6.9 HAZARDS AND HAZARDOUS MATERIALS

6.9 HAZARDS AND HAZARDOUS MATERIALS

INTRODUCTION

This section describes hazards and hazardous materials transportation, contamination, and emergency response within the policy area, characterizes the type and level of known hazardous material sites, and evaluates the potential for release of hazardous materials that could have an effect on public health and the environment. This section also addresses hazards associated with wildland fires and aviation.

One comment letter was received from the California Emergency Management Agency that expressed concern associated with flooding and hydrology, wildland and urban fires, and legal requirements of the safety element. The Sutter County General Plan includes a safety element, which includes all considerations as required by state law. Flooding and hydrology concerns are discussed in this EIR in Section 6.10, Hydrology, Flooding, and Water Quality. Urban fire hazards and response are discussed in Section 6.12, Public Services. Wildland fire hazards are addressed in this section.

Data for this section was taken from the 2008 *Sutter County General Plan Update Technical Background Report* (TBR); the California Department of Toxic Substances Control (DTSC) EnviroStor Database; the California Integrated Waste Management Board; the California Health and Safety Code; the Sutter County Hazardous Materials Area Plan; the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); the State Water Resources Control Board (SWRCB) Spills, Leaks, Investigations and Cleanup (SLIC) Program database; and the SWRCB GeoTracker database.

The TBR is available electronically on the County's website (http://www.co.sutter.ca.us/pdf/cs/ps/gp/tbr/tbr.pdf) and on CD at the back of this document.

ENVIRONMENTAL SETTING

The discussion of hazards and hazardous materials included below is presented on a countywide basis. There are no unique issues present in any of the five Growth Areas associated with hazardous issues; therefore, these areas of the county are not specifically discussed in the environmental setting.

Definitions

The term "hazardous materials" is defined in different ways for different regulatory programs. For purposes of this environmental document, the definition of "hazardous materials" is that

from the California Health and Safety Code, section 25501, where "...because of their quantity, concentration, or physical or chemical characteristics, (they) pose a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment."

Public health is potentially at risk whenever hazardous materials are, or will be, used. It is necessary to differentiate between the "hazard" of these materials and the acceptability of the "risk" they pose to human health and the environment. A hazard is any situation that has the potential to cause damage to human health and the environment. The risk to health and public safety is determined by the probability of exposure, in addition to the inherent toxicity of a material.

"Hazardous waste" is a subset of hazardous materials. For the purposes of this environmental document, the definition of "hazardous waste" is from the California Health and Safety Code, sections 25117 and 25141, as well as the California Code of Regulations (CCR), Title 22, section 66261.3, where "...because of their quantity, concentration, or physical, chemical, or infectious characteristics, (they) may either cause, or significantly contribute to, an increase in mortality or serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed."

Hazardous Materials

Hazardous materials are routinely used, stored, and transported within the policy area and are associated with industrial and commercial businesses as well as in educational facilities, hospitals, and households. Hazardous waste generators in the policy area include industries, businesses, public and private institutions, and households. Federal, state, and local agency databases maintain comprehensive lists of the locations of facilities that use or store large quantities of hazardous materials, as well as facilities that generate hazardous waste. Some of these facilities use certain classes of hazardous materials that require accidental release scenario modeling and risk management plans to protect surrounding land uses.

The Environmental Health Division of the Sutter County Community Services Department is the Certified Unified Program Agency (CUPA) for the policy area. The CUPA is responsible for the administration of the "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program" (Unified Program) within its jurisdiction. Elements of this program include hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous material release response plans and inventories, risk management and prevention program, and Uniform Fire Code hazardous materials management plans and inventories. These hazardous materials management plans and inventories are also known as business plans. While the Environmental Health Division is the CUPA for the policy area, the County Agricultural

Department has a Memorandum of Understanding (MOU) with Community Services Department for inspecting Hazardous Materials Business Plans program, hazardous waste generators program, and above ground storage tanks program for agricultural users.

Transportation of Hazardous Waste

The California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) regulates the transport of hazardous materials through the policy area. Transporters must receive a license from the CHP, comply with all federal and state regulations, and travel with a route map. In the policy area, the primary routes used for the transport of hazardous materials or wastes include Highway 99, Highway 70, and Highway 20. In addition to highways, any major road may serve as a route for hazardous materials transport, as long as transporters comply with regulations. In addition to truck transport, the Union Pacific Railroad (UPRR) provides freight services and may be routinely transporting hazardous materials through the southern portion of the policy area. UPRR is required to comply with all applicable laws and regulations to minimize the risk of potential hazardous materials spills or releases.

In California, transporters of hazardous wastes must have a valid registration issued by the California DTSC. According to DTSC, there are four registered hazardous waste transporters in the incorporated cities of Sutter County: Bhatti Trucking, Singh Trucking, and Surjeet Singh Trucking located in Yuba City; and Janda Trucking located in Live Oak; and one registered hazardous waste transporter in the policy area: Holt of California located in Pleasant Grove.[1]

Hazardous Waste Generators

Businesses generating between 100 and 1,000 kilograms (approximately 220 to 2,200 pounds) of hazardous waste per month ("small quantity generators") and businesses that generate more than 1,000 kilograms (2,200 pounds) of hazardous waste, or over 1 kilogram (2.2 pounds) of acutely hazardous waste per month ("large quantity generators") must operate in compliance with the federal Resource Conservation and Recovery Act (RCRA) and Hazardous Solid Waste Amendments (HSWA) laws and regulations.

There are 90 small quantity generators in the policy area; most are within the corporate city limits in Yuba City. The primary types of businesses generating hazardous waste are automotive repair, dry cleaners, and agricultural operations-related.[2] Typical wastes generated by these facilities are used/waste oils and chemical wastes. There is one RCRA

1 California Department of Toxic Substances Control (DTSC), Registered Hazardous Waste Transporter Database, <www.dtsc.ca.gov/database/Transporters/trans_cnty.cfm>, accessed March 30, 2010.

2 U.S. Environmental Protection Agency, Envirofacts/Enviromapper. <www.epa.gov/emefdata/em4ef.html?minx=-121.82224&miny=39.11914&maxx=-121.68491&maxy=39.19900&pText=Sutter,%20CA>, accessed May 5, 2010.

large quantity generator in Sutter County (Sutter Energy Facility, Township Road, Yuba City). This facility generated 201 tons of hazardous waste (based on 2007 data).[3]

According to the California Integrated Waste Management Board (CIWMB), households within the policy area produce 87 tons of hazardous wastes annually.[4] Commercial hazardous waste accounts for 13 tons of the policy area's waste stream annually; paint is the primary component (11 tons per year).[5]

The Sutter County Hazardous Materials Area Plan (September 2008), prepared in accordance with California Health and Safety Code section 25135 et seq., identified hazardous waste generators within the county, amounts and types of waste produced, and projected waste generation. The primary goal of the Hazardous Materials Area Plan is to reduce the need for new hazardous waste facilities by reducing waste at its source through recycling, reduced use of hazardous materials, and public education. The Hazardous Materials Area Plan identifies 12 Risk Management Plan Facilities (Cal-ARP facilities) (15 as of June 25, 2010) in the county.[6] These sites are in Pleasant Grove, Rio Oso, Live Oak, and Yuba City.

Sites with Known Contamination

Business practices and the laws that regulate hazardous materials use and disposal have changed dramatically over the years. Many businesses through intentional action, lack of awareness or accidental occurrences, or those that pre-date current requirements have caused contamination on and around properties. The policy area contains sites that were once contaminated and are now clean, as well as a few properties that are contaminated with a clean-up process underway. Federal and state agencies responsible for hazardous materials management maintain databases of such sites.

Below is a brief description taken from the TBR of four of the databases that provide information about hazardous materials sites within the policy area. The data has been updated, as appropriate, with information current as of March 2010. Appendix F contains a compilation of information from the databases listed below, including updated versions of the tables provided in Section 5.3, Hazardous Materials Management, in the TBR.

3 U.S. Environmental Protection Agency, List of Reported RCRA Sites in the United States: the National Biennial RCRA Hazardous Waste Report (Based on 2007 Data).

4 California Integrated Waste Management Board, Waste Stream Profiles, Sutter County, <www.ciwmb.ca.gov>, accessed May 3, 2010.

5 California Integrated Waste Management Board, Waste Stream Profiles, <www.ciwmb.ca.gov>, accessed October 22, 2007.

6 Sutter County, Sutter County Hazardous Materials Area Plan, September 2008, Appendix P-5.

Comprehensive Environmental Response, Compensation and Liability Information System

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), is a regulatory or statute law developed to protect the water, air, and land resources from the risks created by past chemical disposal practices. Under CERCLA, the U.S. Environmental Protection Agency (U.S. EPA) maintains a list of all contaminated sites in the nation that are currently, or have in the past, undergone or are in the process of undergoing clean-up activities. This list is commonly known as the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). CERCLIS contains information on hazardous waste sites, potential hazardous waste sites, and remedial activities, including sites that are on the Federal Superfund Sites (NPL) list or being considered for the NPL. The NPL identifies sites or other releases that appear to warrant remedial actions. The CERCLIS database lists no NPL sites within the policy area.[7]

California Department of Toxic Substances Control (DTSC) EnviroStor Database

The DTSC maintains a database containing information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is commonly known as EnviroStor and is one of a number of lists that comprise the "Cortese List" (i.e., a list of hazardous materials sites compiled pursuant to Government Code section 65962.5). EnviroStor provides a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. The Cal-Sites database also includes properties that have been remediated and certified by DTSC.

A review of the EnviroStor database in May 2010 indicated ten sites in the county. However, these sites are either within existing incorporated city limits of Yuba City and Live Oak or the case has been closed (certified) by the DTSC. Therefore, these sites would not be within the policy area.[8] There are no Cortese sites in the county. Please note that sites are frequently listed and de-listed; listings are constantly subject to change. Appendix F provides an updated listing of the sites found on the EnviroStor database.

Regional Water Quality Control Board Spills, Leaks, Investigation and Cleanup Program

The Spills, Leaks, Investigations and Cleanup (SLIC) Program was established by the SWRCB so that Regional Boards could oversee cleanup of illegal discharges, contaminated properties, and other unregulated releases adversely affecting the State's waters but not covered by another program. A review of the SLIC database in March 2010 identified 21

7 U.S. Environmental Protection Agency. CERCLIS database, <http://cfpub.epa.gov/supercpad/cursites/srchrslt.cfm>, accessed March 30, 2010.

8 Department of Toxic Substances Control, EnviroStor Database, <www.envirostor.dtsc.ca.gov>, accessed May 5, 2010.

sites in the county.[9] Of the 21 sites listed, three are located within the policy area; none has an active status; and most are listed as closed, remediation underway, or preliminary assessment. Appendix F provides an updated listing of the sites found on the SLIC database.

Leaking Underground Storage Tanks

Leaking underground storage tanks (LUSTs) are one of the greatest environmental concerns of the past several decades. State law and regulations pertaining to LUSTs are found in the California Health and Safety Code, Chapter 6.7, and the California Code of Regulations (CCR) Title 23, commonly referred to as the "California Underground Storage Tank Regulations." Federal and state programs include leak reporting and investigation regulations, and standards for clean up and remediation. The SWRCB has been designated the lead regulatory agency in the development of LUST regulations and policy. The California Regional Water Quality Control Board (RWQCB), in cooperation with the California Emergency Management Agency (Cal EMA), maintains an inventory of LUSTs in a statewide database. A review of the SWRCB GeoTracker (replaced the SLIC database) in March 2010 found 104 LUST cases in Sutter County, 27 of which were in the policy area.[10] Of the 27 sites listed within the policy area, 21 are listed as closed and the others are listed as open with remediation, verification monitoring, or site assessment underway. Appendix F provides an updated listing of the sites found on the GeoTracker database.

Septic Tanks

Septic tanks are prevalent throughout the county, specifically in areas that are not served by a community wastewater system. Faulty septic tanks can cause underground contamination, primarily from nitrates. Nitrate contamination of groundwater is not regulated under the LUST program, but the RWQCB and county are responsible for ensuring septic tank use does not degrade water quality. The impact of septic tanks on water quality is discussed in Section 6.10, Hydrology, Flooding, and Water Quality. The impact of septic tank use as it relates to public utilities infrastructure is discussed in Section 6.13, Public Utilities.

Asbestos, Lead Paint, and PCBs

Asbestos, a naturally-occurring fibrous material, was used as a fireproofing and insulating agent in building construction before such uses were terminated due to liability concerns in

9 Central Valley Regional Water Quality Control Board, Sacramento Office, Site Cleanup List, April 1, 2005, <www.waterboards.ca.gov/centralvalley/water_issues/site_cleanup/sllist04-05.pdf>, <www.waterboards.ca.gov/centralvalley/water_issues/site_cleanup>, accessed March 30, 2010.

10 Central Valley Regional Water Quality Control Board, GeoTracker, Leaking Underground Storage Tank (LUST) Cleanup Sites, <http://geotracker.waterboards.ca.gov/search.asp>, accessed March 30, 2010.

the late1970s. Because it was widely used prior to the discovery of its adverse health effects, asbestos may be found in a variety of building materials and components such as insulation, walls and ceilings, floor tiles, and pipe insulation. Friable (easily crumbled) materials are particularly hazardous because inhalation of airborne fibers is the primary mode of asbestos entry into the body. Non-friable asbestos is generally bound to other materials such that it does not become airborne under normal conditions.

Among its numerous uses and sources, lead can be found in paint, water pipes, solder in plumbing systems, and in soils around buildings and structures painted with lead-based paint. In 1978, the federal government required the reduction of lead in house paint to less than 0.06 percent (600 parts per million (ppm)). However, some paints manufactured after 1978 for industrial or marine uses legally contain more than 0.06 percent lead. Excessive exposure to lead (even low levels of lead) can result in the accumulation of lead in the blood, soft tissues, and bones. Children are particularly susceptible to potential lead-related health problems because it is easily absorbed into developing systems and organs.

Old light tubes, thermostats, and other electrical equipment typically contain heavy metals such as mercury. Elemental mercury can also be found in many electrical switches. Due to accidental spills and historic disposal practices before the adoption of more stringent disposal regulations, it is possible elemental mercury may be present in non-structural features of the buildings located on-site. At certain levels of exposure, mercury vapors are toxic and can cause kidney and liver damage.

Polychlorinated biphenyl (PCB) is an organic chemical, usually in the form of an oil that was historically used in electrical equipment. PCBs are most commonly associated with pole-mounted electrical transformers, but they were also used in insulators and capacitors in building electrical equipment. PCBs are highly persistent in the environment, and exposure to PCBs can cause serious liver, dermal, and reproductive system damage. PCBs are also a suspected human carcinogen.

Typically, the presence of asbestos, lead, PCBs, or other materials is tested at the time a structure is proposed for demolition or renovation, so there are no policy area-wide surveys showing where these materials may be present.

Emergency Response

The release of hazardous materials and chemicals into the environment can occur through a number of means, and although hazardous material accidents can happen almost anywhere, certain areas of the state are at higher risk. Sutter County, in particular, is primarily agricultural in nature with few industrial areas that contain large quantities of hazardous materials such as anhydrous ammonia, aqua ammonia, and chlorine. Due to

the primarily agricultural nature of the county and the relatively few areas of industrial development, the risk of a major incident would be less likely.

The Sutter County Emergency Services Division (ESD) is responsible for planning for and implementing response and recovery activities associated with both natural and human-made disasters and emergencies occurring within the policy area, including hazardous materials releases. The Emergency Services Program is responsible for planning; response and recovery activities associated with natural and man-made emergencies and disasters throughout the County; and coordination of those activities with local agencies, Cal EMA, and the Federal Emergency Management Agency (FEMA).

Emergency response routes may be located on any major road within the policy area and are subject to change, depending on the specific characteristics of an emergency or disaster. In the event of an emergency, the County's ESD along with other public safety agencies will provide information to the public via media emergency alert stations (EAS). The County's ESD also prepares and maintains emergency plans and training programs to respond to emergencies if they arise. The use of media such as radio, television, and the internet can ensure that the most up-to-date and accurate information is conveyed to the public in the event that evacuation becomes necessary or advised. Please see Section 6.12, Public Services, for more information pertaining to fire and emergency medical services.

Mutual Aid

Sutter County's mutual aid system is designed to ensure adequate resources, facilities, and support is provided to the policy area when the County's own resources cannot support the given emergency situation. The establishment of mutual aid agreements between Community Service Districts and Fire Protection Districts address major fire incidents within the policy area and within the incorporated cities of Sutter County and Live Oak. The internal mutual aid agreement provides for automatic sharing of emergency resources between adjacent agencies. Sutter County and its fire departments depend heavily on volunteer firefighters and mutual aid. The Sutter County Fire Department has established mutual aid agreements with neighboring Yuba and Yolo counties to assist as needed during major fire incidents. These agreements allow the agencies to draw personnel and/or equipment from either County, as necessary. Please see Section 6.12, Public Services, for more information pertaining to fire and emergency medical services.

Wildland Fires

While urban fires are predominantly located within the incorporated cities of the County, wildland fires occur within rural areas, where urbanization meets natural areas. Wildland fires pose the greatest threat to the policy area and are an ongoing concern with much of

the natural vegetated areas located along rivers and in the Sutter Buttes. However, much of the policy area is heavily agricultural maintaining large areas at a lower fire risk with regular irrigation that prevents vegetation from drying out and being vulnerable to fire.

Areas around the Sutter Buttes; the Sacramento, Feather, and Bear rivers; and the Sutter Bypass are quite susceptible to wildland fire.[11] The Sutter Buttes are the primary concern of wildland fire hazard because of the amount of natural habitat, limited access, steep terrain, and remote location. In other areas, large concentrations of highly flammable brush located in flat open spaces like the Sutter Bypass, open fields of agricultural land, and the "river bottoms" along the Sacramento, Feather, and Bear rivers allow combustible fuels to accumulate and are quite susceptible to wildland fire. Please refer to Section 5.2, Fire Hazards, in the TBR for more specific information pertaining to wildland fires.

Aviation Hazards

The two most relevant airports to the policy area are the Sutter County Airport and the Sacramento International Airport. In addition, there are small private airstrips within the policy area that serve agricultural purposes and private uses. Operated by the Sutter County Public Works Department, the Sutter County Airport is located within the policy area, adjacent to the City of Yuba City and is currently used primarily for agricultural aerial-spraying purposes and private use. Other uses include flight instruction, aircraft rentals, and aircraft sales. No commuter airlines use the Sutter County Airport and no control tower is located at the site. The Sacramento International Airport is located south of the policy area in Sacramento County between the Sacramento River and Interstate 5 and serves millions of passengers each year.

While portions of the policy area are located within the over flight zone of the Sutter County Airport, the Sacramento International Airport poses the greatest risk for aircraft crash hazards within the policy area due to its 24-hour operation and large number of flights and passengers. Portions of the policy area fall within the Sacramento International Airport's designated flight paths, but only high altitude aircraft fly over these locations. Therefore, the risk of an aircraft crash incident in the policy area associated with aircraft from the Sacramento International Airport is reduced.

REGULATORY CONTEXT

A number of federal, state, and local laws and regulations have been enacted to regulate the management of hazardous materials, emergency response, wildland fires, and aviation hazards. An overview of key laws and regulations related to these hazards is provided below. Implementation of these laws and the management of hazardous materials are

11 Yuba City and Sutter County, Yuba City-Sutter County, California Multi-Hazard Mitigation Plan, October 2007, p. 79.

regulated independently of the CEQA process through programs administered by various agencies at the federal, state, and local levels. Please refer to Sections 3.2.4, Air Travel and Airports; 3.3.2, Fire Protection and Emergency Services; 5.2, Fire Hazards; and 5.3, Hazardous Materials Management in the TBR for more specific information pertaining to the regulatory context of hazardous materials, emergency response, wildland fires, and aviation hazards.

Federal

Hazardous Materials

Several federal agencies regulate hazardous materials. These include the U.S. EPA, the Occupational Safety and Health Administration (OSHA), and the Department of Transportation (DOT). Applicable federal regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal Regulations (CFR). The U.S. DOT has developed regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation. The U.S. Postal Service has developed additional regulations for the transport of hazardous materials by mail. DOT regulations specify packaging requirements for different types of materials. U.S. EPA has also promulgated regulations for the transport of hazardous wastes. These more stringent requirements include tracking shipments with manifests to ensure that wastes are delivered to their intended destinations.

Emergency Response

Federal Emergency Management Agency (FEMA)

Emergency response at the federal level is managed by FEMA, which became part of the Department of Homeland Security in 2003. FEMA's continuing mission within the new department is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration. In 2000, the Disaster Mitigation Act was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988. Among other things, this new legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide, and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities.

Wildland Fires

There are no federal regulations regarding wildland fire protection that pertain to the policy area.

Aviation Hazards

Federal Aviation Administration (FAA)

The Federal Aviation Administration (FAA) is the Federal agency tasked with regulating civil aviation to promote safety, provide an air traffic control system for both military and civil aircraft, and respond to aircraft crash incidents. FAA regulations are mandated to ensure aircraft are suitable for flight, reduce the risk of crash hazards, and ensure that airports are sited and operated in a manner that poses the least possible risk to the public.

State

Hazardous Materials

Department of Toxic Substances Control (DTSC)

The DTSC regulates hazardous waste management and cleanup in California primarily under the authority of the federal RCRA of 1976, and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. In addition, DTSC reviews and monitors legislation to ensure that the position reflects the DTSC's goals. From these laws, DTSC's major program areas develop regulations and consistent program policies and procedures. The regulations spell out what those who handle hazardous waste must do to comply with the laws. Under RCRA, DTSC has the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements. As such, the management of hazardous waste in the County would be under regulation by the DTSC to ensure that state and federal requirements pertaining to hazardous waste are complied with. California law provides the general framework for regulation of hazardous wastes by the Hazardous Waste Control Law (HWCL) passed in 1972. DTSC is the State's lead agency in implementing the HWCL. The HWCL provides for State regulation of existing hazardous waste facilities, which include "any structure, other appurtenances, and improvements on the land, used for treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous materials.

Regional Water Quality Control Board (RWQCB)

The state Regional Water Quality Control Board (RWQCB) is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. RWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional state regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those sections or titles of the CCR that are applicable to hazardous materials.

California Environmental Protection Agency (Cal EPA)

The California Environmental Protection Agency (Cal EPA) has broad jurisdiction over hazardous materials management in the state. In 1994, Cal EPA adopted regulations implementing a "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program" (Unified Program). The program is implemented at the local level by a Certified United Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction (for more information, see the discussion under the Local regulatory context).

California Division of Occupational Safety and Health (Cal OSHA)

The California Division of Occupational Safety and Health (Cal OSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.

California Highway Patrol (CHP)

The California Highway Patrol (CHP) and Caltrans are the enforcement agencies for hazardous materials transportation regulations. Transporters of hazardous materials and waste are responsible for complying with all applicable packaging, labeling, and shipping regulations.

California's Hazardous Materials Release Response Plans and Inventory Law

California's Hazardous Materials Release Response Plans and Inventory Law, sometimes called the "Business Plan Act," aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The State requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on site, to prepare an emergency response plan, and to train employees to use the materials safely. The law requires the owner or operator of any business that handles hazardous materials in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of gas at standard temperature and pressure to submit a business plan. Cal EMA, acting pursuant to Health and Safety Code section 25503.3, has developed a single comprehensive hazardous materials inventory form for businesses to use to submit their individual hazardous materials inventories.

California Accidental Release Prevention Program

The California Accidental Release Prevention (Cal ARP) program (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than a certain volume of specific regulated substances at their facilities. The Cal ARP program regulations became effective on January 1, 1997, and include the provisions of the federal Accidental Release Prevention program (Title 40, CFR Part 68) with certain additions specific to the State pursuant to Article 2, Chapter 6.95, of the Health and Safety Code. The list of regulated substances is in Article 8, Section 2770.5 of the Cal ARP program regulations. The businesses that use a regulated substance above the noted threshold quantity must implement an accidental release prevention program, and some may be required to complete a Risk Management Plan (RMP). An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The purpose of a RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release sites often involves several different agencies that may have overlapping authority and jurisdiction. The DTSC and RWQCB are the two primary state agencies responsible for issues pertaining to hazardous materials release sites. DTSC has developed standards for the investigation of sites where hazardous materials contamination has been identified or could exist based on current or past uses. The standards identify approaches to determining if a release of hazardous wastes/substances exists at a site and delineating the general extent of contamination; estimating the potential threat to public health and/or the environment from the release and providing an indicator of relative risk; determining if an expedited response action is required to reduce an existing or potential threat; and completing preliminary project scoping activities to determine data gaps and identifying possible remedial action strategies to form the basis for development of a site strategy.

Siting of Schools

The California Education Code (section 17210 et seq.) outlines the requirements of siting school facilities near or on known or suspected hazardous materials sites, or near facilities that emit hazardous air emissions, handle hazardous or acutely hazardous materials, substances, or waste. The code requires that, prior to commencing the acquisition of property for a new school site, an environmental site investigation be completed to determine the health and safety risks (if any) associated with a site. Recent legislation and changes to the Education Code identify DTSC's role in the assessment, investigation, and cleanup of proposed school sites. All proposed school sites that receive State funding for

acquisition and/or construction must go through a comprehensive investigation and cleanup process under DTSC oversight.

Emergency Response

California Emergency Management Agency (Cal EMA)

The Cal EMA serves as the lead state agency for emergency management in California. Cal EMA the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the Statewide Mutual Aid System or Statewide Emergency Management System (SEMS). In California, SEMS provides the mechanism by which local government requests assistance. Cal EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

Wildland Fires

California Fire Code

The California Fire Code is Part 9 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The California Fire Code incorporates the Uniform Fire Code with necessary California amendments. This Code prescribes regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises and provisions to assist emergency response personnel.

Aviation Hazards

California Department of Transportation Division of Aeronautics

Caltrans Division of Aeronautics performs many functions to promote aviation safety in California. The division uses the State Aeronautics Act, Public Utilities Code sections 21001 et seq. to provide policies that promote safety in aeronautics. Functions of the division include issuing permits, providing airport inspection and design regulations, planning to ensure consistency with federal regulations, and providing grants to airports to improve safety.

Local

Sutter County 2015 General Plan

The County's 2015 General Plan contains policies and implementation measures relevant to protection from hazards and hazardous materials. The 2015 General Plan included policies focusing on the protection of Sutter County's residents from unreasonable risks associated with the effects of potential hazards through consideration in planning the location, type, and density of development. Upon approval of the proposed General Plan, all policies and implementation measures in the 2015 General Plan would be superseded. Therefore, they are not included in this analysis.

Yuba City-Sutter County Multi-Hazard Mitigation Plan

Sutter County and the incorporated communities of Yuba City and Live Oak have developed a comprehensive Multi-Hazard Mitigation Plan to better position resources in addressing potential hazards before they occur and to maintain eligibility for mitigation funding from the FEMA.

In compliance with the Disaster Mitigation Act of 2000, the final plan has been adopted by the following jurisdictions governing boards: Sutter County, City of Yuba City, City of Live Oak, Gilsizer Drainage District, Levee District 1, and Reclamation Districts 70, 1001, 1500, & 1660. These board adoptions were recognized by FEMA and the plan received final approval in January 2008. The Multi-Hazard Mitigation Plan will remain valid for five years. The natural hazards identified and investigated for the Yuba City-Sutter County Multi-Hazard Plan include:

- Agricultural Hazards
- Dam Failure
- Drought
- Earthquakes
- Floods
- Landslides
- Severe Weather
    - Extreme Temperatures
    - Fog
    - Winterstorms: Heavy Rains/Thunderstorms/Hail/Lightning/Wind
    - Tornadoes

- Soil Hazards
    - Erosion
    - Expansive Soils
    - Land Subsidence
- West Nile Virus
- Wildfires
- Volcanoes

Hazardous Materials

The Sutter County Environmental Health Division is delegated the enforcement of regulations pertaining to DTSC's responsibility for hazardous waste management and cleanup. On October 1, 2004, the Environmental Health Division was certified as the CUPA by Cal/EPA. While the Environmental Health Division of the Sutter County Community Services Department is the CUPA for Sutter County, has MOU with the County Agricultural Department for reviewing and inspecting Hazardous Materials Business Plans for agricultural businesses, hazardous waste generators, and above ground storage tanks for agricultural users.

All facilities that handle hazardous materials in specified quantities must have a written emergency response plan. In addition, facilities that generate 1,000 kilograms or more of hazardous waste per month, or accumulate more than 6,000 kilograms of hazardous waste on-site at any one time, must prepare a contingency plan. This site-specific Emergency Response/Contingency Plan is the facility's plan for dealing with emergencies and shall be implemented immediately whenever there is a fire, explosion, or release of hazardous materials which could threaten human health and/or the environment. At least one copy of the plan must be maintained at the facility for use in the event of an emergency and for inspection by Sutter County Environmental Health. All personnel qualified to act as the facility's Emergency Coordinator must be listed in this plan.

Sutter County Hazardous Materials Area Plan

Within Sutter County, there are businesses that manufacture, store, sell, use, and dispose of hazardous materials. The Sutter County Hazardous Materials Area Plan is a response plan to protect the public, environment, and property from an accidental release involving chemicals. The Hazardous Materials Area Plan fulfills the CUPA regulatory program requirements per State law. This plan describes the County's pre-incident planning and preparedness for hazardous materials releases. It clarifies the roles and responsibilities of federal, State, and local agencies during a hazardous materials incident. It also describes

the County's hazardous materials incident response program, training, communications, and post-incident recovery procedures.

Emergency Response

Sutter County Emergency Operations Plan

The Sutter County Emergency Operations Plan outlines the personnel responsible for decision-making during a natural or man-made disaster, discusses the steps and decision-making process necessary to issue evacuation orders in the county, and addresses the need for temporary shelter during large-scale emergencies and/or major disasters. The Plan seeks to augment existing checklists and standard operating procedures currently in place in the county for emergency/disaster response.

Wildland Fires

Local regulations implement and enforce the California Fire Code (see the discussion under the State regulatory context).

Aviation Hazards

Airport Land Use Compatibility Plans (ALUCPs) are prepared to provide guidance to ensure compatible land uses within the vicinity of airports. Public safety and the reduction of aviation hazards are concerns in the airport planning process. The Sacramento Area Council of Governments (SACOG) serves as the Airport Land Use Commission (ALUC) for Sutter County. The ALUC has two primary functions: (1) the protection of public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive noise from nearby airports, and; (2) to prevent the intrusion of incompatible land uses around airports to preserve the utility of the County's airport in the future.

Sutter County Airport Land Use Comprehensive Plan

The Sutter County Airport is located just east of the Garden Highway and west of the Feather River. The airport is located within Sutter County, but is surrounded to the north, south, and west by Yuba City and to the east by Yuba County. The airport is located on approximately 170 acres of land, and is operated by the Sutter County Public Works Department and currently includes one runway, Runway 17/35, which is 3,040 feet long and 75 feet wide. The airport is currently used primarily for agricultural aerial-spraying purposes and private use. Other uses include flight instruction, aircraft rentals, and aircraft sales. No commuter airlines use the Sutter County airport. The Sutter County Airport Land Use Comprehensive Plan (ALUCP) was adopted in 1994.

The ALUCP establishes planning boundaries for the airport and defines compatible types and patterns of future land use. The ALUCP determines that residences and schools are incompatible within the CNEL of 65 and above. As development is proposed in the area between the 60 and 65 dB CNEL noise contours, affected cities and counties should evaluate the impact of aircraft noise on proposed development and consider requiring noise reduction measures, aviation noise easements and buyer-renter notification.

The Sutter County Community Services Department is responsible for reviewing all new development projects located within over flight zones affecting Sutter County to ensure consistency with the ALUCP.

IMPACTS AND MITIGATION MEASURES

Methods of Analysis

The analysis of impacts associated with hazards and hazardous materials is based on available information on potential hazards that exist or may exist within the policy area along with a review of databases and hazardous materials lists containing information on hazardous materials sites. The analysis assumes that all future and existing development within the policy area complies with all applicable federal, state and local laws, regulations, design standards, and plans.

The impact analysis analyzes buildout of the proposed General Plan under both the adjusted buildout scenario as well as full buildout.

Proposed Sutter County General Plan Goals and Policies

Goals and policies from the proposed General Plan relevant to hazards and hazardous materials within the entire policy area are listed below.

PUBLIC HEALTH AND SAFETY ELEMENT (PHS)

Hazardous Materials

Goal PHS 3 Protect health, safety, property, and the environment from the use, transport, disposal, and release/discharge of hazardous materials and waste.

Policies

PHS 3.1 **Use and Disposal.** Ensure that the use and disposal of hazardous materials and waste complies with appropriate federal, state, and local requirements.

PHS 3.2 **Hazardous Materials Area Plan.** Maintain and implement a Sutter County Hazardous Materials Area Plan consistent with the requirements of state law.

PHS 3.3 **Project Review.** Coordinate with appropriate state and federal agencies to review all proposed development projects that manufacture, use, or transport hazardous materials and waste.

PHS 3.4 **Hazardous Materials Business Plan (HMBP).** Require the owner or operator of a facility to complete a HMBP if the facility handles hazardous materials or a mixture containing hazardous materials that has a quantity equal to or greater than 55 gallons for liquid, 500 pounds for solids, or 200 cubic feet for compressed gas. Provide a copy of the HMBP to the Sutter County Environmental Health Division (as a Certified Unified Program Agency).

PHS 3.5 **Remediation of Known Sites.** Require that businesses and property owners of known hazardous materials contamination and waste sites coordinate with the County, state, and/or appropriate federal agencies to develop and implement a plan to investigate, facilitate, and manage the remediation of the known sites.

PHS 3.6 **New Development.** Ensure buildings and sites are investigated for the presence of hazardous materials and/or waste contamination before development for which County discretionary approval is required.

PHS 3.7 **Siting of New Development.** Ensure that the siting of facilities that transfer, treat, store or dispose of hazardous materials is compatible with surrounding land uses.

PHS 3.8 **Education.** Educate residents and businesses on how to reduce or eliminate the use of hazardous materials and products, and encourage the use of safer, nontoxic, environmentally friendly equivalents.

Emergency Response and Disaster Preparedness

Goal PHS 4 Respond appropriately, effectively, and efficiently to natural and human-made emergencies and disasters.

Policies

PHS 4.1 **Emergency Operation Plans.** Continue to implement and regularly update countywide emergency operation plans to reduce or eliminate long-term risk to life and property from natural or human-made emergencies and disasters.

PHS 4.2 **Evacuation Routes.** Regularly review established evacuation routes to ensure emergency access to and from all parts of the County.

PHS 4.3 **Post-Disaster Response.** Plan for the continued function of essential facilities following a major disaster to facilitate post-disaster response.

PHS 4.4 **Emergency Access.** Require minimum road and driveway widths and clearances around structures consistent with established requirements in order to ensure emergency access.

PHS 4.5 **Emergency and Disaster Preparedness Training.** Coordinate with local and regional agencies to regularly conduct emergency and disaster preparedness training to test operational and emergency plans.

PHS 4.6 **StormReady Program.** Continue to be a member of the StormReady Program ensuring a higher level of community awareness to minimize the loss of life and property from severe weather.

PHS 4.7 **Coordination.** Continue to be responsible for planning, preparedness, emergency response, and recovery activities associated with natural and human-made disasters. Provide communication and coordination between local and federal agencies, medical facilities, schools, local radio stations, and special needs service providers.

PHS 4.8 **Mutual Aid Agreements.** Continue to participate in mutual aid agreements to ensure adequate resources, facilities, and other support services necessary for emergency response.

PHS 4.9 **Public Education.** Support public education and awareness regarding emergency response and disaster preparedness.

Implementation Programs

PHS 4-A Coordinate with applicable agencies to update the countywide emergency operations plan and evacuation routes every five years.

PHS 4-B Coordinate with local and regional agencies to conduct annual training of staff.

PUBLIC SERVICES ELEMENT (PS)

Fire Protection

Goal PS 3 Minimize the risk to life and property resulting from wildland fire hazards.

Policies

PS 3.1 **Development Limitation**. Limit development in areas of extreme, very high, and high wildfire risk.

PS 3.2 **Defensible Space.** Require new and/or existing development to establish adequate defensible space by providing clearance around structures, and using fire-resistant landscaping and roofing materials.

PS 3.3 **Private Properties.** Require private property owners to remove excessive/ overgrown vegetation and rubbish to prevent and minimize fire risks.

PS 3.4 **Wildfire Management Plan.** Require new large-scale development projects (i.e. Specific Plans, Rural Planned Communities) to prepare and implement a County-approved wildfire management plan incorporating fire protection measures for developing properties adjacent to undeveloped lands. The wildfire management

plan shall be consistent with any adopted Countywide plan and/or regulations in effect at the time of the project's approval.

Implementation Programs

PS 3-A Update the Zoning Code to establish standards for developments in extreme, very high, and high wildfire risk to contain adequate defensible space, fire resistant building standards, and other appropriate measures.

PS 3-B Educate residents on the risks and requirements of living in wildland fire hazard areas, which in Sutter County includes those locations surrounding the Sutter Buttes and adjacent to the County's rivers and levees.

MOBILITY ELEMENT (M)

Air Travel and Airports

Goal M 6 Promote the continued use and improvement of general and agricultural aviation facilities within the parameters of compatible surrounding land use and public safety.

Policies

M 6.1 **Protection from Incompatible Uses**. Protect public and private airports from conflicting land use patterns to the extent practicable.

M 6.2 **New Development**. Restrict new development around airports to insure safe airport operations.

M 6.3 **Airport Safety Zones**. Limit land uses in airport safety zones to those listed in the applicable airport comprehensive land use plan [CLUP].

M6.4 **Sutter County Airport**. Support Sutter County Airport's continued use as a general aviation facility.

Implementation Programs

M 6-A Review new development and building permits within the County airport vicinity to insure compliance with County ordinances for the Airport Zoning. Coordinate with Yuba City to insure compliance within the City limits.

M 6-B Review all new development projects within overflight zones affecting Sutter County for consistency with the applicable airport Comprehensive Land Use Plan [CLUP].

M 6-C Manage the Sutter County Airport to insure its viable long term operation.

Standards of Significance

For the purposes of this EIR, impacts to hazards and hazardous materials are considered significant if the proposed General Plan would:

- create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment;
- emit hazardous emissions or involve the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- for a project located within an airport land use plan or within 2 miles of a public or private airport/airstrip, result in a safety hazard for people residing or working in the project area;
- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or residences are intermixed with wildlands.

Impacts and Mitigation Measures

6.9-1 Implementation of the proposed General Plan could expose the public or the environment to potential hazards involving the transport, use, disposal, or accidental release of hazardous materials.

Development associated with the proposed General Plan under the adjusted buildout scenario would add new buildings, structures, infrastructure, and population to the county, all of which would be subject to impacts associated with hazards and hazardous materials. Such potential incidents may include accidental spills or releases, intentional releases, such as from a terrorist attack, and/or the release of hazardous materials during or following a natural disaster such as an earthquake or flood. Throughout the lifespan of the proposed General Plan, hazardous materials would be used, transported, and stored throughout the county. Most household and general commercial uses of hazardous materials would be very minor and would not result in a substantial increase in the risk of a hazardous materials incident. If treatment, storage, and disposal (TSD) facilities are developed in the county in the future, these future facilities would be subject to additional evaluation if they are

developed within the county. In addition, "wet" industries with heavy manufacturing could develop in the county and could store large amounts of hazardous materials such as fertilizer, ammonia, or chlorine in various ways such as drums, compressed gas cylinders, ASTs, or USTs. Proposed General Plan policy PHS 3.3 requires that the county coordinate with appropriate state and federal agencies to review all proposed development projects that manufacture, use, or transport hazardous material and waste. Per policy PHS 3.4, owners or operators of facilities that handle hazardous materials must prepare a hazardous materials business plan if the quantities handled are equal or greater than 55 gallons for liquid, 500 pounds for solids, or 200 cubic feet for compressed gas.

In the county, the primary routes used for the transport of hazardous materials or wastes include Highway 99, Highway 70, and Highway 20. In addition to highways, any major road may serve as a route for hazardous materials transport, as long as transporters comply with regulations. Nearby airports may also be used to transport hazardous materials either into or out of the county. The transportation of hazardous materials is subject to applicable local, state, and federal regulations, the intent of which is to minimize the risk of upset during routine operations. In addition, the County's Hazardous Materials Area Plan specifically identifies appropriate routes for vehicles carrying hazardous materials to protect public safety. However, it is possible that small quantities of hazardous materials could be transported along roads throughout the county on a daily basis.

In addition, the Cal ARP program covers certain businesses that store or handle more than a certain volume of specific regulated substances at their facilities. The Cal ARP program regulations include the provisions of the federal Accidental Release Prevention program (Title 40, CFR Part 68) with certain additions specific to the state pursuant to Article 2, Chapter 6.95, of the Health and Safety Code. Caltrans and the CHP also regulate the transport of hazardous materials through the county. Transporters must receive a license from the CHP, comply with all federal and state regulations, and travel with a route map. In California, transporters of hazardous wastes must have a valid registration issued by the California DTSC.

Compliance with all applicable rules and regulations, along with implementation of the proposed General Plan policies would ensure that hazards involving the transport, use, disposal, or accidental release of hazardous materials would be minimized, resulting in a ***less-than-significant impact***.

Full Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above under the adjusted buildout scenario. There would be additional development that would be subject to the same General Plan policies as well as state and local laws that oversee the use, transport and storage of hazardous materials. The additional growth that could occur

under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

6.9-2 Implementation of the proposed General Plan could result in development that may emit hazardous emissions or involve the handling of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

As discussed above, the California Education Code (section 17210 et seq.) outlines the requirements of siting school facilities near or on known or suspected hazardous materials sites, or near facilities that emit hazardous air emissions, handle hazardous or acutely hazardous materials, substances, or waste. The code requires that, prior to commencing the acquisition of property for a new school site, an environmental site investigation be completed to determine the health and safety risks (if any) associated with a site. Recent legislation and changes to the Education Code identify DTSC's role in the assessment, investigation, and cleanup of proposed school sites. All proposed school sites that could be developed under the proposed General Plan (assuming the adjusted buildout scenario) that receive State funding for acquisition and/or construction must go through a comprehensive investigation and cleanup process under DTSC oversight. In addition, proposed General Plan policy PHS 3.7 ensures that the siting of facilities that transfer, treat, store or dispose of hazardous materials be compatible with surrounding land uses. Adherence with state law and with proposed General Plan policy PHS 3.7 would ensure that hazardous materials would not be handled or emitted within one-quarter mile of an existing or proposed school and the impact would be ***less than significant***.

Full Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above. There would be additional school development that would be subject to the same General Plan policy to ensure that no hazardous uses would be developed within a quarter mile of any school facility. The additional growth that could occur under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

6.9-3 Implementation of the proposed General Plan could result in development that may be located in contaminated areas.

As stated above under the Environmental Setting, there are identified sites within the county that are listed in the EnviroStor database, CVRWQCB site cleanup list, and LUST database. These sites represent potential health hazards, and have experienced contamination from the release of hazardous substances into the soil. However, any new development proposed within these documented hazardous sites would first be required to undergo remediation and cleanup under the supervision of DTSC and/or RWQCB, depending on the particular characteristics of each site, before construction activities could begin. Existing land uses that may potentially contain contaminated sites in the county include former industrial and commercial properties, gas stations, etc. Potential soil contamination in these areas must be properly identified and remediated prior to any development activities to prevent exposure of people and the environment to these hazards. In addition, it is possible that old underground storage tanks (USTs) that were in use prior to permitting and record keeping requirements may be present throughout the county. If an unidentified UST were uncovered or disturbed during construction activities, it would be sealed and abandoned in place or removed, per specific county guidelines. Removal activities could pose both health and safety risks, such as the exposure of workers, tank handling personnel, and the public to tank contents or vapors. Potential risks, if any, posed by underground storage tanks would be minimized by managing the tank according to Sutter County standards as enforced and monitored by the Sutter County Environmental Health Division.

In the event undiscovered hazardous material contamination is found in the soil or groundwater during construction activities for new development in the county, such contamination could cause various short-term or long-term adverse health effects in persons exposed to the hazardous substances. In addition, exposure to contaminants could occur if the contaminants migrated from the contaminated zone to surrounding areas either before or after the surrounding areas were developed, or if contaminated zones were disturbed by future development at the contaminated location. To prevent potential health hazards to construction workers and the public from exposure to previously unknown contamination, proposed General Plan policy PHS 3.5 would require that businesses and property owners of known hazardous materials contamination and waste sites coordinate with the County, State, and/or appropriate federal agencies to develop and implement a plan to investigate, facilitate, and manage the remediation of these sites. Similarly, proposed General Plan policy PHS 3.6 would ensure that buildings and sites are investigated for the presence of hazardous materials and/or waste contamination before development for which County discretionary approval is required. In addition, upon identification of the contamination, a remediation plan pursuant to section 25401.05 (a)(1) of the California Health and Safety Code and approved by the appropriate agency or authority must be implemented at the site.

Compliance with all applicable rules and regulations, along with implementation of proposed General Plan policies would ensure that development would not be located on a

hazardous materials site that is included on a DTSC list without having undergone extensive site remediation. Therefore, the impact would be ***less than significant***.

Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above. Any new development would be required to remediate any contamination and comply with the General Plan policies. The additional growth that could occur under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

6.9-4 Implementation of the proposed General Plan could result in a safety hazard for people residing or working in the policy area located within an airport land use plan or within 2 miles of a public or private airport/airstrip.

Implementation of the proposed General Plan under the adjusted buildout would increase population within the county and allow the development of projects in areas near airports, potentially increasing the number of people who may be at risk in the event of an aircraft crash. However, air traffic is subject to stringent regulations monitored and enforced by the FAA and Caltrans aimed at protecting public safety. This, combined with compliance with the ALUCP for each airport, would ensure that development within areas near airports is compatible with airport activities. For example, tall buildings or structures would be prohibited in areas where aircraft could fly at low altitudes. In addition, proposed General Plan policy M 6.1 would protect public and private airports from conflicting land use patterns to the extent practicable, while policy M 6.2 would restrict development around airports to ensure safe airport operations.

Therefore, compliance with all applicable regulations, codes, and plans would ensure that impacts resulting from potential hazards due to interference with airport safety hazards would be ***less than significant***.

Full Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above. Any new development would be required to comply with the ACLUP if located near an airport as well as the General Plan policies. The additional growth that could occur under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

6.9-5 Implementation of the proposed General Plan could interfere with the implementation of an adopted emergency response plan or emergency evacuation plan.

Demolition and construction activities associated with future development within the county that affect roadways and traffic patterns in the area could interfere with emergency and evacuation routes that could potentially affect emergency response times and access. If traffic restrictions associated with a development project occurred simultaneously with other similar traffic restrictions resulting from other development projects in the county, specifically for projects in close proximity to one another, emergency response access, response times, and evacuation routes could be adversely affected. Implementation of the Sutter County Emergency Operations Plan in the event of an emergency would allow for the orderly evacuation of the county. Cal EMA could also coordinate the state response to major emergencies in support of local government. Adherence to proposed General Plan policy PHS 4.4 would ensure that minimum road and driveway widths and clearances around structures consistent with established requirements were in place in order to ensure emergency access. Proposed General Plan policy PHS 4.5 would also require Sutter County to coordinate with local and regional agencies and to regularly conduct emergency and disaster preparedness training to test operational and emergency plans. Implementation of the proposed General Plan policies and the Sutter County Emergency Operations Plan, as well as coordination with Cal EMA, would ensure that emergency response plans and emergency evacuation plans would be implemented as necessary. Therefore, new development under the General Plan would not interfere with emergency response plans or emergency evacuation plans and the impact would be ***less than significant***.

Full Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above. Any new development would be required to ensure emergency access is not compromised. The additional growth that could occur under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

6.9-6 Implementation of the proposed General Plan could expose the public or structures to a significant risk of loss, injury, or death involving wildland fires.

The Sutter Buttes are the primary concern when considering the wildland fire hazard, due to limited access, steep terrain and remote location. In other areas, large concentrations of highly flammable brush located in flat open spaces are also quite susceptible to wildland fire. Also at risk are the "river bottoms" or those areas along the Sacramento, Feather and Bear rivers within the levee system, since much of the area inside these levees are left in a natural state, allowing combustible fuels to accumulate over long periods of time.

Proposed General Plan policy PS 3.1 (Development Limitation) would limit development in areas of extreme, very high, and high wildfire risk. Proposed General Plan policy PS 3.2 (Defensible Space) would require new and/or existing development to establish adequate defensible space by providing clearance around structures, and using fire-resistant landscaping and roofing materials while policy PS 3.3 (Private Properties) would require private property owners to remove excessive/overgrown vegetation and rubbish to prevent and minimize fire risks. In addition, proposed General Plan policy PS 3.4 (Wildfire Management Plan) would require new large-scale development projects (i.e., Specific Plans, Rural Planned Communities) to prepare and implement a County-approved wildfire management plan incorporating fire protection measures for developing properties adjacent to undeveloped lands. The wildfire management plan would be consistent with any adopted countywide plan and/or regulations in effect at the time of the project's approval.

Development under the proposed General Plan would focus development around existing development areas and away from the Sutter Buttes, the Sutter Bypass, and Sacramento, Feather, and Bear rivers. Implementation of the proposed General Plan policies would ensure that future development would be limited in areas identified as higher risk for wildfires. Creating defensible space between structures and managing vegetation would limit the loss of structures during a wildfire. Preparation of a wildfire management plan by new large-scale development would ensure that fire protection measures would be in place for any developed areas adjacent to wildlands. These policies would ensure that wildland fire hazards would be minimized in the county and the impact would be ***less than significant***.

Full Buildout Analysis

Under the full buildout scenario, the same effects would occur as discussed above. Any new development would be required to minimize fire hazards and the potential for wildland fires to occur. The additional growth that could occur under full buildout would go beyond 2030 and future planning efforts and environmental analysis would address this additional growth and the potential implications of this growth.

Mitigation Measure

None required.

Growth Areas

The analysis conducted for hazards and hazardous materials is countywide, and the anticipated impacts to the growth areas are the same as the policy area analysis, discussed above under both the adjusted buildout as well as full buildout. All future development, specifically industrial and commercial uses would be subject to federal, state, and local regulations regarding the handling of hazardous materials, hazardous materials emergency response, and disaster response. A discussion of the Sutter Pointe Specific Plan is included to provide the reader with a summary of the EIR findings specific to the plan area. Please refer to Chapter 3, Project Description, for more specific information pertaining to the General Plan growth areas.

Sutter Pointe Specific Plan Area

The Sutter Pointe Specific Plan (SPSP) proposes to develop over 7,500 acres resulting in approximately 2,700 acres or 47,000,000 square feet of industrial and/or commercial uses. These uses could use, transport, or dispose of large amounts of hazardous materials. Future development within the SPSP would be subject to federal, state, and local regulations regarding the handling of hazardous materials, hazardous materials emergency response, and disaster response. Therefore, impacts associated with future development within the SPSP would be the same as the countywide analysis above and the General Plan as well as Specific Plan policies would be applicable.

Cumulative Impacts and Mitigation Measures

Hazardous materials regulation and emergency response within Sutter County is provided by federal, state and local entities. For the General Plan the effects of buildout of the general plan and the increase in population is considered as the "project." In terms of the regulation of hazardous materials and hazardous materials emergency response, the effects of buildout of the General Plan on hazardous materials, air safety hazards, and wildland hazards are already evaluated in Impacts 6.9-1 through 6.9-6. Although new development in the larger region would cumulatively increase hazardous materials use, those increases would be regulated by existing federal, state, and local policies to ensure the safe handling of hazardous materials. In addition, truck traffic carrying hazardous materials through the county could increase due to additional development in the region. However, vehicles transporting hazardous materials would be required to travel on designated routes such as state highways and major arterials in the county. There are no other known projects within the policy area, that when combined with the buildout of the General Plan, would compound or increase environmental effects on hazardous materials

regulation, hazardous materials response, or wildland fire hazards. Therefore, the cumulative impacts of buildout of the General Plan are addressed in Impacts 6.9-1 through 6.9-6.