

HAZARDS AND HAZARDOUS MATERIALS

4.7 HAZARDS AND HAZARDOUS MATERIALS

This chapter evaluates the potential environmental impacts related to hazards and hazardous materials in Palo Alto that could occur as a result of Scenarios 5 and 6. This analysis is based on the Regulatory Framework and Existing Conditions information provided in the February 2016 Draft Environmental Impact Report (EIR).

4.7.1 ENVIRONMENTAL SETTING

No revisions are required to the Regulatory Framework and Existing Conditions information presented in the February 2016 Draft EIR except for the following additional detail regarding the Santa Clara County Operational Area (deletions are shown in ~~strike through~~ and additions are underlined).

Local Regulations

Santa Clara County Operational Area Emergency Operations Plan

The Santa Clara County Operational Area includes the cities, special districts, and unincorporated areas within Santa Clara County. The Santa Clara County Operational Area Emergency Operations Plan (EOP), adopted March 2008, describes the County's Emergency Operations and Emergency Response System, which is activated during emergency situations associated with large-scale disasters. The Santa Clara County Operational Area EOP is a component of the County's compliance with the California standardized Emergency Management System.

4.7.2 STANDARDS OF SIGNIFICANCE

The proposed Plan would result in a significant impact associated with hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment as a result of 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 ¼-mile of an existing or proposed school.
- Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination either in excess of soil and groundwater cleanup goals developed for the site or from location on listed hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires.

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- Result in a safety hazard from a public airport for people residing or working within the project area.
- Impair implementation of or physically interfere with an adopted emergency response or evacuation plan.
- 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.

4.7.3 IMPACT DISCUSSION

The remaining sections of this chapter provide an analysis of the potential project impacts, including impacts from growth expected to occur during the life of the proposed Plan, as well as cumulative hazards and hazardous materials impacts that could occur as a result of the implementation of the proposed Plan when combined with projects outside of Palo Alto.

The conclusions below are based on the same analytical approach used in the impact discussions in the February 2016 Draft EIR. The relevant characteristics of Scenarios 5 and 6 are described in detail in Section 3.4 of Chapter 3, Project Description, of this Supplement to the Draft EIR.

HAZ-1	The proposed Plan would not create a significant hazard to the public or the environment as a result of the routine transport, use, or disposal of hazardous materials. (Less than Significant – Scenarios 5 and 6)
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February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, the proposed Plan would substantially affect the environment if future development allowed under the Plan would involve the routine use, transport, or disposal of hazardous materials. Hazardous materials are regularly used, transported, and disposed of in Palo Alto. Additional residential, commercial, and light industrial development allowed under Scenarios 5 and 6 would likely increase the amount of hazardous materials transported, used, or disposed of in the EIR Study Area.

As described in Section 4.7.1.1, Regulatory Framework, of the February 2016 Draft EIR, these activities are subject to a variety of local, State, and federal regulations. Hazardous materials would be required to be transported under United States Department of Transportation (DOT) regulations. Future development under the proposed Plan would be subject to regulatory programs such as those overseen by the Regional Water Quality Control Board (RWQCB) and the Department of Toxic Substances Control (DTSC). These agencies require applicants for development of potentially contaminated properties to perform investigation and cleanup if the site is found to be contaminated with hazardous substances. In addition, Santa Clara County has substantial regulations concerning hazardous materials under its Certified Unified Program Agencies (CUPA) jurisdiction and related Unified Programs. This is further enforced by Palo Alto Fire Department Programs. For example, businesses in Palo Alto must submit a Business Plan for the safety

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storage and use of chemicals if the business handles and/or stores a hazardous material equal to or greater than the minimum reportable quantities.

Adoption and implementation of the proposed Plan under Scenarios 5 and 6 would not directly result in new development, but new development allowed by the Plan that uses hazardous materials or generates hazardous waste would be regulated pursuant to federal, State, and local laws. Compliance with federal, State, and local regulations would reduce the potential for a significant adverse effect to a *less-than-significant* level.

Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- United States Environmental Protection Agency Resource Conservation and Recovery Act
- United States Environmental Protection Agency Comprehensive Environmental Response, Compensation and Liability Act
- California Division of Occupational Safety and Health
- California Health and Safety Code (Chapter 695)
- California Code of Regulations (Title 19, Section 2729)
- California Building Code
- Santa Clara County Department of Health's Hazardous Materials Compliance Division
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)

Significance before Mitigation: Compliance with federal, State, and local regulations would reduce the potential for a significant adverse effect on the environment due to upset and accident involving the use, transport, and disposal of hazardous materials that would be generated by new development approved under Scenarios 5 and 6. Therefore, the impact is less than significant for both scenarios.

HAZ-2 The proposed Plan would not create a significant hazard to the public or the environment through reasonable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant – Scenarios 5 and 6)

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, the proposed Plan would substantially affect the public or the environment if future development allowed under the Plan would result in significant upset and accident conditions involving the release of hazardous materials into the environment. The Plan would allow new

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development, including residential, mixed-use, and commercial uses. Some of the new development could occur on properties that possibly are contaminated and inactive, undergoing evaluation, and/or undergoing corrective action, as indicated in Table 4.7-1 of the February 2016 Draft EIR. Future construction of new buildings and redevelopment activities under implementation of the Plan could have the potential to release potentially hazardous soil-based materials into the environment during site grading and excavation operations. Likewise, demolition of existing structures could potentially result in release of hazardous materials (e.g., asbestos or lead paint) into the environment. Use of hazardous materials on newly developed properties after construction could potentially include cleaning solvents, fertilizers, pesticides, and other materials used in the regular maintenance and operation of future development. In addition, as noted in the discussion of Impact HAZ-1 above, hazardous materials are regularly used, transported, and disposed of in Palo Alto. The City implements a variety of federal, State, and local regulations designed to address the use, transportation, and disposal of these materials.

Adoption and implementation of Scenarios 5 and 6 would not directly result in new development, but new development allowed by the Plan that uses hazardous materials or generates hazardous waste would be regulated pursuant to federal, State, and local laws. Compliance with applicable laws and regulations regarding handling of these materials described in Section 4.7.1.1, Regulatory Framework of the February 2016 Draft EIR, and compliance with the *Stormwater Pollution Prevention Plan* and Best Management Practice (BMP) requirements for future development (see Chapter 4.8, in the February 2016 Draft EIR, Hydrology and Water Quality, for additional detail), would ensure future development under the proposed Plan would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. Therefore, impacts would be *less than significant*.

Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- United States Environmental Protection Agency Resource Conservation and Recovery Act
- United States Environmental Protection Agency Comprehensive Environmental Response, Compensation and Liability Act
- California Division of Occupational Safety and Health
- California Health and Safety Code (Chapter 695)
- California Code of Regulations (Title 19, Section 2729)
- California Building Code
- Santa Clara County Department of Health's Hazardous Materials Compliance Division
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)

Significance before Mitigation: Compliance with applicable federal, State, and local laws and regulations regarding the use of hazardous materials and generation of hazardous waste would ensure the new development approved under the proposed Plan would not create a significant hazard to the public or

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the environment through reasonably foreseeable upset and accident conditions. Therefore, the impact would be less than significant for Scenarios 5 and 6.

HAZ-3 The proposed Plan would not result in hazardous emissions or the handling of hazardous or acutely hazardous material, substances or, waste within ¼-mile of an existing or proposed school. (Less than Significant– Scenarios 5 and 6)

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As described in the February 2016 Draft EIR, the proposed Plan would substantially affect existing or proposed schools if it would allow development that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school. As discussed in Section 4.12.1, Schools, in Chapter 4.12, Public Services and Recreation, of the February 2016 Draft EIR, Palo Alto is served by the Palo Alto Unified School District (PAUSD), which has 13 elementary schools, three middle schools, and two high schools within the EIR Study Area. In addition, there are a number of other private schools not operated by PAUSD. Development allowed under the proposed would allow land uses that could be reasonably expected to handle hazardous materials or generate hazardous emissions, as described under Impacts HAZ-1 and HAZ-2, above. It is possible that such uses could occur within ¼-mile of existing or proposed schools. However, as discussed under Impacts HAZ-1 and HAZ-2, the storage, use, and handling of these materials would be subject to existing federal, State, and local regulations.

Buildout under Scenarios 5 and 6 of the proposed Plan could result in increased population levels and could result in the need for additional school facilities. One of the major constraints to increasing school facilities is the limited supply of land available to build new schools facilities. However, in terms of new public schools that may result from implementation of the proposed Plan, DTSC's School Property Evaluation and Cleanup Division is responsible for assessing, investigating, and cleaning-up proposed school sites. The Division's goal is to ensure that proposed school properties are free of contamination or that they have been cleaned to a level that protects the students and staff who will occupy the new school. School sites that will receive State funding for acquisition or construction are required to go through an environmental review and cleanup process under DTSC's oversight.

Compliance with applicable federal, State, and local laws and regulations regarding storage, use, and handling of hazardous materials as described in Section 4.7.1.1, Regulatory Framework of the February 2016 Draft EIR, and reiterated in Impacts HAZ-1 and HAZ-2, would ensure future development under the proposed Plan does not emit hazardous emissions within ¼-mile of an existing or proposed school site. Therefore, impacts would be *less than significant*.

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Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- United States Environmental Protection Agency Resource Conservation and Recovery Act
- United States Environmental Protection Agency Comprehensive Environmental Response, Compensation and Liability Act
- California Division of Occupational Safety and Health
- California Health and Safety Code (Chapter 695)
- California Code of Regulations (Title 19, Section 2729)
- California Building Code
- California Department of Toxic Substances Control (School Property Evaluation and Cleanup Program)
- California Department of Education (School Facility)
- Santa Clara County Department of Health's Hazardous Materials Compliance Division
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)

Significance before Mitigation: Compliance with applicable federal, State, and local laws and regulations regarding storage, use, and handling of hazardous materials would ensure future development under the proposed Plan does not emit hazardous emissions within ¼-mile of an existing or proposed school site. Therefore, the impact would be less than significant for Scenarios 5 and 6.

HAZ-4	The proposed Plan would not create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination either in excess of soil and groundwater cleanup goals developed for the site or from location on listed hazardous materials sites compiled pursuant to Government Code Section 65962.5. (Less than Significant– Scenarios 5 and 6)
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February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

The proposed Plan would substantially affect the public or the environment if future development allowed under the Plan would expose future occupants or users of development sites to existing hazardous materials contamination in soil and/or groundwater at these sites. As discussed in Section 4.7.1.2 of the February 2016 Draft EIR, a number of hazardous materials sites are listed on databases compiled pursuant to Government Code Section 65962.5. Most of the sites are listed as closed, indicating that they have been investigated and/or remediated to the satisfaction of the lead responsible agency (i.e., RWQCB, DTSC, Santa Clara County Department of Environmental Health (SCDEH)) based on land use at the time of

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closure. Additionally, as discussed in Section 4.7.1.2 of the February 2016 Draft EIR, several groundwater contaminant plumes underlie certain areas in the city. As a result, there is public concern regarding the potential for these plumes to migrate through the city, which would potentially expose future occupants or users of these sites to contamination of soil and groundwater.¹ The proposed Comp Plan Update would allow new development, including residential, mixed use, and commercial uses within the EIR Study Area. Some of the new development could occur on properties that are included in the database listed above. Construction of new buildings and improvements on these listed sites could have the potential to release potentially hazardous soil-based materials into the environment during site grading and excavation operations. Demolition of any existing structures, likewise, could potentially result in the release hazardous building materials (e.g., asbestos, lead paint) into the environment. Use of hazardous materials on newly developed properties after construction could potentially include cleaning solvents, fertilizers, pesticides, and other materials used in the regular maintenance and operation of future development.

Adoption and implementation of the proposed Plan would not directly result in new development, but new development allowed by the proposed Plan that uses hazardous materials or generates hazardous waste, would be regulated pursuant to federal, State, and local laws. Compliance with applicable laws and regulations regarding cleanup and reuse of a listed hazardous material site described in Section 4.7.1.1 of the February 2016 Draft EIR, Regulatory Framework, and reiterated in Impacts HAZ-1 and HAZ-2, would ensure that impacts would be *less than significant*. In addition, the Safety Element of the proposed Plan includes policies that address the remediation and reuse of contaminated sites.

Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- United States Environmental Protection Agency Resource Conservation and Recovery Act
- United States Environmental Protection Agency Comprehensive Environmental Response, Compensation and Liability Act
- California Division of Occupational Safety and Health
- California Health and Safety Code (Chapter 695)
- California Code of Regulations (Title 19, Section 2729)
- California Building Code
- California Department of Toxic Substances Control (*2011-2016 Strategic Plan*)
- Regional Water Quality Control Board (Porter-Cologne water Quality Act)
- Santa Clara County Department of Health's Hazardous Materials Compliance Division
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)

¹ Department of Toxic Substances Control – Fact Sheet, Community Update, May 2016; https://www.dtsc.ca.gov/SiteCleanup/Projects/upload/1601SCaliforniaAveSTANFORD_FS_Update_0516.pdf; accessed on January 5, 2017.

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Significance before Mitigation: Compliance with applicable federal, State, and local laws and regulations regarding soil and groundwater cleanup and reuse of a listed hazardous material site would ensure future development under the proposed Plan would not create a significant hazard. Therefore, the impact would be less than significant for Scenarios 5 and 6.

HAZ-5	The proposed Plan would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. (Less than Significant– Scenarios 5 and 6)
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February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, the proposed Plan would result in a significant impact if it would allow development that would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. As shown on Figure 4.7-4 included in the February 2016 Draft EIR, much of the area surrounding Palo Alto west of Interstate 280 is considered to have a moderate and high risk of wildland fire, whereas all of the urbanized areas of Palo Alto, such as Downtown, do not have any wildland fire hazards. Although this information indicates that wildfire risk in the EIR Study Area may be present, there are many resources available to address wildland fires should they arise, including the *CAL FIRE Strategic Plan* and the California Fire Code (CFC). For example, the CFC requires the clearance of debris and vegetation within a prescribed distance from structures in wildlife hazard areas. In addition, although each scenario would include varying amounts of new housing and non-residential uses, with associated increases to the EIR Study Area’s population and the number of employees, future development under all six scenarios would be concentrated within already urbanized and/or developed areas of the EIR Study Area, given that Palo Alto is largely built out. Development under all six scenarios would largely occur closer to the Downtown, Stanford University, and areas along El Camino Real, which are within close proximity to Fire Stations 1, 2, and 6 and not subject to wildland fire. Cooperative fire service agreements with the Central County Fire Department (CCFD), City of Menlo Park, City of Mountain View, Woodside Fire Protection District, and Stanford University would further assist the City in protecting people and structures from potential wildland fires.

Overall, adoption and implementation of the proposed Plan would not directly result in new development, and new development allowed by the Plan would generally occur in areas of low wildland fire risk. Compliance with applicable federal, State, and local laws and regulations would ensure that impacts from wildland hazards would be *less than significant*.

As described in Section 4.7.1.2, Wildfire Hazards of the February 2016 Draft EIR, climate change will increase droughts and cause more hazardous wildfire conditions. The impacts associated with this increased risk of wildfires due to climate change are addressed in Chapter 4.6 of this Supplement to the Draft EIR, Greenhouse Gas Emissions and Climate Change.

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Applicable Regulations:

- California Department of Forestry and Fire Protection (*2012 Strategic Plan*)
- California Code of Regulations (Section 2729)
- California Building Code
- California Fire Code
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)

Significance before Mitigation: New development approved under the proposed Plan would generally occur in areas of low wildland fire risk. Further, compliance with applicable federal, State, and local laws and regulations would ensure that impacts from wildland hazards would be less than significant for Scenarios 5 and 6.

HAZ-6 The proposed Plan would not result in a safety hazard from a public airport for people residing or working within the Plan area. (Less than Significant – Scenarios 5 and 6)

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As discussed the proposed Plan would result in a significant impact if future development allowed under the Plan would be incompatible and in conflict with an existing airport land use plan for the Palo Alto Airport. As described in Section 4.7.1.2, Airport Hazards of the Draft EIR, the *Comprehensive Land Use Plan* (CLUP) for the Palo Alto Airport was adopted in November 2008 by the Santa Clara County Airport Land Use Commission (ALUC) and the City amended the Comp Plan in 2009 to incorporate the CLUP. The CLUP includes policies intended to safeguard the general welfare of the inhabitants within the vicinity of the airport and ensure that new surrounding uses do not affect the airport's continued safe operation. None of the scenarios contemplate land use changes within the CLUP area. Scenarios 5 and 6 allow varying levels of residential and commercial development and do not change current Comp Plan land use designations. Neither of the scenarios contemplates land use changes within the CLUP jurisdictional area or the Airport Influence Area of the Palo Alto Airport.

The proposed Plan, therefore, would not interfere with any airport land use plan or otherwise create an airport-related safety hazard, and risk to people residing or working in the EIR Study Area would be *less than significant*.

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Applicable Regulations:

- *Palo Alto Comprehensive Land Use Compatibility Plan – Palo Alto Airport*
- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivision and Other Divisions of Land

Significance before Mitigation: The proposed Plan would not interfere with any airport land use plan or otherwise create an airport-related safety hazard, or result in a safety hazard to people residing or working in the EIR Study Area. Therefore, the impact would be less than significant for Scenarios 5 and 6.

HAZ-7 The proposed Plan would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. (Less than Significant – Scenarios 5 and 6)

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant under Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, the proposed Plan would result in a significant impact if future development allowed under the Plan would impair implementation of or physically interfere with an adopted emergency response or evacuation plan.

As discussed in Section 4.7.1.1 of the February 2016 Draft EIR, the Palo Alto Office of Emergency Services (OES) is responsible for coordinating agency response to disaster or other large-scale emergencies in Palo Alto with assistance from the Santa Clara County Operational Area in accordance with the State of California Standardized Emergency Management System. Palo Alto *Emergency Operations Plan* (EOP) establishes policy direction for emergency planning, mitigation, response, and recovery activities within the city. The Palo Alto EOP addresses interagency coordination, procedures to maintain communication with County and State emergency response teams, and methods to assess the extent of damage and management of volunteers. With participation from the City of Palo Alto and other local agencies, ABAG created an umbrella *Hazard Mitigation Plan* entitled "Taming Natural Disasters." In addition, the city participated in development of and has since adopted the *Regional Catastrophic Earthquake Mass Transportation Plan*, which is an annex to the *San Francisco Bay Area Regional Emergency Coordination Plan* and addresses mass transportation/evacuation issues in response to a major earthquake.

Compliance with applicable federal, State, and local regulations and existing plans and policies regarding emergency operations, as described in Section 4.7.1.1, Regulatory Framework, February 2016 Draft EIR, would ensure that future development under Scenarios 5 and 6 would not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be *less than significant*.

As described in Section 4.7.1.2, Wildfire Hazards, of the February 2016 Draft EIR, climate change will increase extreme weather events. More intense storms could result in the need for increased emergency

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response services. The impacts associated with this increased risk due to climate change are addressed in Chapter 4.6, Greenhouse Gas Emissions and Climate Change, February 2016 Draft EIR.

Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- California Health and Safety Code (Chapter 6.95)
- California Code of Regulations (Section 2729)
- *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan* (2011)
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- *Palo Alto Emergency Operation Plan* (2007)

Significance before Mitigation: Compliance with applicable federal, State, and local regulations and existing plans and policies regarding emergency operations would ensure that future development approved under the proposed Plan would not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant for Scenarios 5 and 6.

HAZ-8 The proposed Plan would not result in a safety hazard for people residing or working within the vicinity of a private airstrip in the Plan area. (No Impact – Scenarios 5 and 6)

February 2016 Draft EIR Findings: No impact for Scenarios 1 through 4.

Summary of Supplemental Analysis: There would be no impact under Scenarios 5 and 6.

As discussed in Section 4.7.1.2, of the February 2016 Draft EIR, Airport Hazards, there are no private or limited use airstrips in Palo Alto. Therefore, none of the scenarios would allow development within the vicinity of a private airstrip. There would be *no impact* under Scenarios 5 and 6.

Significance before Mitigation: There would be no impact to people residing or working within the vicinity of a private airstrip in the Plan area under Scenarios 5 and 6.

4.7.4 CUMULATIVE IMPACTS

HAZ-9 The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to hazards and hazardous materials. (Less than Significant – Scenarios 5 and 6)

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February 2016 Draft EIR Findings: Less than significant cumulative impact for Scenarios 1 through 4.

Summary of Supplemental Analysis: The cumulative impact would be less than significant under Scenarios 5 and 6.

As discussed in the February 2016 Draft 2016 EIR, this cumulative analysis considers the effects of the proposed Plan combined with effects of past, present, and reasonably foreseeable development on adjacent land in the cities of Menlo Park, Los Altos Hills, Los Altos, and Mountain View. As discussed previously, development allowed by the proposed Plan would not result in significant impacts from the increased use of hazardous household materials and would not increase exposure to potential hazards associated with wildland fires. The proposed Plan would not interfere with implementation for emergency response plans. In addition, potential project-level impacts associated with hazards and hazardous materials would be further reduced through compliance with local, regional, State, and federal regulations. Cumulative development in adjacent jurisdictions would be subject to the same federal, State, and regional regulations, as well as regional safety plans, such as the Palo Alto Airport CLUP; building codes, such as Chapter 7A in California Building Code, which requires ignition resistant exterior construction hazardous fire areas; and regional emergency response plans, such as the *Santa Clara County Hazard Mitigation Plan*. Compliance with these requirements would reduce cumulative, development-related impacts that relate to airport hazards, wildfire hazards, and emergency response. Since impacts associated with hazardous materials and wildland fire, are, by their nature, focused on specific sites or areas, the less-than-significant impacts within the EIR Study Area from the proposed Plan would not contribute to a cumulative increase in hazards in the immediate vicinity of the EIR Study Area or throughout the region. Therefore, cumulative impacts associated with hazards and hazardous materials would be *less than significant*.

Applicable Regulations:

- United States Department of Transportation Hazardous Materials Transport Act (49 Code of Federal Regulations)
- United States Environmental Protection Agency Resource Conservation and Recovery Act
- United States Environmental Protection Agency Comprehensive Environmental Response, Compensation and Liability Act
- California Division of Occupational Safety and Health
- California Health and Safety Code (Chapter 695)
- California Code of Regulations (Title 19, Section 2729)
- California Building Code
- Santa Clara County Department of Health's Hazardous Materials Compliance Division
- County of Santa Clara Ordinance Code (Title B, Division B11, Chapter XIII)
- Palo Alto Municipal Code (Chapters Title 17, Hazardous Materials Storage, all chapters, and Title 18, Zoning, Chapter 18.23.100, Hazardous Materials)
- California Department of Toxic Substances Control (School Property Evaluation and Cleanup Program)
- California Department of Education (School Facility)

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- Regional Water Quality Control Board (Porter-Cologne water Quality Act)
- *Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan (2011)*
- California Department of Toxic Substances Control (*2011-2016 Strategic Plan*)
- *Palo Alto Emergency Operation Plan (2007)*

Significance before Mitigation: Compliance with existing requirements would reduce cumulative, development-related impacts, and less-than-significant impacts within the EIR Study Area would ensure that the proposed Plan would not contribute to a cumulative increase in hazards in the immediate vicinity of the EIR Study Area or throughout the region. Therefore, cumulative impacts would be less than significant under all scenarios, including Scenarios 5 and 6.

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