hills Fire of 1991 destroyed lives and property in a wildfire. AB 337 requires CAL FIRE, in cooperation with local fire authorities, to identify VHFHSZs in the Local Responsibility Areas of California.

### **Public Resources Code Section 4291**

California Public Resources Code Section 4291 requires property owners to establish and maintain, through fuel modification, a 100-foot defensible space zone around any building or habitable structure that is “in, upon or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material” to protect it from wildfires.

### **CAL FIRE Responsibility Areas**

CCR Title 14 Division 1.5 establishes the regulations for CAL FIRE and is applicable in all State Responsibility Areas—areas where CAL FIRE is responsible for wildfire protection.

Most of the unincorporated area of the County is a State Responsibility Area and any development in these areas must comply with these regulations. Among other things, Title 14 establishes minimum standards for emergency access, fuel modification, setback to property line, signage, and water supply.

### **California Emergency Services Act**

This act was adopted to establish the state’s roles and responsibilities during human-made or natural emergencies that result in conditions of disaster and/or extreme peril to life, property, or the resources of the state. The act is intended to protect health and safety by preserving the lives and property of the people of the state.

### **California Natural Disaster Assistance Act**

The California Natural Disaster Assistance Act provides financial aid to local agencies to assist in the permanent restoration of public real property, other than facilities used solely for recreational purposes, when such real property has been damaged or destroyed by a natural disaster. The act is activated after the following occurs: (1) a local declaration of emergency, (2) Cal Emergency Management Agency gives concurrence with the local declaration, or (3) the governor issues a Proclamation of a State Emergency. Once the act is activated, local government is eligible for certain types of assistance, depending upon the specific declaration or proclamation issued.

### **California Health and Safety Code, Vector Control**

Sections 116110 through 116112 of the California Health and Safety Code establish mosquito abatement and vector control districts, which are charged to protect Californians and their communities against the threats of vector-borne diseases. These districts are responsible for developing and conducting programs for the prevention and control of vectors; monitoring vectors

and vector-borne diseases; coordinating and conducting emergency vector control, as required; training and certifying government agency vector control technicians; and disseminating information to the public regarding protection from vectors and vector-borne disease.

### 2.4.2.3 Local Regulations

#### San Diego Air Pollution Control District

The San Diego Air Pollution Control District (SDAPCD) is a local government agency that works to protect the people and the environment of San Diego County from the harmful effects of air pollution. SDAPCD jurisdiction covers the entire County.

In addition to other air pollutants, SDAPCD Rules 361.140 to 361.156 have been enacted to control emissions of asbestos into the atmosphere. These rules are designed to limit asbestos emissions from building demolition/renovation activities. The rules require buildings to be surveyed for asbestos-containing material (ACM) before building demolition. They also mandate ACM removal procedures to limit emissions. Certain operations are prohibited, such as the paving of roads with asbestos tailings, the use of molded insulation materials containing asbestos that are friable (easily crushed), and the spraying of any material that contains any asbestos.

#### Multi-Jurisdictional Hazard Mitigation Plan

The HMP is a Countywide plan that identifies risks posed by natural and human-made disasters and ways to minimize damage from those disasters. The HMP was prepared to meet FEMA and State of California Office of Emergency Services and Security requirements as authorized by the Federal Disaster Mitigation Act of 2000. The stated purposes of the HMP are to enhance public awareness and understanding, create a decision tool for management, promote compliance with state and federal program requirements, enhance local policies for hazard mitigation capability, provide inter-jurisdictional coordination of mitigation-related programming, and achieve regulatory compliance. According to the HMP, the top five hazards are as follows.

- **Wildfire:** a significant amount of the community is exposed to the potential for loss secondary to extreme fire conditions in undeveloped core and interface areas.
- **Earthquake:** the potential exists for a large loss of life and property as well as prolonged disruption of governmental and commercial continuity.
- **Flooding:** the County contains several significant floodplains and is subject to wide-spread flooding.
- **Hazardous materials release:** in addition to a major freeway, the County is home to a large industrial park with fixed facilities.
- **Terrorism or other human-made events:** government infrastructure facilities, including a Regional Court and Jail Detention Facility, present potential targets for acts of terrorism.

#### San Diego, Site Assessment and Mitigation Program

The County of San Diego DEH maintains the SAM list of contaminated sites that have previously or are currently undergoing environmental investigations and/or remedial actions. The primary purpose of the SAM is to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California

Health and Safety Code and the CCR. The SAM's Voluntary Assistance Program also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances (County of San Diego 2007a).

### **Board Policy I-132, Valley Center Mitigation Policy**

This policy was developed to ensure that the mitigation outlined in the EIR for the Valley Center Septic Moratorium/Board of Supervisors Policy I-78 Amendment is enforced. One aspect of this Board Policy includes a requirement to investigate for the existence of contaminated soils or hazardous operations in the area covered by the EIR. Specifically, the policy states:

A hazardous materials assessment shall be conducted by a certified entity for any parcel proposed for development with the potential for the existence of contaminated soils or hazardous materials such as parcels historically utilized for agricultural operations. The purpose of the hazardous materials assessment would be to identify the presence/absence of hazardous materials and identify remediation measures that shall be implemented prior to development of the project site.

### **Combustible Vegetation and Other Flammable Materials Ordinance**

This ordinance (County Code of Regulatory Ordinances Sections 68.401–68.406) addresses the accumulation of weeds, rubbish, and other materials on a private property found to create a fire hazard and be injurious to the health, safety, and general welfare of the public. The ordinance constitutes the presence of such weeds, rubbish, and other materials as a public nuisance, which must be abated in accordance with the provisions of this section. This ordinance is enforced in all County Service Areas and in the unincorporated areas of the County outside of fire protection districts. All fire protection districts have a combustible vegetation abatement program, and many fire protection districts have adopted and enforce the County's ordinance.

### **County of San Diego Consolidated Fire Code**

The County of San Diego, in collaboration with the local fire protection districts, created the first Consolidated Fire Code in 2001 (County Code of Regulatory Ordinances Sections 96.1.001–96.1.006). The Consolidated Fire Code contains the County and fire protection districts amendments to the CFC. The purpose of consolidation of the County and local fire districts adoptive ordinances is to promote consistency in the interpretation and enforcement of the CFC for the protection of the public health and safety, which includes permit requirements for the installation, alteration, or repair of new and existing fire protection systems, and penalties for violations of the code. The Consolidated Fire Code provides the minimum requirements for access, water supply and distribution, construction type, fire protection systems, and vegetation management. Additionally, the fire code regulates hazardous materials and associated measures to ensure that public health and safety are protected from incidents relating to hazardous substance releases (County of San Diego 2007a).

The San Diego County Fire Authority, in partnership with CAL FIRE, the Bureau of Land Management, and the U.S. Forest Service, is responsible for the enforcement of defensible space inspections. Inspectors from CAL FIRE are responsible for the initial inspection of properties to ensure an adequate defensible space has been created around structures. If violations of the program requirements are noted, inspectors provide a list of required corrective measures and



provide a reasonable timeframe to complete the task. If the violations still exist upon re-inspection, the local fire inspector will forward a complaint to the County for further enforcement action.

### **Fire Prevention in Project Design Standards**

Following the October 2003 Wildfires, the County's Department of Planning and Land Use (now Planning and Development Services) incorporated a number of fire prevention strategies into the discretionary project review process for CEQA projects. One of the more significant changes is the requirement that the majority of discretionary permits (e.g., subdivision and use permits) in WUI areas prepare a Fire Protection Plan for review and approval. A Fire Protection Plan is a technical report that considers the topography, geology, combustible vegetation (fuel types), climatic conditions, and fire history of the proposed project location. The plan addresses the following in terms of compliance with applicable codes and regulations, including, but not limited to, water supply, primary and secondary access, travel time to the nearest fire station, structure setback from property lines, ignition-resistant building features, fire protection systems and equipment, impacts to existing emergency services, defensible space and vegetation management.

### **Vector Control Program**

The County DEH's Vector Control Program mission is "to protect the public health and safety, and promote the welfare of San Diego residents by preventing vector-borne diseases and minimizing discomfort and injury caused by vectors." The primary objective of controlling vectors is to preserve or create an environment favorable to humans and animals by lessening the effect that vectors and/or nuisances have upon the quality of life. Under the powers of a vector control district, as adopted by the County Board of Supervisors, the Vector Control Program provides Countywide vector prevention and control services funded through a voter-approved benefit assessment district. Mosquito, domestic rat, fly, and other vector prevention and control programs are provided to reduce the risk of diseases these vectors can transmit and to minimize nuisances they cause.

## **2.4.3 Analysis of Project Effects and Determination of Significance**

The proposed project consists of an amendment to the Zoning Ordinance related to accessory agricultural uses in unincorporated portions of the County over which the County has land use jurisdiction (see Section 1.4, *Project Description*, for further details). Specifically, the proposed project applies to properties where active agriculture exists within the County or properties where agricultural uses are allowed. During the scoping process for this project, which considered potentially significant environmental impacts and involved a 30-day public comment period, it was determined that there is a less-than-significant impact potential for the proposed project to be located on a site that is included on a list of hazardous materials sites, and related to being located within an airport land use plan area or being within 2 miles of a public airport. However, these issues are discussed further below to supplement the Initial Study. One comment letter that is relevant to hazardous materials was received during the 30-day public comment period. The Cleveland National Forest indicated that hazardous materials are of particular concern for the agency and requested that the EIR consider effects of intensified land uses on the forest.

A significant impact related to hazards and hazardous materials would occur if the proposed project created or had the potential to cause hazardous substance handling, result in accidental release of hazardous materials, cause hazards to schools, expose existing hazardous materials sites, interfere

with emergency response plans, or increase the risk of wildland fires. With respect to hazards and hazardous materials, activities that would involve construction, ground disturbance, or the introduction of increased uses of hazardous materials or their vectors could potentially result in impacts. Potential impacts are discussed below for all project-related changes at a qualitative level, as there are no specific development proposals involved with the proposed project. Although adoption of the proposed Zoning Ordinances changes would not directly result in impacts that would create a significant hazard, adoption of the proposed project would promote these uses, and, as such, their potential to result in environmental impacts are disclosed in the analysis below.

### 2.4.3.1 Hazardous Substance Handling

#### Guidelines for the Determination of Significance

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

The County's Guidelines for Determining Significance for Hazardous Materials and Existing Contamination further clarifies that a project will generally be considered to have a significant effect if:

- a. The project is a business, operation, or facility that proposes to handle hazardous substances in excess of the threshold quantities listed in Chapter 6.95 of the Health and Safety Code, generate hazardous waste regulated under Chapter 6.5 of the Health and Safety Code, and/or store hazardous substances in underground storage tanks regulated under Chapter 6.7 of the Health and Safety Code and the project will not be able to comply with applicable hazardous substance regulations.
- b. The project is a business, operation, or facility that would handle regulated substances subject to CalARP RMP requirements that in the event of a release could adversely affect children's health due to the presence of a school or day care within 0.25 mile of the facility.

The latter (proximity to schools or day care) is address further under Section 2.4.3.3.

#### Analysis

One of the primary objectives of the proposed project is to streamline and clarify the approval/permitting process for accessory agricultural operations within the County, while ensuring compliance with local, state, and federal regulations where appropriate and utilizing sound management practices. The intention of this objective is to provide increased opportunities for agricultural ventures and tourism that are accessory to existing agricultural operations. Thus, the proposed project would promote and encourage additional land use activities on active agricultural land throughout the County for microbreweries, cheese-making and dairy operations, onsite food production, mobile butchering, packing and processing, onsite retail horticulture sales, animal raising, roadside sales of agricultural products, agricultural tourism, and agricultural homestays. Although the action of amending the Zoning Ordinance as part of the project would not directly result in the use of hazardous materials, the uses that it encourages would. The transport or use of hazardous materials typically occur during the construction and/or operation of a project. These potential impacts are first discussed generally below; following that, the anticipated impacts of

hazardous material uses specific to the accessory agricultural operations promoted by the proposed project are addressed.

### **General Construction Related Impacts**

During construction, hazardous materials can be associated with the site itself (such as past contamination) and with the materials used for construction and construction equipment. Current regulations at the local, state, and federal level generally require minimum practices to either avoid or investigate the potential for hazardous materials to be present prior to earthmoving or construction-related activities. These regulations also cover treatment and disposal. For example, future projects that are promoted by the proposed project may involve the demolition of structures constructed prior to 1980. Such structures would likely contain lead-based paint and asbestos-containing materials, and asbestos and lead surveys would be required to determine whether either of these substances is present prior to issuance of a building permit and commencement of demolition or renovation. Should such hazardous materials be present, the contractor would be required by law to take precautions to protect its workers and the public, and to appropriately collect and dispose of those materials.

Projects involving temporary construction activities could involve the use and storage of commonly used hazardous materials, such as gasoline, diesel fuel, lubricating oil, grease, and other vehicle and equipment maintenance fluids, should a project require grading/excavation. Temporary construction activities could also involve the transportation of wastes from the demolition/renovation of structures. Under RCRA, CERCLA, the Hazardous Materials Transportation Act, IFC, Title 22, CCR Title 27, and the County Consolidated Fire Code, hazardous materials associated with temporary construction activities would be required to be transported and handled in accordance with all federal, state, and local laws that regulate the transportation and disposal of hazardous materials. It is very rare for construction operations to necessitate hazardous substances or generate hazardous wastes that are regulated by Chapters 6.95 and 6.5 of the Health and Safety Code, respectively, and is not expected to occur for the lower-scale and -intensity activities that would be needed to support the accessory agriculture uses. **Therefore, with compliance with all applicable regulations and programs, construction impacts related to the routine transport, use, or disposal of hazardous materials are considered to be less than significant.**

### **General Operational Impacts**

From an operational perspective, transportation, use, and disposal of hazardous materials would be anticipated with all activities promoted by the proposed project because they are common in everyday household and business use. However, for the most part, the quantities used would not present a hazard to the general public. Larger quantities of hazardous materials are typically associated with medium impact or high impact industrial development and commercial agricultural uses. However, as the promotion of accessory agricultural uses by the proposed project is primarily to support existing agricultural operations, it could result in some expansion of agricultural operations.

In this case, there could be some corresponding increase in the use of pesticides, fertilizers, and other hazardous materials associated with agriculture. However, any use of fertilizers or pesticides as part of agricultural operations are required to comply with CalEPA's enforcement of pesticide laws and regulations in California. EPA enacts laws covering minimum pesticide requirements that are enforced at the state level through cooperative agreements. Over the years, the California Legislature has passed more stringent laws covering pesticide registration, licensing, the sale and

use of pesticides, and worker protection. The CalEPA Department of Pesticide Regulation is responsible for regulating pesticide use and has primary authority for compliance monitoring and enforcing against illegal pesticide use in California. Therefore, compliance with existing federal and state regulations would ensure that potential project impacts related to fertilizer and pesticide use would be less than significant.

Of the accessory agricultural uses promoted by the proposed project, microbreweries, cideries, and micro-distilleries are the uses that would most likely involve the regular usage of hazardous materials. This is due to the potential for their operations to be larger in scale and the elevated risk of fire and explosion with their operations (discussed further below). Uses under the proposed project that would involve a substantial amount of hazardous materials are subject to state and federal government requirements of an HMBP. Preparation of an HMBP is required for a business that handles or stores hazardous material/waste that exceeds 55 gallons of liquid, 200 cubic feet of gas, or 500 pounds of solids. Therefore, it is possible that some more common hazardous materials such as cleansers could exceed these thresholds. An exemption is provided for carbon dioxide for beverages that increases the threshold limit up to 6,000 cubic feet. The DEH-HMD oversees the preparation and implementation of HMBPs, chemical inventories, hazardous waste, tiered permitting, underground storage tanks, and risk management plans. These regulations are applicable to any operation, regardless of needing a permit from the County, whether ministerial or discretionary. Furthermore, when building permits are issued, a final certificate of occupancy would not be issued without conformance to Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500 through 25520, which is the section that requires preparation of HMBPs and coordination with the fire chief. **Therefore, with compliance with all applicable regulations and programs, operational impacts related to the routine transport, use, or disposal of hazardous materials are considered to be less than significant.**

### **Accessory Agricultural Use Impacts**

This section is intended to provide a connection between the general hazardous materials impacts that are described above and the specific activities that might be anticipated to occur with the accessory agricultural uses covered by the proposed project.

#### ***Agricultural Homestay***

Agricultural homestays, which consist of temporary lodging on an existing agricultural property with the anticipation that guests would be active participants in agricultural activities, could involve some increase in the use of general household chemicals for cleaning and general everyday activities. Additionally, if agricultural activities are increased, additional use of pesticides or other agricultural chemicals would be expected. In these instances, it is likely that any hazardous chemicals or pesticides are already currently in use. Existing regulations explained above and under Section 2.4.2, *Regulatory Setting*, have regulated and would continue to regulate potentially toxic or otherwise harmful chemicals and the anticipated increase in the use of chemicals would be a slight increase over existing conditions.

#### ***Agricultural Stores and Processing***

Agricultural stands and agricultural retail, all of which involve the selling of products produced, grown, or manufactured on the subject property, would not likely involve any routine use or transport of substantial quantities of hazardous materials. Because products would not be delivered to the site, few, if any, delivery trucks would be involved to sustain agricultural stands or

agricultural retail. The one exception would be for larger stores, which may include some retail items not produced on the site that would be delivered. In these cases, there would be some delivery truck activity, which would result in the some increased activities involving typical chemicals such as gasoline and oil needed to power vehicles. Similarly, most packing and processing operations do not involve substantial quantities of hazardous materials.

### ***Agricultural Tourism***

Similar to the discussion above for agricultural homestays, agricultural tourism would promote additional agricultural activities that could involve the use of some hazardous materials, such as household chemicals, pesticides, and/or fertilizers. Because these chemicals are likely used under existing conditions on active agricultural properties, these uses would somewhat increase with adoption of the project; however, the increase is not anticipated to be a volume or magnitude that would result in a significant environmental impact.

### ***Animal Raising***

The proposed project would allow animal raising operations to exceed the allowed number of animals per designator with an Administrative Permit instead of a Major Use Permit. Changes to the Animal Schedule could cause an increase of animals on agricultural lands. The increase of animals would subsequently increase animal waste. An increase in animal waste could increase vectors, such as flies, and could be considered a hazard itself if not handled and disposed of correctly. However, standard housekeeping practices and BMPs are adequate for addressing the hazards of animal waste.

### ***Aquaponics***

Aquaponics are not currently defined or regulated in the Zoning Ordinance. Aquaponics would allow for fish farming in a symbiotic fish tank-like environment. Aquaponics could involve construction to house the components of an aquaponics system, which could temporarily involve transport, use, or disposal of standard construction-related hazardous materials. During operations, however, aquaponics are not likely to involve the use, transport, or disposal of any substantial amounts of hazardous materials because the aquaponics system is symbiotic. In an aquaculture environment, the by-products generally created in the system are broken down and utilized as nutrients, and the water is continually being recirculated back into the system.

### ***Creameries/Dairies***

A creamery/dairy operation is currently not regulated in the Zoning Ordinance. The proposed project would allow a creamery as an accessory use by right to a dairy, with a maximum of 2,000 square feet floor area on a lot that is 1 gross acre or less; 3,000 square feet where the lot is 1–2 acres; 4,000 square feet on a lot that is 2–4 acres; and an additional square-foot floor area on lots over 4 acres. A creamery/dairy operation could cause an increase of animals on site and could subsequently increase animal waste, which can be managed through standard housekeeping practices and BMPs. The processing areas for creameries/dairies can resemble a large kitchen and could involve associated common hazardous materials such as cleaning materials. Processing equipment and delivery vehicles would also require the use of gas, oil, and grease. No activities that would involve a substantial quantity of hazardous materials would be anticipated.

***Fishermen's Markets***

Fishermen's markets would allow the sale of the aquaponically raised fish by right on public property, school property with a school use, or within C31, C32, C34, C35, C36, C37, C40, C42 or S88 zones. No construction would be involved with the fishermen's markets and no other activity that would involve a substantial quantity of hazardous materials would be associated with fishermen's markets.

***Microbreweries, Cideries, and Micro-distilleries***

Microbreweries, cideries, and micro-distilleries are not currently regulated in the Zoning Ordinance. The proposed project would add them as allowed uses on agricultural properties subject to permits (Zoning Verification Permit or Administrative Permit) and other restrictions. As a result, the proposed project would promote the construction of facilities to support such operations.

The operation of microbreweries, cideries, and micro-distilleries is known to present fire and explosion hazards. Dust from processing grain and combustion from wood floors, casks, and racks can cause fires or explosions. Fire can occur when vapors from flammable organic compounds such as ethanol are released from leaks in tanks, casks, and equipment such as transfer pumps, pipes, and flexible hoses (this is of greater concern with distilleries, which involve higher concentrations of ethanol). A vapor explosion can occur if enough vapors are released in an enclosed space with ignition sources present. These risks are addressed by Cal/OSHA and fire code requirements. These regulations include design requirements that are enforced during the building permit process, as well as signage and training for employees. Cal/OSHA requirements (mainly signage and training) also cover other localized hazards in microbreweries, cideries, and micro-distilleries such as carbon dioxide production and pressurized equipment.

Apart from these hazards, microbreweries, cideries, and micro-distilleries would be anticipated to involve cleaners and chemicals for pH adjustment but not in quantities of concern to the general public. If stored in larger quantities, they would trigger the HMBP requirements.

***Mobile Butchering***

Mobile butchering is not currently regulated in the Zoning Ordinance. The proposed project would add mobile commercial butchering and mobile custom butchering as new uses by right where Packing and Processing: Limited General is currently allowed. Commercial butchering would also include a Food and Beverage Retail Sales use type. Mobile butchering would increase the transport and disposal of hazardous waste materials such as animal carcasses, offal, animal blood, and waste water. If not properly disposed of, the waste products of the butchered animal could spill during operation and/or transport and could cause contamination if the spill were to occur by a stream, drainage location, or on soil that leads to groundwater, posing a risk to human health and the environment. Changes to the proposed Zoning Ordinance would require all slaughtered animal remains, including carcasses and blood, to be disposed of off site and in compliance with state and local laws for disposal.

***Wineries***

Boutique Winery and Wholesale Limited Winery uses are currently allowed by right (with limitations), and a Small Winery is allowed with an Administrative Permit in A70 and A72 zones. The proposed project would extend these uses and restrictions to S92 zones. Therefore, the

proposed project would promote the construction of additional wineries. Once operational, a winery is not anticipated to involve significant quantities of hazardous materials.

### **Summary**

In summary, the proposed project promotes a number of accessory agricultural uses that may result in the routine transport, use, or disposal of hazardous materials due to construction activities or general operations. Most anticipated hazardous materials would be common to rural residential and agricultural properties and not of a quantity to pose a substantial risk to the public. All hazardous materials are heavily regulated and when any large quantities are involved, additional regulations are triggered that require plans, permits, and monitoring. Therefore, **it is concluded that the impacts from the project related to the transport, use, or disposal of hazardous materials would be less than significant.** Refer to Section 2.5.3.1 for more discussion on potential impacts on surface water quality from activities on site. Some hazardous and even non-hazardous materials can pose potential impacts on the environment if not used, stored, or disposed of properly, and when that results in them being carried off as pollutants in stormwater runoff from the site.

## **2.4.3.2 Accidental Release of Hazardous Materials**

### **Guidelines for the Determination of Significance**

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- 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.

### **Analysis**

The release of hazardous materials into the environment is possible if there are hazardous materials stored underground, typically in USTs which are regulated by the state and typically maintained in databases that regulate, monitor, and track cleanup and closure activities for USTs and other known spills or releases of hazardous materials into the environment. Although the possibility exists for hazardous materials to exist below the ground surface nearly anywhere within the County, the potential for USTs and other hazardous materials to be located below an active agricultural operation is unlikely, as these types of hazards are more commonly found in urban areas, town centers, and industrial sites. Many active agricultural areas use chemicals such as fertilizers and other substances to maintain agricultural vehicles (e.g., tractors); however, the use of these materials is regulated by state and local regulations (see Section 2.4.2, *Regulatory Setting*), which serve to ensure that a significant hazard to the public or environment would not occur related to the release of any hazardous materials.

Numerous federal, state, and local regulations exist that reduce the potential for humans or the environment to be affected by an accidental release of hazardous materials. These include, but are not limited to, the following: (1) Chemical Accident Prevention Provision; (2) RCRA; (3) Robert T. Stafford Disaster Relief and Emergency Assistance Act; (4) California Health and Safety Code, which provides threshold quantities for regulated hazardous substances and the establishment of Hazardous Materials Release Response Plans; (5) CCR Title 23, which ensures that facilities meet regulatory requirements for underground storage tanks; (6) Aboveground Petroleum Storage Act;

(7) CalARP; (8) Emergency Response to Hazardous Materials Incidents; (9) California Emergency Services Act; and (10) County Consolidated Fire Code. The DEH-HMD is also required to conduct ongoing routine inspections to ensure compliance with existing laws and regulations, to identify safety hazards that could cause or contribute to an accidental spill or release, and to suggest preventative measures to minimize the risk of a spill or release of hazardous substances.

The proposed project would be required to comply with applicable federal, state, and local regulations related to the transportation, use, storage, and disposal of hazardous materials. Compliance with such regulations would minimize the potential for a release to occur and provide planning mechanisms for prompt and effective cleanup if an accidental release occurred. Therefore, **impacts related to accidental release of hazardous materials into the environment would be less than significant.**

### 2.4.3.3 Hazards to Schools

#### Guidelines for the Determination of Significance

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

#### Analysis

Schools are located throughout the County limits. Although hazardous materials can be found in all land uses, those that are more likely to regularly use high quantities of hazardous materials include limited-impact industrial, medium-impact industrial, high-impact industrial, general commercial, and rural commercial. As discussed in the prior sections, most hazardous materials expected to be used with accessory agriculture uses are fairly common, typically used and stored in limited quantities, and controlled by federal, state, and local regulations. The use, transport, and disposal of hazardous materials is and would be managed by existing federal, state, and local laws and regulations that require the submittal and approval of an HMBP, subject to approval by the DEH-HMD. The County's DEH-HMD is required to regulate hazardous materials business plans and chemical inventory, hazardous waste, tiered permitting, underground storage tanks, and risk management plans. The use of hazardous materials and pesticides would also be subject to the requirements of CalEPA and the California Department of Pesticide Regulation. Additionally, many uses would be subject to review by the County.

Also, pursuant to State CEQA Guidelines Section 15186(b), future projects subject to CEQA within 0.25 mile of a school would be required to coordinate with the applicable school district during the environmental analysis and upon its certification. Furthermore, new school sites are required to consider the existence of hazardous materials, wastes, or substances within 0.25 mile, and to determine the potential for exposure to sensitive receptors, per California Education Code Section 17210. Moreover, a final certificate of occupancy would not be issued without conformance to Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500 through 25520. Therefore, **impacts associated with handling hazardous materials within 0.25 mile of an existing or proposed school would be less than significant.**



### 2.4.3.4 Existing Onsite Contamination

#### Guidelines for the Determination of Significance

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- 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.

The County's Guidelines for Determining Significance for Hazardous Materials and Existing Contamination further clarifies that a project will generally be considered to have a significant effect if:

- a. The project is located on or within one-quarter mile from a site identified in one of the regulatory databases compiled pursuant to Government Code Section 65962.5 or is otherwise known to have been the subject of a release of hazardous substances, and as a result the project may result in a significant hazard to the public or the environment.
- b. The project proposes structure(s) for human occupancy and/or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill (excluding burnsites) and as a result, the project would create a significant hazard to the public or the environment.
- c. The project is proposed on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash); and as a result, the project would create a significant hazard to the public or the environment.
- d. The project is proposed on or within 1,000 feet of a FUDS and it has been determined that it is probable that munitions or other hazards are located onsite that could represent a significant hazard to the public or the environment.
- e. The project could result in human or environmental exposure to soils or groundwater that exceed EPA Region 9 PRGs, CalEPA CHHSLs, or Primary State or Federal Maximum Contaminant Levels (MCLs) for applicable contaminants and the exposure would represent a hazard to the public or the environment.
- f. The project will involve the demolition of commercial, industrial or residential structures that may contain ACM, lead-based paint (LBP) and/or other hazardous materials and as a result, the project would represent a significant hazard to the public or the environment.

#### Analysis

As discussed in Sections 2.4.1.2 and 2.4.1.3, numerous known contaminated sites occur throughout the County and there are likely many more that have not yet been recorded. As a result, there is a potential for future accessory agricultural uses to be located on or adjacent to a contaminated site. Additionally, if an accessory agricultural use involves a structure that was build prior to the 1980s, it could contain ACM and/or LBP. However, as further discussed in Sections 2.4.2 and 2.4.3.1, contaminated sites and the potential for exposure of workers and the public to contamination is highly regulated by federal, state, and local regulations. Projects that require discretionary approvals will be reviewed against known sites and may also be required to prepare a Phase I Site Assessment to review the site in greater detail and identify recommendations to address potential

contamination. Projects that do not require discretionary approvals will still be regulated by applicable laws that place responsibility on construction contractors and property owners to address suspected contamination. Therefore, **impacts related to existing onsite contamination would be less than significant.**

### 2.4.3.5 Emergency Response and Evacuation Plans

#### Guidelines for the Determination of Significance

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

#### Analysis

Emergency response plans are maintained at the federal, state, and local level for all types of disasters, including human-made and natural. To address disasters and emergency situations at the local level, the UDC is the governing body of the Unified San Diego County Emergency Services Organization, and the County OES serves as staff to the UDC. Emergency response plans are in place to ensure planning for disaster preparedness and a coordinated response in the case of emergency situations. Interference with an adopted emergency response or evacuation plan would result in an adverse physical impact on people or the environment by potentially increasing the loss of life and property in the event of a disaster. Development that proposes large concentrations of people or special needs individuals, such as stadiums or hospitals, in an area with increased hazards, such as a dam inundation area, could cause adverse effects related to the implementation of emergency response and evacuation plans, such as the Multi-Jurisdictional Hazard Mitigation Plan or the Dam Evacuation Plan. Similarly, the evacuation of a large number of livestock from a particular area could also cause adverse effects related to the implementation of emergency response and evacuation plans. Certain tall structures can physically interfere with the implementation of an emergency response if the height of the structure or tower interferes with the ability of emergency air support services to carry out missions associated with an emergency response.

Many of the uses included in the proposed project, including agricultural homestays, agricultural tourism, agricultural micro-breweries/cideries, and micro-distilleries, wineries, agricultural and horticultural retail, agricultural stores, and creamery/dairy uses, could increase development on agricultural lands and could generally increase activities on agricultural properties with associated increases for employees and visitors. However, these increases would not be expected to be on a scale that would interfere with or overwhelm emergency response teams.

The general growth of agricultural activities could induce increases in traffic (refer to Section 2.87, *Transportation and Traffic*). Farm employee housing, animal raising, aquaponics/fish market, roadside sales, and mobile butchering are not a significant factor for traffic and would not add new daily trips. In total, the proposed project would generate approximately 379,899 new daily trips spanning across all 23 Community Planning Areas (CPAs) in the unincorporated portion of the County. The total new average daily trips (ADT) would be a result of traffic generated by the buildout of all proposed accessory agricultural uses causing congestion and potentially inhibiting the ability for emergency response. However, as stated in Section 2.87, individual accessory agricultural use projects allowed under the proposed project are not anticipated to conflict with the

applicable congestion management plans. Furthermore, as the trips are spread out throughout the County, with the highest traffic generating uses being microbreweries (small and large) and wineries (small, boutique, and wholesale), the maximum ADT generated by each of these uses would be 800 daily trips, which is significantly below the 2,400 or greater ADT threshold for congestion management plan impacts. Therefore, the proposed project would not cause congestion or physically interfere with emergency response.

New facilities associated with the proposed project would not result in the obstruction of multiple evacuation or access roads because the accessory uses and facilities would be accessory structures located within each agricultural site, and any animals would be evacuated in a similar manner as people. Future uses under the proposed project would be agriculture-related and would not include large developments such as stadiums or dams that typically draw large crowds or could cause evacuation interference. None of the agricultural uses proposed by the project are expected to involve tall structures, and therefore are not expected to affect navigable airspace and thus would not interfere with emergency air support services. Future development and land use decisions would continue to be subject to the state and local building and fire codes, and individual projects would be reviewed for consistency with applicable emergency plans.

The County's review of discretionary development proposals includes but is not limited to the following plans/regulations: (1) the Statewide Standardized Emergency Management System; (2) the San Diego County Nuclear Power Station Emergency Response Plan; (3) the Oil Spill Contingency Element; (4) the Emergency Water Contingencies Annex and Energy Shortage Response Plan; and (5) the Dam Evacuation Plan. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, **impacts related to emergency response or evacuation plans would be less than significant.**

### 2.4.3.6 Wildland Fires

#### Guidelines for the Determination of Significance

The following significance guideline from Appendix G of the State CEQA Guidelines applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

#### Analysis

The vast majority of the unincorporated County is ranked through the Fire and Resource Assessment Program as having High or Very High fire hazard severity. Additionally, approximately 575,434 acres of the unincorporated County are considered to be within WUI areas, which are at higher risk of adverse effects from wildfire events.

Future projects under the proposed project could include additional agricultural uses and development in both rural and urbanized areas, on irrigated lands, and where there are no adjacent wildland areas in the County. For projects surrounded by urban or irrigated lands, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving hazardous wildland fires because urban areas and agricultural fields with irrigation contain less

vegetation that can act as fuel during a wildfire. Agricultural accessory uses located in an urban area are not anticipated to expose people or structures to a significant risk of loss, injury, or death involving wildfires. Those uses and new structures within more rural areas of the County, adjacent to wildlands and/or areas with greater amounts of natural vegetation surrounding the properties, have a greater potential to support wildland fires.

The proposed project could result in an increase of new structures, including homestays, animal enclosures, aquaponics tanks, and pastures, as well as increase the amount of related infrastructure, including parking lots, driveways, fences, and buildings. The animal holding pens could contain highly flammable hay, bedding, and feed, which can pose fire risks. They also often contain large quantities of fuel sources that can be impervious to water (e.g., hay, petroleum fuels, and fertilizers). Also, as discussed under Section 2.4.3.1, *Hazardous Substance Handling*, microbreweries, cideries, and micro-distilleries have the potential for increased operational fire and explosion risks. Although these risks can be reduced through adherence with applicable laws, rare incidents have been known to occur and in a wildland setting, such incidents could quickly escalate to a larger public threat.

Construction and maintenance activities that may result in ignition sources would include vegetation clearing and piling, grading, site preparation, soil disturbances, concrete pouring, construction, and refueling. These construction activities may include the presence of vehicles, heavy equipment, heat-generating equipment and activities, and sparks from various sources, among others, as well as use of fuels and combustible materials during construction. The potential risk of wildfire ignition and spread associated with construction and maintenance of the proposed project can be managed and pre-planned so that the potential for vegetation ignition is minimized. In addition, pre-planning and personnel fire awareness and suppression training not only results in lower probability of ignition, but also in higher probability of fire control and extinguishment in its incipient stages.

Future uses under the proposed project may be located in areas that are at high risk of adverse effects from wildfire events. Where new structures are built, implementation of fire safety standards would occur during the building permit process. Therefore, compliance with the regulations, codes, and ordinances for building and fire safety would decrease risks to people and structures for loss, injury, or death involving hazardous wildland fires. The risk of wildfire ignition would also be managed by existing federal, state, and County regulations, including but not limited to: the County Vegetation and Other Flammable Materials Ordinance, Fire Protection Plans, and the County Consolidated Fire Code.

However, there is ultimately no guarantee on a project-specific level that existing regulations would reduce impacts to a level below significant relative to wildfires. Through the promotion of accessory agricultural uses, the proposed project would be increasing the number of visitor and employees in the unincorporated lands. As the number of people and level of use of an area increases, so does the general threat of wildfire ignition. Additionally, the proposed project would be increasing the number of people within areas that are already known to have a high wildfire risk. When a wildfire occurs, these additional people will require additional attention and response for emergency responders.

Therefore, **although existing policies and regulations serve to reduce impacts associated with wildland fires, implementation of the proposed project could result in potentially significant impacts involving wildland fires (Impact HZ-1).**

### 2.4.3.7 Vectors

#### Guidelines for the Determination of Significance

The following significance guideline from the County's Guidelines for Determining Significance for Vectors applies to both the direct and cumulative impact analyses. A significant impact would result if the project would:

- Substantially increase human exposure to vectors capable of spreading disease by:
  - a. Proposing a vector breeding source, including but not limited to, sources of standing water for more than 72 hours (e.g., ponds, stormwater management facilities, constructed wetlands); or
  - b. Proposing a vector breeding source, including but not limited to, composting or manure management facilities, confined animal facilities, animal boarding/breeding/training operations; or
  - c. Proposing a substantial increase in the number of residents located within one-quarter mile of a significant existing offsite vector breeding source.

#### Analysis

The accessory agricultural uses that are promoted by the proposed project would not require water impoundments or storage that would have the potential to be a vector breeding source. The proposed changes to the creamery and animal regulations are intended to promote and support additional animal raising operations and activities. Animal waste associated with these uses would be a source of vectors. However, because the proposed project focuses on accessory uses, it would not involve operations of a scale that would cause a substantial vector concern. Typical good housekeeping measures would be sufficient at these operations to address vector issues. The proposed project does not include a residential component and therefore would not result in a substantial increase in the number of residents near an existing vector source. **Impacts related to vectors would be less than significant.**

### 2.4.3.8 Airport-Related Hazards

#### Guidelines for the Determination of Significance

Pursuant to a recent California Supreme Court ruling on *California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD)* (Case No. S213478, December 17, 2015), CEQA does not require analysis of how existing environmental conditions will affect a project's future users or residents. Therefore, significance thresholds are not established for this topic. However, Public Resources Code Section 21096(a) requires that an EIR discuss airport-related hazards if the project is located within 2 miles of a public use airport. Therefore, an assessment of airport-related hazards is provided below.

#### Analysis

Six public airports are located in the unincorporated County: Agua Caliente Airstrip (Desert Subregion), Borrego Valley Airport (Desert Subregion), Fallbrook Community Airpark (Fallbrook CPA), Jacumba Airport (Mountain Empire Subregion), Ocotillo Airstrip (Desert Subregion), and

Ramona Airport (Ramona CPA). Most of these include some agricultural uses within 2 miles of the airports; thus, the proposed project could result in new accessory agricultural uses in proximity to existing airports. Airport Land Use Compatibility Plans (ALUCPs) have been prepared by the San Diego Regional Airport Authority for all of these airports. These ALUCPs include compatibility policies for reviewing new development for safety issues that are associated with the airport. The County of San Diego has established a zoning overlay congruent with each airport's Airport Influence Area (AIA), which establishes the County's ALUCP Area Regulations. These regulations require that "[n]ew development, redevelopment, expansions, conversions and other uses of land located within the AIA of an adopted ALUCP for which County approval or permit are required shall be reviewed against the established criteria and policies of the ALUCP." Furthermore, "[u]nless the property is already devoted to the proposed incompatible use or the ALUCP is overridden by the County in a manner which renders the use compatible with the ALUCP, the proposal, must comply with the established policies and criteria of the applicable ALUCP." As a result, potential safety issues would be addressed through the County's review and application of the ALUCP compatibility policies. **Impacts would be less than significant.**

## 2.4.4 Cumulative Impacts Analysis

The geographic scope for the cumulative analysis of hazardous materials includes the San Diego region, which encompasses the entire County, including both incorporated and unincorporated areas and tribal and public agency lands. This is because of the area that the proposed project covers (most of the unincorporated County); when considering the transport of hazardous materials, the area of potential effect can extend well beyond the point of origin of the materials.

### 2.4.4.1 Hazardous Substance Handling

Cumulative projects within the region are likely to result in new development which would include facilities that involve the use, storage, disposal or transport of hazardous materials, and potentially increase hazards to the public or the environment. Future cumulative projects in the region would be subject to applicable regulations for the transport, use, and disposal of hazardous materials, including RCRA, CERCLA, the Hazardous Materials Transportation Act, IFC, and CCR Title 22 and Title 27. Also, the DEH-HMD would be responsible for enforcing Chapter 6.95 of the Health and Safety Code as the responsible CUPA agency, which gives the DEH-HMD the authority to regulate HMBPs and chemical inventory, hazardous waste, tiered permitting, USTs, and RMPs. Similar to the proposed project, a final certificate of occupancy would not be issued for any other project without conformance to Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500 through 25520. This ensures that projects that involve substantial quantities of hazardous materials prepare an HMBP, notify appropriate agencies, and incorporate safety measures where applicable. Therefore, **the proposed project would not contribute to a cumulatively considerable impact from the handling of hazardous substances.**

### 2.4.4.2 Accidental Release of Hazardous Materials

Implementation of new development, and commercial, industrial, and agricultural projects increases the likelihood of hazards to the public or the environment through reasonably foreseeable upset and accident conditions. Operational activities for other projects (mainly manufacturing and specialized commercial uses) in the County could result in the storage, use, and disposal of hazardous materials, and these project would be required to comply with regulations that would minimize the potential

for a release and provide planning mechanisms for prompt and effective cleanup in the event of an accidental release. Petroleum products such as fuels and oils would be used by motorized construction equipment and vehicles during construction of cumulative projects, and on occasion spills could occur. However, such spills would be infrequent, small in quantity, and cleaned in accordance with governing regulations. Compliance with regulations could include, but are not limited to: Chemical Accident Prevention Provision, RCRA, the California Health and Safety Code, CCR Title 23, the Aboveground Petroleum Storage Act, CalARP program, Emergency Response to Hazardous Materials Incidents; the California Emergency Services Act, and the County Consolidated Fire Code. Cumulative projects would be subject to applicable regulations regarding the handling of hazardous materials, and the risks associated with accidental release would be reduced. Therefore, **the proposed project would not contribute to a cumulatively considerable impact from accidental release of hazardous materials.**

#### 2.4.4.3 Hazards to Schools

Future and existing school facilities could potentially be located in the vicinity of projects under the proposed project and other cumulative projects, which could involve hazardous emissions or handling of hazardous materials. Although most of the region's schools are not located near rural areas, it is possible for hazardous materials and wastes to be transported, stored, or used by proposed or cumulative projects at school sites or within 0.25 mile of an existing or proposed school. However, cumulative projects would be subject to applicable regulations, including California Education Code Section 17210, which would ensure risks to schools would remain less than significant. Similar to the proposed project, a final certificate of occupancy would not be issued without conformance to Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500 through 25520. Therefore, **the proposed project would not contribute to a cumulatively considerable impact from hazards in schools within a 0.25-mile radius.**

#### 2.4.4.4 Existing Onsite Contamination

Cumulative projects in the region would have the potential to be located on or adjacent to existing contaminated sites. However, similar to projects promoted by the proposed project, discretionary projects would be reviewed for potential site contamination and appropriate measures to address risks to the public and environment would be required. For projects that do not require discretionary review, federal, state, and local regulations would require that any contamination that is encountered is reported to appropriate agencies and that appropriate precautions are taken to address risks to workers and the public. Therefore, **the proposed project would not contribute to a cumulatively considerable impact from existing contaminated sites.**

#### 2.4.4.5 Emergency Response and Evacuation Plans

Cumulative projects in the region would have the potential to interfere with existing emergency and evacuation plans. Cumulative public or private projects could increase population, and cause an inadequate emergency response and potential route impairment. Similar to the proposed project, cumulative projects would be required to comply with applicable emergency response and evacuation policies in regulations such as the Federal Response Plan, the California Emergency Services Act, and local fire codes. As discussed above, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, **the proposed project would not contribute to a cumulatively considerable impact on emergency response and evacuation plans.**

#### 2.4.4.6 Wildland Fires

As discussed above, a large portion of the unincorporated County is in a High or Very High fire hazard zone, and as such, cumulative projects in the region could also be implemented within High or Very high fire hazard severity zones depending on their location. **Although compliance with regulations would reduce the risk of hazards associated with wildland fires and building safety, the proposed project may contribute to a cumulatively considerable impact related to wildland fires (Impact HZ-2).**

#### 2.4.4.7 Vectors

Projects and uses that involve potential vector breeding sources such as standing water or animal waste that are located in close proximity to one another have the potential to cumulatively increase vectors in a localized area. However, the proposed project does not promote uses that would involve standing water, and animal raising promoted by the proposed project would be accessory and not of a scale that is expected to generate substantial vectors. Vectors can generally be controlled through standard good housekeeping methods and, therefore, while localized and temporary issues have occurred in the past, there are no ongoing cumulative vector issues associated with animal waste. Therefore, **the proposed project would not contribute to a cumulatively considerable impact related to vectors.**

#### 2.4.4.8 Airport-Related Hazards

Cumulative projects may occur within airport influence area and may subject additional people to airport hazards. However, as with projects that are promoted by the proposed project, other project would also be subject to individual review for compatibility with the ALUCP. As a result of this review, **cumulative impacts would be addressed and impacts would be less than significant.**

### 2.4.5 Significance of Impacts Prior to Mitigation

The proposed project would result in potentially significant impacts related to wildland fires **(Impacts HZ-1, direct/indirect, and HZ-2, cumulative)** as a result of accessory agricultural development in rural areas or in areas of dense vegetation. The proposed project would not result in potentially significant impacts associated with the handling and release of hazardous materials or wastes or interfere with emergency response and evacuation plans.

## 2.4.6 Mitigation Measures

### 2.4.6.1 Hazardous Materials and Wastes

The project would not result in any significant impacts or create a significant hazard to the public, a school, or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or within 0.25 mile of an existing or proposed school. No mitigation measures are required.



### 2.4.6.2 Emergency Response and Evacuation Plans

The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts related to emergency response or evacuation plans would be less than significant, and no mitigation measures are required.

### 2.4.6.3 Wildland Fires

The proposed project would promote the development of accessory agriculture facilities in high threat area for wildfire. Mitigation measures (described below) have been identified that would reduce impacts related to wildland fires, but not below a significant level.

#### Mitigation Measures

**M-HZ-1:** The County Guidelines for Determining Significance for Wildland Fire and Fire Protection will be applied during the environmental review process for future projects under the Agriculture Promotion Program requiring discretionary permits. Feasible and project-specific mitigation contained within the County Guidelines will be applied as appropriate. When impacts are determined to be significant, feasible, and appropriate, project-specific mitigation measures will be implemented. Examples of standard mitigation measures within the County Guidelines include installation of fire suppression systems; maintaining sufficient onsite water storage; inclusion of fire management zones; and implementing funded agreements with fire protection districts.

#### Infeasible Mitigation Measures

The following measure was considered in attempting to reduce direct and cumulative impacts associated with wildland fires within the County to below a level of significance. However, it has been determined that this measure is infeasible for reasons described below. Therefore, this measure would not be implemented.

- Prohibit accessory agriculture uses in High and Very High fire hazard severity zones.

This measure would be infeasible, because the vast majority of unincorporated San Diego County is ranked as having High or Very High fire hazard severity.

As it cannot be concluded at this stage that impacts related to wildland fires from all accessory agriculture uses allowed by the proposed Zoning Ordinance amendment would be avoided or mitigated, impacts would remain **significant and unavoidable**. Chapter 4, *Project Alternatives*, provides a discussion of alternatives to the proposed project that would result in some reduced impacts associated with wildland fire hazards, as compared to the proposed project.

### 2.4.6.4 Vectors

The proposed project would not result in substantial new vector breeding sources. Therefore, impacts related to vectors would be less than significant, and no mitigation measures are required.

### 2.4.6.5 Airport-Related Hazards

The proposed project would not result in significant impacts related to hazards from airports. Therefore, no mitigation measures are required.

### 2.4.7 Conclusion

The proposed project would not result in potentially significant impacts associated with hazardous materials or wastes or interference with emergency response and evacuation plans. The proposed project would result in potentially significant impacts on wildfire hazards in the County, both at a project level and cumulatively. Mitigation would reduce the likelihood of wildland fire impacts through proper compliance with applicable regulations and program, and, therefore, the proposed project would not result in significant adverse impacts related to exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires (**Impacts HZ-1, direct/indirect, and HZ-2, cumulative**).