

Appendix 12

Hazards and Hazardous Materials

12 Hazards & Hazardous Materials

12.1 Introduction

This document describes and evaluates the potential risks to human health and safety associated with the transportation, use, storage and disposal of hazardous materials during operation of the proposed action. It also evaluates potential incidents of upset (e.g., accidental spills) involving hazardous materials and their potential impact on area residents and businesses. This document identifies and discloses the status of parcels along the proposed action corridor as it relates to their status as identified hazardous materials sites (if applicable) on state or federal agency databases. Information used to prepare this document was sourced primarily from the following documents:

- Kleinfelder, *Preliminary Corridor Environmental Assessment, TAMC Monterey Branch Line, 2010.*
- Kleinfelder, *Phase I Environmental Site Assessment, Fort Ord Transfer Parcels, 2010.*
- Kleinfelder, *Phase I Environmental Site Assessment, 1965 Del Monte Boulevard and Adjacent Lot, 2010.*
- Updated Environmental Database Reviews

12.2 Environmental Setting

12.2.1 Previous Surveys Along the Project Corridor

A hazardous material and waste survey covering the proposed project alignment was conducted in March 2010 as part of previous study analyzing a 17-mile light rail project along the TAMC right-of-way (ROW). Environmental and land use conditions along the current busway project alignment have not significantly changed since 2010.

The survey included locations within the guidelines of the American Society for Testing and Materials (ASTM) Designation E 1527, "Standard Practice for Environmental Project Site Assessments: Phase I Environmental Property Assessment Process." Environmental issues were defined using the ASTM definition of a recognized environmental condition (REC). REC means "the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property." The scope of the hazardous material and waste survey included site reconnaissance; historical research related to use, storage, disposal, or release of hazardous materials or petroleum hydrocarbons; review of environmental databases; and a summary of findings.

12.2.2 Environmental Conditions Along the Project Corridor

Based on the studies conducted along the project right of way, there were several on-site and off-site source locations identified which may have contributed (or continue to contribute) to potential localized contamination. These sources include the following:

Hydrocarbon and Metal Releases from Previous Rail Operations – Leakage from running locomotive engines can over time release a significant amount of oil within the ballast material, particularly on sidings where engines idle or are parked. This waste oil may also contain heavy metals such as cadmium,

chromium, copper, nickel, and lead. Over time these heavy hydrocarbons and metals may be driven by rainfall into the upper soil surface and shallow groundwater.

Treated Rail Ties – Wooden rail ties are commonly treated with creosote to prevent degradation. Less commonly, and in the past, other methods of treatment included the application of arsenic-based preservatives, copper azole, and pentachlorophenol. The Department of Toxic Substances Control (DTSC) has determined that treated wood waste (TWW) may cause an impact to soil and groundwater if not managed properly. As a result, in-place treated rail ties may affect shallow soil and groundwater from exposure to rainfall.

Herbicides – Federal Railroad Administration (FRA) regulations require vegetation control within fifteen feet of the tracks for fire suppression. Vegetative control is commonly conducted by herbicide application using rail mounted equipment that sprays herbicides within the prescribed width. As a result, repeated application of herbicides may have affected soil and groundwater resources within the proposed action alignment.

Potential Disposal Areas Behind Auto Shops – Numerous auto repair, tire shops, car dealers, and commercial and industrial businesses were observed within fifty feet of the proposed action alignment in the areas of the cities of Sand City and Seaside. Historically, auto repair facilities use and dispose of hazardous substances related to their operations. Based on site observations, potential disposal and dumping behind the businesses adjacent to the rail line may pose a concern to shallow soil within the proposed action alignment.

Buried Utilities – Based on site observations and information obtained from Cal-American Water, California Water, and the Marina Coast Water District, various water-related utility chases (piping, storm water drains) intersect the proposed action. PG&E maintains subsurface electrical and natural gas pipelines alongside the segment of proposed action alignment that extends from the City of Marina to the City of Monterey. The approximate location of the natural gas pipeline is identified by PG&E markers along the alignment; however subsurface electrical corridors are not identified.

Flange Lubricators – Although not observed during the site reconnaissance, many railroads use automatic flange lubricators to prevent flange and rail wear at curves. The lubricators commonly consist of a metal box adjacent to the tracks filled with grease, and a pump system that extrudes the grease as the rail cars travel over it. Over time, a significant amount of grease can be released to the soil, particularly if the lubricators are not maintained properly. Since no lubricators were observed in the field, it is not known if they were used in the past.

The location of identified environmental concerns are shown in Figure 2C and 2D in the 2010 Phase I Environmental Site Assessment prepared by Kleinfelder.¹

12.3 Applicable Regulations, Plans, and Standards

The management of hazardous materials and hazardous wastes is regulated at federal, State, and local levels, including, among others, through programs administered by the U.S. Environmental Protection Agency (U.S. EPA); agencies within the California Environmental Protection Agency (CalEPA), such as the DTSC; federal and State occupational safety agencies; and the Monterey County Environmental Health

¹ Kleinfelder, *Phase I Environmental Site Assessment, Fort Ord Transfer Parcels, 2010*, Figure 2C and 2D.

Division. Regulations pertaining to coastal and flood hazards are discussed in [Chapter 13: Hydrology & Water Quality](#), and regulations for geologic and soil-related hazards are discussed in [Chapter 10: Geology and Soils](#).

12.3.1 Federal

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Occupational Safety and Health Administration (OSHA)

OSHA’s mission is to ensure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA’s Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) applies to five distinct groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances — including hazardous waste — and who are engaged in one of the following operations:

Clean-up operations — required by a governmental body, whether federal, State, local, or other involving hazardous substances — that are conducted at uncontrolled hazardous waste sites;

Corrective actions involving clean-up operations at sites covered by RCRA as amended (42 U.S.C. 6901 et seq.);

Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental body as uncontrolled hazardous waste sites;

Operations involving hazardous wastes that are conducted at treatment, storage, and disposal facilities regulated by Title 40 Code of Federal Regulations Parts 264 and 265 pursuant to RCRA, or by agencies under agreement with U.S. EPA to implement RCRA regulations; and

Emergency response operations for releases of, or substantial threats of releases of, hazardous substances regardless of the location of the hazard.

12.3.2 State

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California Health and Safety Code, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County Environmental Health Division. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site.

Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the State hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs

(Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (a.k.a. Tiered Permitting); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or “Community-Right-To-Know”); California Accidental Release Prevention Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. Monterey County Environmental Health Bureau is the local CUPA in Monterey County which implements this program.

Department of Toxic Substance Control (DTSC)

DTSC is a department of Cal EPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code §65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services (DHS) lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

California Office of Emergency Services (OES)

To protect the public health and safety and the environment, the California OES is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and the health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions’ business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code Article 1–Hazardous Materials Release Response and Inventory Program (Sections 25500 to 25520) and Article 2–Hazardous Materials Management (Sections 25531 to 25543.3).

CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4–Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP). These plans shall include the following: (1) a hazardous material inventory in accordance with Sections 2729.2 to

2729.7; (2) emergency response plans and procedures in accordance with Section 2731; and (3) training program information in accordance with Section 2732. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the State. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Occupational Safety and Health Administration

Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR Sections 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

12.3.3 Local

Monterey County Multi-Jurisdictional Hazard Mitigation Plan

The cities of Marina, Seaside and Sand City currently participate in the Monterey County Multi-Jurisdictional Hazard Mitigation Plan. The plan puts forth mitigation measures as well as plan maintenance procedures. The process outlined by the plan includes measures for coordination in case of an emergency. The Monterey County Multi-Jurisdictional Hazard Mitigation Plan includes a copy of each participating jurisdictions' hazard mitigation plan.

Monterey Regional Airport and Land Use Compatibility Plan (ALUCP)

The 2019 Monterey Regional Airport ALUCP is an update of the 1987 Comprehensive Land Use Plan (CLUP) for Monterey Peninsula Airport (MRY) and supersedes the 1987 CLUP in its entirety. Similar to the 1987 CLUP, this plan is intended to protect and promote the safety and welfare of residents, businesses, and airport users near the Airport, while supporting the continued operation of MRY. A portion of the project alignment in Sand City is within Airport Influence Area Safety Zone 7 as shown in Exhibit 4C of the Monterey Regional ALUCP. Pursuant to ALUCP Policy 4.1.10.1, all proposed development and land use policy actions must be sent to the Airport Land Use Commission for a Consistency Determination until the City's General Plan and Zoning Ordinance are made consistent with the ALUCP. The Safety Zone 7 has a maximum non-residential intensity criteria of 300 persons per acre. Evidence would be required to be submitted to the ALUC to demonstrate how the project would meet this criteria. In addition, the project would be required to comply with an Open Land requirement of 10 percent.

Marina Municipal Airport Land Use Compatibility Plan (ALUCP)

The project alignment through the City of Marina is located within the Airport Influence Area (Zone 7) of the Marina Municipal Airport. This zone includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 conical surface from the 2018 Marina Municipal airport layout plan. The aircraft accident risk level is considered to be low within the AIA zone.

Monterey County Emergency Operations Plan

The Monterey County Office of Emergency Services (OES) maintains the Monterey County Emergency Operations Plan (EOP) on behalf of the Operational Area. The EOP addresses response and recovery efforts and discusses principles, concepts, and procedures that the OES and its partners use during an emergency. The intent of the EOP is to provide an overview of emergency management processes for responding to incidents in the event of emergencies.

12.4 Environmental Impacts and Mitigation Measures

12.4.1 Significance Criteria

The following significance criteria for hazards and hazardous materials were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address lead agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- 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 into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 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, create a significant hazard to the public or the environment.
- 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, result in a safety hazard or excessive noise 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.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

12.4.2 Summary of No and/or Beneficial Impacts

Wildland Fires

The entire length of the busway alignment contains only sparse vegetation in coastal dune habitat and is highly disturbed. The proposed project corridor is within a transportation ROW and not within a Very-High Fire Hazard Severity Zone as mapped by CALFIRE. Given this lack of fuel, the project would not be susceptible to wildland fires, nor would the project pose a risk as a source of fire. Because the project is not within an area identified as having a high potential for wildland fire, the project would have no

impact related to exposing people or structures to a significant risk of loss, injury, or death from wildland fire, as per CEQA Guidelines.

Adopted Emergency Response Plan

The busway project would create a dedicated bus lane running parallel to Highway 1 within TAMC ROW. As one of the objectives of the project is to relieve highway congestion, such relief would be a benefit to any emergency response plan intended to quickly and efficiently move or evacuate people. Further, the project could potentially serve as an alternative travel corridor for emergency vehicles in the event that the highway is congested. For these reasons, the project could have beneficial impacts to locally adopted emergency response plans.

12.4.3 Impacts of the Proposed Project

Impact HAZ-1: The project does not have the potential to create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This impact is **less-than-significant**.

Construction

Construction of the project would require staging, site preparation, grading and construction of the new busway lanes, station area, multi-use pathways and related improvements as stated previously. These activities will require the use of heavy equipment that would need refueling and/or limited maintenance on site, as well as the use of materials and chemical processes typical of roadway construction. However, as the project alignment is not in a heavily populated area and would not involve the routine transport or disposal of hazardous materials, construction effects are less-than-significant.

Operations

As a transit facility designed to carry passengers, the normal operation of the SURF! busway along the right of way will not involve the routine transport, use or disposal of hazardous materials other than may be required for routine maintenance. The fleet of SURF! zero-emission vehicles would be maintained and refueled or recharged off-site at MST's operations facilities. Vehicle maintenance and related activities would be contained in existing facilities and therefore would not introduce new hazardous materials, fuels, cleaners, lubricants, or solvents within the project boundaries.

The operation of the vehicles may emit de minimus amounts of rubber and hydrocarbons along the busway during normal operations but given the limited use of the busway and number of vehicles (compared to a traditional roadway), this is not a significant hazard to the environment. As zero emissions vehicles will be used, these emissions would be further reduced.

For these reasons, any hazards related to the routine use, transport or disposal of hazardous materials are considered less-than-significant within all the project segments.

Impact HAZ-2: The project could create a significant hazard to the public, workers or the environment through reasonably foreseeable upset and accident conditions

involving the release of hazardous materials into the environment. This is a **less-than-significant impact with mitigation incorporated.**

Construction

Two principal types of hazardous wastes or materials may cause impacts during construction: hazardous wastes that may be encountered during the construction process and hazardous materials used or generated during the construction process. Materials to be used during construction are addressed under Impact HAZ-1 above and were determined to pose risks that are less-than-significant.

The Phase I ESAs identified the following environmental concerns along or near the busway alignment:

- Railway-Related Contaminants (Segments 1 through 5)
- Wastewater Treatment Plant (Segment 2)
- Former Fort Ord Gasoline and Diesel Fueling Area with Removed Underground Storage Tanks (Segment 2, adjacent to 5th Street Station)
- Auto Repair Shops Along Del Monte Boulevard and Project Right of Way (Segments 4 and 5)

During construction, chemically impacted soil may be encountered and disturbed during grading and roadbed construction. Handling of this soil without appropriate training or engineering controls may cause exposure to workers or the public. Mismanagement of impacted soil may also cause a release to soil and groundwater on or off the right-of-way, and to surface water resources where construction occurs near sources of water. During the previous site reconnaissance and based on the environmental database search and reviews of historic documentation including topographic maps, aerial photographs and Sanborn[®] fire insurance maps, hazardous substances associated with the historic rail use could be encountered.

Based on the review of the environmental databases and historical research, there are many hazardous waste sites within search distance from the centerline of the proposed busway. However, except for railway-related substances, these sites are not of concern to the proposed action because they are not located within the right-of-way or are located at sufficient distance as to not pose a risk to patrons or employees of the proposed action.

Contact with contaminants from pre-existing hazardous wastes in the proposed project corridor could have adverse effects on workers, the public and environmental health and safety. The contaminants of concern along the proposed action alignment would potentially include heavy metals such as cadmium, chromium, copper, nickel, and lead, polychlorinated biphenyls (PCBs), pesticides, herbicides, polynuclear aromatic hydrocarbons (PAHs), and total petroleum hydrocarbons. Rail ties may have been treated with creosote, arsenic-based preservatives, copper azole, and pentachlorophenol, which may have migrated into shallow soil and groundwater in the immediate vicinity of the former Union Pacific Railroad. Pre-construction soil and groundwater sampling should be conducted to determine the levels and extent of contamination within the areas proposed construction and ground disturbance.

Workers could be exposed to soil and/or groundwater containing hazardous substances either via direct contact (i.e., ingestion or through the skin) or airborne pathways (i.e., inhalation of vapors or minute particles). The public and environment could be exposed to contaminants transported offsite during construction. The degree of hazard associated with these impacts on human or environmental receptors would depend upon the chemical properties, concentrations, or volumes of contaminants, the nature

and duration of construction activities, and contaminant migration pathways. The largest potential exposure risk is to the construction worker.

Operation

As discussed above, the busway project is a transit project that will transport people, not hazardous materials. The regular operation of the busway therefore does not present a reasonably foreseeable upset and accident risk that could release hazardous materials into the environment. There are no aspects of the project that are at risk from significant upset, explosion, or storage of volatile substances that would put the public or environment at risk based on this standard.

All aspects of the project would be required to comply with all applicable federal, State, and regional regulations which are intended to avoid impacts to the public and environment. For these reasons, potential impacts related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are considered less than significant.

Mitigation Measures/Project Conditions

MM HAZ-2.1 Soil and Groundwater Management Plan

A Soil and Groundwater Management Plan shall be prepared prior to ground disturbance, identifying the methods and procedures required to handle, store, transport and dispose of chemically impacted soil and groundwater. If groundwater is encountered during construction, groundwater sampling shall be conducted to determine contaminants and contamination levels. If contamination is found, a work plan shall be developed and implemented by the project geotechnical engineer consistent with the Management Plan to protect the health of construction workers.

MM HAZ-2.2 Work Plan

Once the construction plans showing the depth and extent of the excavation are completed for all project segments, a targeted soil and groundwater sampling shall be conducted in areas of known or suspected contamination prior to the start of disturbance in those areas. If contamination is found, a work plan shall be developed by the project geotechnical engineer to protect the health of construction workers.

MM HAZ-2.3 Asbestos and Lead Paint Survey

Any hazardous materials or wastes encountered before or during the demolition stage of the project shall be disposed of according to current regulatory guidelines. If any structures are to be removed or demolished, an asbestos and lead paint survey shall be conducted for compliance with National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations and air district rules.

MM HAZ-2.4 Worker Health and Safety Plan

A worker health and safety plan (HSP) that meets the provisions of California Code of Regulations (Title 22, Section 5192) shall be developed by the project contractor. HSP procedures will address the identification, excavation, handling, and disposal of hazardous wastes and materials that may be found in construction areas. The HSP shall

include Best Management Practices (BMPs) that all contractors must employ during construction.

Conclusions

Normal project operations will not result in significant environmental hazards because the project will not use, transport, or expose people or property to such materials. Implementation of the above mitigation measures will mitigate the potential encounter with hazardous materials by employing preventative and safety procedures, sampling soil and groundwater when appropriate, and complying with all existing regulatory requirements and guidelines.

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. This is a **less-than-significant impact**.

Construction and Operation

The nearest schools to the proposed busway are Los Arboles Middle School in Marina, CSUMB, and Seaside High School. Of these, only Seaside High School is within ¼ mile of the busway. However, as noted above, any hazardous materials encountered during construction would be addressed at the site and be subject to all existing and applicable regulations regarding the handling and disposal of such materials. Handling and disposal of contaminated soils, if encountered, may need to be transported on roadways near the high school. With the application of existing regulations, there is no acute risk associated with transport. Operations of the busway will not emit hazardous substances, and therefore the project will not have a significant effect on schools or other sensitive receptors.

Impact HAZ-4: The project alignment either contains or is near on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. This impact is **less-than-significant with mitigation incorporated**.

Construction and Operation

The Phase I investigation documents for the prior light rail proposal resulted in a comprehensive data base review of federal, State and local environmental sources available from regulatory lists. As shown the documentation, these sites have been identified and evaluated. Mitigation measures are provided to address residual environmental concerns if encountered during construction. As a transportation project, the busway is not considered a sensitive land use that would be affected by these conditions while in operation.

A summary of properties within the 500 feet buffer zone from the centerline of the TAMC rail corridor right-of-way is show in Table 12-1 below:

Table 12-1: Cleanup Sites within 500 feet of the Project Site

Site	City	Address	Cleanup Site Type	Cleanup Status
Within 100 feet of Project Site				
Shell Branded Service Station (T0605300245)	Marina	3030 Del Monte Blvd	LUST Cleanup Site	Completed - Case Closed as of June 2002

Site	City	Address	Cleanup Site Type	Cleanup Status
Anderson Prop (Scandia Volvo) (T0605300077)	Seaside	1661 Del Monte Blvd	LUST Cleanup Site	Completed - Case Closed as of July 2020
Within 500 feet of Project Site				
Tommy's Gas & Food Mart (T0605300218)	Marina	3044 Del Monte Blvd	LUST Cleanup Site	Completed - Case Closed as of March 2009
Fort Ord - University Villages (Vca) (80001188)	Marina	8th Street and 1st Street to the South and Hwy 1 to the West	Federal Superfund	Inactive - Action Required October 2020
Monterey Sand Co	Sand City	625 Elder St.	LUST Cleanup Site	Completed - Case Closed March 2009
Economy Cleaners (T10000003400)	Sand City	840 Playa Avenue	Cleanup Program Site	Open - Site Assessment November 2011
Love Chevrolet (T0605300111)	Seaside	3 Geary Plz	LUST Cleanup Site	Completed - Case Closed June 2002
Diaz Property (T10000002862)	Seaside	1561, 1563, & 1569 Del Monte Boulevard	Cleanup Program Site	Open - Site Assessment November 2011
Days Inn (SLT3S0691306)	Seaside	1440 Del Monte Blvd	Cleanup Program Site	Completed - Case Closed as of February 1998
Fort Ord - Sites 2 and 12 (DOD100204800)	Monterey	Site 2: West of State Highway 1 between the 8th and 12th Street over crossings Site 12: Northwest portion of the former Fort Ord	Military Cleanup Site	Open - Remediation as Of February 2010

Source: Geotracker, 2020; Envirostor, 2020

Conclusion

Impacts would be less than significant impact with incorporation of MM HAZ-1, MM HAZ-2, MM HAZ-3, and MM HAZ-4.

Impact HAZ-5: The project is located within an airport land use plan but is located more than two miles of a public airport or public use airport, resulting in a **less-than-significant** safety hazard for people residing or working in the project area.

As discussed under existing conditions, the project alignment through the City of Marina and Sand City is located within the Airport Influence Area (Zone 7) of the Marina Municipal Airport and the Monterey Regional Airport. This zone includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 conical surface from the 2018 Marina Municipal airport layout plan and 2014 Monterey Regional Airport airport layout plan. The aircraft accident risk level is considered to be low within the AIA zone. These airports are used for general aviation aircraft operations, and the busway project operations result in little to no risk from airport operations. This is a less-than-significant safety impact.

12.4.4 Cumulative Impact Analysis

Impact HAZ-6: The project would not contribute to cumulatively considerable impacts to hazards and hazardous materials. This is a **less-than-significant impact with mitigation incorporated**.

Most hazards and hazardous material impact from development are site-specific and if properly designed would not result in additive worsening of the environmental or public health and safety. This document evaluates RECs in connection with the project alignment and surrounding area. Regarding the off-site RECs, the database search documents the findings of various governmental database searches regarding properties with known or suspected releases of hazardous materials or petroleum hydrocarbons within a search radius of up to one mile from the site and serves as the basis for defining the cumulative impacts study area.

Although some of the cumulative projects and other future projects associated with buildout of the surrounding communities also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are typically site specific.

12.5 References

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