3.6 - Hazards and Hazardous Materials

3.6.1 - Introduction

This section describes the existing hazards and hazardous materials setting and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based on a Phase I Environmental Site Assessment (Phase I ESA) and Soil Stockpile Assessment Report prepared by Cardno ATC as well as site reconnaissance performed by FirstCarbon Solutions, review of the Napa County Airport Land Use Compatibility Plan (ALUCP), and review of project plans. The Phase I Environmental Site Assessment and Soil Stockpile Assessment Report are provided in Appendix F.

3.6.2 - Environmental Setting

Hazardous Materials

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties:

- Toxic—causes human health effects
- Ignitable—has the ability to burn
- Corrosive—causes severe burns or damage to materials
- Reactive—causes explosions or generates toxic gases

A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contain technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Phase I Environmental Site Assessment

A Phase I ESA was prepared by Cardno ATC in April 2014 to determine the presence or absence of hazardous materials on the project site. The findings of the Phase I ESA are summarized as follows.

Database Search

Cardno ATC retained EDR to perform a search of federal and state environmental databases to determine if the project site or surrounding properties have reported releases of hazardous materials or are known users of hazardous materials. The project site is not listed as a hazardous materials site on any federal or state database.

Several sites in the project vicinity are listed on federal and state databases; refer to Table 3.6-1. All sites are listed as "Case Closed," signifying that remediation activities have occurred to the satisfaction of the applicable regulatory agency. The Phase I ESA concluded that these sites do not represent an environmental concern to the project site.

Table 3.6-1: Hazardous Materials Sites Summary

Site	Relationship to Project Site	Summary
Napa County Airport Air Control Tower (4000 Airport Road, Napa)	Northwest (0.2 mile)	Leaking UST; Listed as "Case Closed" (1992)
Devlin Road Transfer Station (889 Devlin Road)	North (0.1 mile)	Waste oil release in 2001; Listed as "Case Closed" (2001)
Pacific Auto Salvage (5759 Broadway Street)	East (0.1 mile)	Leaking UST site; Listed as "Case Closed" (1996)
Diablo Timber (5747 Napa Vallejo Highway, American Canyon)	South (0.1 mile)	Leaking UST site; Listed as "Case Closed" (1998)
Hydro Conduit Corp (385 Tower Road)	North (0.4 mile)	Leaking UST site; Listed as "Case Closed" (1992)
CA Auto Dismantlers (1578 Green Island Road)	Southwest (0.5 mile)	Hazardous materials release site; Listed as "Case Closed" (2001)

Note:
UST = underground storage tank
Source: State Water Resources Control Board, 2015.

Site Reconnaissance

Cardno ATC personnel conducted the site reconnaissance on April 4, 2014. The site reconnaissance found no observations of use, storage, or disposal of hazardous substances, including hazardous wastes, on the project site. Additionally, no aboveground storage tanks, underground storage tanks (USTs), or petroleum products were observed.

Cardno ATC observed several pad-mounted transformers located along the eastern portion of the roadway improvement; refer to the discussion in the following section for further information.

Common Hazardous Materials

Asbestos

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties, such as thermal insulation, chemical and thermal stability, and high tensile strength. Asbestos is commonly used as an acoustic insulator, thermal insulation, fireproofing, and in other building materials. Asbestos is made up of microscopic bundles of fibers that may become

airborne when asbestos-containing materials are damaged or disturbed. When these fibers get into the air, they may be inhaled into the lungs, where they can cause significant health problems. The California Occupational Health and Safety Administration (CalOSHA) defines asbestos-containing construction materials as any material that contains more than 0.1 percent asbestos by weight.

There are no structures within the project site, which precludes the possibility of asbestos-containing materials being present.

Lead

Lead is a highly toxic metal that was used until the late 1970s in a number of products, most notably in paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. Primary sources of lead exposure are deteriorating lead-based paint, lead-contaminated dust, and lead-contaminated soil. Both the United States Environmental Protection Agency (EPA) and the California Department of Health Services define lead paint as containing a minimum of 0.5 percent by weight. Lead-containing waste materials with a concentration greater than 0.1 percent are considered hazardous waste by California law.

There are no structures within the project site, which precludes the possibility of lead paint being present.

Polychlorinated Biphenyls (PCBs)

Polychlorinated biphenyls (PCBs) are mixtures of synthetic chemicals with similar chemical structures. PCBs can range from oily liquids to waxy solids. Because of their non-flammability, chemical stability, high boiling point, and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications, including electrical, heat transfer, and hydraulic equipment; as plasticizers in paints, plastics, and rubber products; in pigments, dyes, and carbonless copy paper; and many other applications. Electrical transformers are one of the most common sources of PCBs.

The Phase I ESA indicated that several pad-mounted transformers are located along the eastern portion of Devlin Road. The transformers were not labeled as to the PCB-content; however, no evidence of stains or leaks was observed. The transformer units are owned and operated by PG&E, which is responsible for the maintenance of the transformer units. Based on the utility ownership and observed conditions, the electrical transformers are not considered to represent an environmental concern to the property at this time. No other suspect PCB-containing equipment was observed at the property at the time of the site reconnaissance.

Soil Stockpile

The project site contains a soil stockpile located near the intersection of S. Kelly Road/Devlin Road. To determine if the stockpile contains contaminated soils, Cardno ATC collected eight shallow soil samples from the stockpile and submitted them to a California state-certified laboratory for analysis. Substances tested for included total petroleum hydrocarbons (in the diesel, gasoline, and motor oil ranges), halogenated volatile organic compounds, PCBs, and metals.

Total petroleum hydrocarbons in the motor oil ranges and metals were detected above laboratory reporting limits; however, with the exception of arsenic, all samples were below Regional Water Quality Control Board Region 2 Shallow Soil Environmental Screening Levels. In the case of arsenic, the North Bay region of the San Francisco Bay area has high levels of naturally occurring arsenic in soils, and, therefore, Cardo ATC concluded that the readings for this substance were indicative of such conditions. No other substances were detected by laboratory analysis. For these reasons, Cardo ATC recommended no further action.

Radon

Radon is a carcinogenic, radioactive gas resulting from the natural breakdown of uranium in soil, rock, and water. Radon gas enters a building through cracks in foundations and walls. Once inside the building, radon decay products may become attached to dust particles and inhaled, or the decayed radioactive particles alone may be inhaled and cause damage to lung tissue. The EPA has established a safe radon exposure threshold of 4 picocuries per liter of air (pCi/l).

The California Department of Health Services has conducted more than 48,000 indoor radon tests in more than 1,700 zip codes through the State including in the 94503 (American Canyon) zip code. A total of 11 tests have been conducted in the 94503 zip code, with none yielding indoor radon levels above 4 pCi/l. Therefore, radon is not considered an issue of concern.

Low-Frequency Electromagnetic Fields

Electrical transmission and distribution lines emit extremely low-frequency electromagnetic fields (EMFs), which have been suspected to be linked to cancer. However, scientific research has never conclusively established a link between EMFs and cancer. In 2007, the World Health Organization issued a report titled “Extremely Low Frequency Fields, Environmental Health Criteria Monograph No. 238” that concluded that evidence between extremely low-frequency EMFs and childhood leukemia is not strong enough to be considered causal, although it did note that the issue still was of concern. The same report indicated that there is inadequate evidence or no evidence linking low-frequency EMFs and health effects associated with all other diseases.

An existing overhead distribution line crosses Lots 1 and 2 in an east-west direction. This line emits a low-frequency EMF that ranges from 1 to 80 milligauss directly under the line. This EMF range overlaps with the EMF ranges associated with clothes washers, electric ranges, compact fluorescent light bulbs, and a liquid crystal display/plasma televisions.

Aviation

The Napa County Airport is located immediately north of the project site. The County-owned airport consists of three runways, ranging from 2,510 to 5,931 feet in length. The airport averages 148 operations per day and 54,020 operations annually. (The Federal Aviation Administration defines an “operation” as one takeoff or landing.)

3.6.3 - Regulatory Framework

Federal

Resource Conservation and Recovery Act

The 1976 Federal Resource Conservation and Recovery Act (RCRA) and the 1984 RCRA Amendments regulate the treatment, storage, and disposal of hazardous and non-hazardous wastes. The legislation mandated that hazardous wastes be tracked from the point of generation to their ultimate fate in the environment. This includes detailed tracking of hazardous materials during transport and permitting of hazardous material handling facilities.

The 1984 RCRA amendments provided the framework for a regulatory program designed to prevent releases from USTs. The program establishes tank and leak detection standards, including spill and overflow protection devices for new tanks. The tanks must also meet performance standards to ensure that the stored material will not corrode the tanks. Owners and operators of USTs had until December 1998 to meet the new tank standards. As of 2001, an estimated 85 percent of USTs were in compliance with the required standards.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 introduced active federal involvement to emergency response, site remediation, and spill prevention, most notably the Superfund program. The act was intended to be comprehensive in encompassing both the prevention of, and response to, uncontrolled hazardous substances releases. The act deals with environmental response, providing mechanisms for reacting to emergencies and to chronic hazardous material releases. In addition to establishing procedures to prevent and remedy problems, it establishes a system for compensating appropriate individuals and assigning appropriate liability. It is designed to plan for and respond to failure in other regulatory programs and to remedy problems resulting from action taken before the era of comprehensive regulatory protection.

United States Department of Transportation

The Hazardous Materials Transportation Act of 1974, as amended, is the basic statute regulating hazardous materials transportation in the United States. This law gives the United States Department of Transportation and other agencies the authority to issue and enforce rules and regulations governing the safe transportation of hazardous materials.

State agencies are authorized to designate highways for the transport of hazardous materials. Where highways have not been designated, hazardous materials must be transported on routes that do not go through or near heavily populated areas.

State

California State Aeronautics Act

The State Aeronautics Act, Public Utilities Code Section 21001, et seq. is the foundation for the California Department of Transportation's Division of Aeronautics aviation policies. The Division issues permits for and annually inspects hospital heliports and public-use airports, makes recommendations regarding proposed school sites within 2 miles of an airport runway, and

authorizes helicopter landing sites at/near schools. Aviation system planning provides for the integration of aviation into transportation system planning on a regional, statewide, and national basis. The Division of Aeronautics administers noise regulation and land use planning laws that foster compatible land use around airports and encourages environmental mitigation measures to lessen noise, air pollution, and other impacts caused by aviation.

California Health and Safety Code

The California Environmental Protection Agency (CalEPA) has established rules governing the use of hazardous materials and the management of hazardous wastes. California Health and Safety Code Sections 25531, et seq. incorporates the requirements of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. Health and Safety Code Section 25534 directs facility owners storing or handling acutely hazardous materials in reportable quantities to develop a Risk Management Plan. The plan must be submitted to the appropriate local authorities, the designated local administering agency, and the EPA for review and approval.

CEQA and the Cortese List

The Cortese List (Hazardous Waste and Substances Site List) is a planning document used by the State, local agencies, and developers to comply with CEQA requirements to consider Government Code Section 5962.5 in evaluating proposed development projects. Section 65962.5 states that:

> The list should contain all hazardous waste facilities subject to corrective action, all hazardous waste property or border zone property designations, all information received on hazardous waste disposals on public land, all hazardous substance release sites listed pursuance to Government Code Section 25356, and all sites that were included in the former Abandonment Site Assessment Program.

California Environmental Protection Agency (CalEPA)

Government Code Section 65962.5 requires **CalEPA** to develop a Cortese List at least annually. The Department of Toxic Substances Control is responsible for a portion of the information on the list, and other local and state government agencies are required to provide additional information. CalEPA operates the Air Resources Board, the Department of Pesticide Regulation, the Department of Toxic Substances Control, the Integrated Waste Management Board, the Office of Environmental Health Hazard Assessment, and the State Water Resources Control Board (SRWQCB). The function of each of these six offices is discussed below.

Air Resources Board (ARB): To promote and protect public health, welfare, and ecological resources through the effective and efficient reduction of air pollutants in recognition and consideration of the effects on the economy of the State.

Department of Pesticide Regulation (DPR): Regulates all aspects of pesticide sales and use to protect the public health and the environment for the purpose of evaluating and mitigating impacts of pesticide use, maintaining the safety of the pesticide workplace, ensuring product effectiveness, and encouraging the development and use of reduced-risk pest control practices.

Department of Toxic Substances Control (DTSC): The Department's mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention. DTSC protects residents from exposures to hazardous wastes. DTSC operates programs to:

- Deal with the aftermath of improper hazardous waste management by overseeing site cleanups.
- Prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly.
- Take enforcement actions against those who fail to manage hazardous wastes appropriately.
- Explore and promote means of preventing pollution, and encourage reuse and recycling.
- Evaluate soil, water, and air samples taken at sites, and develop new analytical methods.

Cal Recycle: Protects the public health and safety and the environment through waste prevention, waste diversion, and safe waste processing and disposal. Cal Recycle is responsible for managing California's solid waste stream. Cal Recycle is helping California divert waste from landfills by:

- Developing waste reduction programs.
- Providing public education and outreach.
- Assisting local governments and businesses.
- Fostering market development for recyclable materials.
- Encouraging used oil recycling.
- Regulating waste management facilities.
- Cleaning up abandoned and illegal dumpsites.

Office of Environmental Health Hazard Assessment (OEHHA): The OEHHA is responsible for developing and providing risk managers in state and local government agencies with toxicological and medical information relevant to decisions involving public health. OEHHA also works with federal agencies, the scientific community, industry, and the general public on issues of environmental as well as public health. Specific examples of OEHHA responsibilities include:

- Developing health-protective exposure standards for air, water, and land to recommend to regulatory agencies, including ambient air quality standards for the Air Resources Board and drinking water chemical contaminant standards for the Department of Health Services.
- Assessing health risks to the public from air pollution, pesticide and other chemical contamination of food, seafood, drinking water, and consumer products.
- Providing guidance to local health departments, environmental departments, and other agencies with specific public health problems, including appropriate actions to take in emergencies that may involve chemicals.

State Water Resources Control Board (SWRCB): Preserves and enhances the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and

future generations. The SRWQCB maintains the Leaking Underground Storage Tank Information System Database, which contains information on registered leaking underground storage tanks in the State.

California Occupational Safety and Health Agency (CalOSHA)

CalOSHA sets and enforces standards that insure safe and healthy working conditions for California's workers. The Division of Occupational Safety & Health is charged with the jurisdiction and supervision over workplaces in California that are not under federal jurisdiction. CalOSHA regulates issues involving unsafe workplace conditions, worker exposure to chemicals, illness due to workplace exposure, or improper training.

California Department of Transportation and California Highway Patrol

The California Vehicle Code Section 31303 requires that hazardous materials be transported via routes with the least overall travel time, and prohibits the transportation of hazardous materials through residential neighborhoods. In California, the California Highway Patrol is authorized to designate and enforce route restrictions for the transportation of hazardous materials. To operate in California, all hazardous waste transporters must be registered with the DTSC. Unless specifically exempted, hazardous waste transporters must comply with the California Highway Patrol Regulations, the California State Fire Marshal Regulations, and the United States Department of Transportation Regulations. In addition, hazardous waste transporters must comply with Division 20, Chapter 6.5, Article 6 and 13 of the California Health and Safety Code, and the Title 22, Division 4.5, Chapter 13 of the California Code of Regulations, both of which are administered by DTSC.

San Francisco Bay Regional Water Quality Control Board (RWQCB)

There are nine Regional Water Quality Control Boards (RWQCBs) throughout the State. The San Francisco Bay RWQCB has jurisdiction over projects in the City of American Canyon. Individual RWQCBs function as the lead agencies responsible for identifying, monitoring, and cleaning up leaking USTs. Storage of hazardous materials in USTs is regulated by the SWRCB, which oversees the nine RWQCBs.

Underground Storage Tank Permitting Requirements

California Code of Regulations Title 23, Division 3, Chapter 16, California Health and Safety Code Section (25280–25299.8) require a permit to operate an UST system. Permits are issued through the local County Environmental Health Department (or equivalent agency). As part of the permitting application, the UST operator must demonstrate financial responsibility in the event of a release.

Local

City of American Canyon

General Plan

The City of American Canyon General Plan sets forth the following guiding and implementing policies relevant to hazards and hazardous materials:

- **Goal 1N:** Ensure the compatibility of development within American Canyon with the Napa County Airport.

- **Objective 1.27:** Ensure that lands in American Canyon are developed in a manner which protects them from the noise and operational impacts of, and does not adversely constrain, the Napa County Airport.
- **Policy 1.27.2:** Review all applications for new development, expansion of existing uses, and re-use within Napa County Airport Compatibility Zones "A" through "E" for compliance with the appropriate use and development conditions.
- **Goal 6A:** Maintain a high level of fire protection and emergency services to City/District businesses and residences.
- **Objective 6.3:** Ensure that the Fire District's facility, manpower and equipment needs keep pace with the City's growth.
- **Policy 6.3.1:** Require that City planning staff work closely with Fire District officials to ensure that fie facilities and personnel are expanded commensurably to serve the needs of the City's growing population and development base.
- **Policy 6.4.3:** Require, through the development review process, that all structures and facilities subject to the District's jurisdiction adhere to City, state and federal regulatory standards such as the Uniform Building and Fire Codes and other applicable safety guidelines.

County of Napa

Napa County Airport Land Use Compatibility Plan

The ALUCP governs land use around Napa County Airport. The ALUCP identifies two categories of flight hazards: physical obstructions and land use characteristics.

Physical obstructions are associated with tall objects or structures. The ALUCP establishes a height restriction of 35 feet above the ground for objects located within Zone D.

Land use characteristics involve uses that may produce hazards to aviation. Specific characteristics prohibited within the airport land use planning boundaries are listed below:

- Glare or distracting lights, which could be mistaken for airport lights
- Sources of dust, steam, or smoke that may impair pilot visibility
- Sources of electrical interference with aircraft communications or navigation
- Any use that may attract large flocks or birds, especially landfills or certain agricultural uses

3.6.4 - Methodology

FirstCarbon Solutions evaluated hazards and hazardous materials impacts using the Phase I ESA prepared by Cardno ATC, which is provided in its entirety in Appendix F. The Phase I ESA was prepared in general conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Standard Practice E1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process; and the EPA's standards for All Appropriate Inquiry. Cardno ATC personnel performed site reconnaissance, database searches, conducted inquiries with appropriate regulatory agencies, conducted interviews with the project site owner, and reviewed permits and other relevant information.

Cardno ATC prepared a Soil Stockpile Assessment Report, which is provided in Appendix F. The report involved sampling and testing of soils contained with the stockpile to determine if contamination was present. On February 12, 2015, Cardno collected eight shallow soil samples (SP-1 through SP-8) from the stockpile. Samples were collected by advancing a hand auger to approximately 2 feet into the pile at each location. Soil was then transferred from the auger into laboratory-supplied 8-ounce jars. Sample jars were labeled and placed in a cooler with ice for transport by courier to the TestAmerica laboratory located in Pleasanton, California. Soil samples were analyzed for total petroleum hydrocarbons in the diesel and motor oil ranges by EPA method 8015B, total petroleum hydrocarbons in the gasoline range, halogenated volatile organic compounds (HVOCs) by EPA Method 826 B, PCBs by EPA Method 8082, and Title 22 metals by EPA Method 6010B (including mercury by EPA Method 7471A).

FCS also reviewed information about indoor radon exposure provided by the California Department of Health Services, and low frequency EMFs provided by Pacific Gas and Electric Company and the World Health Organization. Additionally, FCS reviewed project plans to determine if adequate emergency access was provided. Finally, FCS reviewed the Napa County ALUCP to assess project consistency with applicable policies.

3.6.5 - Thresholds of Significance

According to Appendix G, Environmental Checklist, of the CEQA Guidelines, hazards and hazardous materials impacts resulting from the implementation of the proposed project would be considered significant if the project would:

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

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Refer to Section 7, Effects Found Not To Be Significant.)

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Refer to Section 7, Effects Found Not To Be Significant.)

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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

3.6.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Routine Transport, Use, or Disposal of Hazardous Materials

Impact HAZ-1: **The project may involve the routine transport, use, or disposal of hazardous materials.**

Impact Analysis

The proposed project consists of the development of either (a) 571,808 square feet of warehouse and winery warehouse uses; or (b) 554,099 square feet of warehouse, winery warehouse, and gas station/quick-serve restaurant uses.

Construction activities would entail the use of heavy equipment on the project site for a period of approximately 12 months. Potential hazardous materials transported, used, or disposed of during project construction would be limited to commonly used substances such as gasoline, diesel, oil, grease, mechanical fluids, paints, and cleaning solvents.

The primary activities within the warehouse and wine warehouse buildings would consist of receiving deliveries and assembling shipments of products and materials. These activities would entail the movements of trucks and the use of equipment such as forklifts, pallet jacks, and other loading/unloading devices. End users would be expected to handle commonly used substances such as cleaning solvents, diesel, gasoline, grease/degreasers, mechanical fluids, and oil as part of daily operations and the routine use thereof would not be considered a potential risk to human health or the environment. The use of acutely hazardous materials that have the potential to result in releases that could potential expose substantial numbers of people or the environment to harm is not anticipated by any of the project uses.

The gas station contemplated on Lot 1 under Option 2 would store and sell gasoline and diesel to retail customers on a daily basis. The average throughput for a typical fuel station is approximately 5,000 gallons per day or 1,825,000 gallons per year. Motor fuels would be delivered by truck units consisting of a tractor and up to two tanker trailers. Trucks would be expected to travel to American Canyon via State Route 12 (SR-12) or SR-29 and turn west at S. Kelly Road to reach the project site. These roadways are designated truck routes, and are therefore suitable for travel by trucks. All truck drivers would be required to possess a valid commercial driver license with requisite hazardous materials endorsements. Additionally, truck drivers would be subject to federal and state requirements that govern the safe operation of such vehicles (such as hours of service limits).

Moreover, the truck units would be required to undergo regular inspection, with documentation kept on file for verification by law enforcement or regulatory agencies.

At the project site, fuel would be off-loaded from the tankers into USTs. Fuel stations typically have up to four 1,000 gallon to 10,000 gallon USTs on-site. Pursuant to state regulations, all USTs would undergo pre-installation testing to verify structural integrity and employ safety features such as primary and secondary containment systems, spill containment and overfill prevention systems, and leak detection systems. All USTs would be permitted by the County of Napa Division of Environmental Health. Collectively, these safety requirements provide assurances that the operational activities associated with the fuel station would not create a significant hazard to the public or environment. Impacts would be less than significant.

The quick-serve restaurant would be expected to handle commonly used substances such as cleaning solvents, grease/degreasers, and mechanical fluids as part of daily operations and the routine use thereof would not be consider a potential risk to human health or the environment.

The project would also be required to implement Mitigation Measures HAZ-1a, HAZ-1b, and HAZ-1c, which impose requirements for worker training; storage, use, and disposal of hazardous materials; and consultation with the California Emergency Management Agency and preparation of risk management plans as required. Compliance with all applicable local, state, and federal standards, ordinances, regulations, and laws, together with implementation of Mitigation Measures HAZ-1a, HAZ-1b, and HAZ-1c, would reduce the impacts associated with routine use, transport, and disposal of hazardous materials to a less than significant level.

Finally, the project includes undergrounding of the existing overhead electrical line that crosses the northern portion of the project site. This line currently emits and the relocated line would continue to emit a low-frequency EMF that is equivalent to common household appliances and electronics. Thus, relocation of the electrical line would not represent a new or more intense source of EMFs than currently exists within the project site.

Impacts would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

MM HAZ-1a Prior to construction, all contractor and subcontractor personnel shall receive training regarding the appropriate work practices necessary to effectively comply with the applicable environmental laws and regulations, including, without limitation, hazardous material spill prevention and response measures.

MM HAZ-1b Prior to issuance of the certificate of occupancy for any uses that involve the storage or use of acutely hazardous materials, the tenant shall consult with the California Emergency Management Agency to determine the guidelines and regulations applicable to the operations. If required, tenants shall prepare a Risk Management

Plan consistent with the California Accidental Release Prevention (CalARP) Program prior to undertaking any storage or use of acutely hazardous materials.

MM HAZ-1c During construction and operations, hazardous materials shall not be disposed of or released onto the ground, the underlying groundwater, or any surface water. Totally enclosed containment shall be provided for all trash. All hazardous construction waste shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials.

Level of Significance After Mitigation

Less than significant impact.

Risk of Upset

Impact HAZ-2:	**The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.**

Impact Analysis

The proposed project consists of the development of either (a) 571,808 square feet of warehouse and winery warehouse uses; or (b) 554,099 square feet of warehouse, winery warehouse, and gas station/quick-serve restaurant uses.

Construction activities would entail the use of heavy equipment on the project site for a period of approximately 12 months. Potential hazardous materials transported, used, or disposed of during project construction would be limited to commonly used substances such as gasoline, diesel, oil, grease, mechanical fluids, paints, and cleaning solvents.

The primary activities within the warehouse and wine warehouse buildings would consist of receiving deliveries and assembling shipments of products and materials. These activities would entail the movements of trucks and the use of equipment such as forklifts, pallet jacks, and other loading/unloading devices. End users would be expected to handle commonly used substances such as cleaning solvents, diesel, gasoline, grease/degreasers, mechanical fluids, and oil as part of daily operations, and the routine use thereof would not be consider a potential risk to human health or the environment. The use of acutely hazardous materials that have the potential to result in releases that could potentially expose substantial numbers of people or the environment to harm is not anticipated by any of the project uses. For these reasons, the proposed project would not involve the routine transport, use, or disposal of hazardous materials.

The gas station contemplated on Lot 1 under Option 2 would store and sell gasoline and diesel to retail customers 24 hours a day, 7 days a week. Transport of motor fuels to the fuel station and the storage thereof would be subject to federal, state, and local safety environmental health and safety regulations intended to prevent accidental releases of hazardous materials; refer to Impact HAZ-1 for further discussion of these regulations.

The quick-serve restaurant would be expected to handle commonly used substances such as cleaning solvents, grease/degreasers, and mechanical fluids as part of daily operations and the routine use thereof would not be considered a potential risk to human health or the environment.

Additionally, there are no existing structures located within the project site. This condition precludes the possibility of asbestos, lead, PCBs, or mercury being present on-site.

The project would also be required to implement Mitigation Measures HAZ-1a, HAZ-1b, and HAZ-1c, which impose requirements for worker training; storage, use, and disposal of hazardous materials; and which require consultation with the California Emergency Management Agency and preparation of risk management plans as required. Compliance with all applicable local, state, and federal standards, ordinances, regulations, and laws, together with implementation of Mitigation Measures HAZ-1a, HAZ-1b, and HAZ-1c, would reduce the impacts associated with routine use, transport, and disposal of hazardous materials to a less than significant level.

Finally, the project includes undergrounding of the existing overhead electrical line that crosses the northern portion of the project site. This line currently emits and the relocated line would continue to emit a low-frequency EMF that is equivalent to common household appliances and electronics. Thus, relocation of the electrical line would not represent a new or more intense source of EMFs than currently exists within the project site.

For these reasons, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Impacts would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement Mitigation Measures HAZ-1a, HAZ-1b, and HAZ-1c.

Level of Significance After Mitigation

Less than significant impact.

Government Code Section 65962.5 Hazardous Materials Sites

Impact HAZ-3: The proposed project is not located on a hazardous materials site listed pursuant to Government Code 65962.5.

Impact Analysis

The proposed project consists of the development of either (a) 571,808 square feet of warehouse and wine warehouse uses; or (b) 554,099 square feet of warehouse, wine warehouse, and gas station/quick-serve restaurant uses.

As previously discussed, the Phase I ESA indicated that the project site is not listed on any federal and state hazardous materials databases compiled pursuant to Government Code Section 65962.5.

Additionally, the Phase I ESA concluded that the project site does not contain any recognized environmental constraints that would require further investigation.

The Phase I ESA indicated that there are six sites within 0.5 mile of the project site that are listed on federal and state hazardous materials databases compiled pursuant to Government Code Section 65962.5. All six sites are listed as "Case Closed," signifying that they have been remediated to the satisfaction of the applicable regulatory agency and thus would not pose a potential impact to the project site.

Finally, the soil stockpile on the project site was tested for the presence of contaminants and found that all tested substances were below Environmental Screening Levels or below laboratory reporting limits, with the exception of arsenic. For this latter substance, the North Bay region has high levels of naturally occurring arsenic in soils, and Cardno ATC concluded that the readings for this substance were indicative of such conditions.

Impacts would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

Airports

Impact HAZ-4:	**The project may create aviation safety hazards for persons residing or working within 2 miles of the Napa County Airport.**

Impact Analysis

The 50-gross-acre project site is located southeast of the Napa County Airport and is within Zone D of the Napa County ALUCP.

The ALUCP states that most non-residential uses are considered "normally acceptable" within Zone D. Schools, libraries, hospitals, nursing homes, large shopping malls, amphitheaters, and ponds are identified as "not normally acceptable" within Zone D. In addition, uses that are hazardous to flight are prohibited (such as features that attract large numbers of birds or are sources of smoke, glare, distracting lights, or electrical interference). The ALUCP encourages clustering to maximize open land areas and requires building envelopes and approach surfaces on all development plans within 100 feet of approach zones.

The proposed project's uses are all non-residential and are considered acceptable within Zone D. As shown in Exhibit 2-4, no buildings are within 100 feet of an approach zone.

The proposed project would enhance the existing 3.5-acre pond/wetland area located on the east side of Devlin Road as a wetland preserve. To the extent that the pond/wetland area would attract birds, this would simply represent a continuation of an existing condition. Nonetheless, Mitigation Measure LU-3 is proposed requiring the applicant to prepare and implement a Wildlife Management Plan to limit the wildlife attractant characteristics of the wetland preserve such that it does not pose a hazard to aviation.

Finally, there are no project attributes that would produce sources of smoke, glare, distracting lights, or electrical interference. Therefore, the proposed project complies with the applicable safety requirements of Zone D. As such, the proposed project would not create aviation safety hazards for persons residing or working within 2 miles of the Napa County Airport. Impacts would be less than significant.

Level of Significance Before Mitigation

Potentially significant impact.

Mitigation Measures

Implement Mitigation Measure LU-3.

Level of Significance After Mitigation

Less than significant impact.

Emergency Response and Evacuation

Impact HAZ-5:	**The proposed project would not impair emergency response or evacuation in the project vicinity.**

Impact Analysis

The proposed project would take primary vehicular access from S. Kelly Road and Devlin Road. Lots 1 and 2 would take access from S. Kelly Road and Lots 4, 5, and 6 would take access from Devlin Road. All lots would have a minimum of two points of access in accordance with California Fire Code requirements. In certain cases, reciprocal access between adjoining parcels (e.g., Lots 1 and 2) would be provided to meet California Fire Code requirements. No access is proposed to be taken to or from SR-29. (Note that the project allows for the nearby single-family residence to take vehicular access via Lot 2 in place of the current driveway connection to southbound SR-29.)

Additionally, Devlin Road is contemplated to be extended to Green Island Road at a future, undetermined date. Although this connection is not part of the proposed project, the eventual extension of this facility would provide an additional emergency response and evacuation route for the proposed project and surrounding land uses, and a parallel route to SR-29.

For these reasons, the proposed project would not impair emergency response or evacuation in the project vicinity. Impacts would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

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