

## 5.7 HAZARDS AND HAZARDOUS MATERIALS

### INTRODUCTION

This section describes potential hazards and hazardous materials related to the Project. Information in this section is based on the *Phase I Environmental Site Assessment Report (ESA)* prepared for the Project (see **Appendix G** of this Draft Environmental Impact Report (EIR), which identified the presence or likely presence of hazardous substances at the property or associated with previous uses of the Project site.<sup>1</sup>

For the purposes of this environmental document, "hazardous materials" are defined as substances that could pose a substantial present or future risk to human health or the environment if improperly handled, stored, disposed, or otherwise managed.<sup>2</sup> Hazardous materials can result in public health hazards through human contact with contaminated soils or groundwater; or through airborne releases in vapors, fumes, or dust.

### Scoping Issues Addressed

No public or agency comments related to hazards and hazardous materials were received during the public scoping period for this Draft EIR.

### REGULATORY SETTING

#### Federal

Hazardous materials, including hazardous substances and wastes, are regulated by several state and federal laws. Statutes govern the generation, treatment, storage, and disposal of hazardous materials, substances, and waste. Regulations also address the investigation and mitigation of waste releases, air and water quality, human health, and land use.

The primary federal laws regulating hazardous wastes and materials are the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 and the Resource Conservation and Recovery Act (RCRA) of 1976. The purpose of CERCLA, often referred to as "Superfund," is to identify and cleanup abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for "cradle to grave" regulation of hazardous waste generated by operating entities. Other federal laws include:

- Community Environmental Response Facilitation Act (CERFA) of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety and Health Act (OSHA)

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<sup>1</sup> Geocon Consultants, Inc. 2018. *Phase I Environmental Site Assessment Report – Dublin Boulevard Extension Alameda County, California*.

<sup>2</sup> California Health and Safety Code, Chapter 6.95. Hazardous Materials Release Response Plans and Inventory [25500-25547.8], Section 25501(h).

- Atomic Energy Act
- Toxic Substances Control Act (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

In addition to the acts listed above, Executive Order (EO) 12088, Federal Compliance with Pollution Control Standards, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

### **State**

In California, the US Environmental Protection Agency (EPA) has granted the California Environmental Protection Agency (CAL/EPA) most enforcement authority over federal hazardous materials regulations in the state. The mission of CAL/EPA is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality. Under the authority of CAL/EPA, the Department of Toxic Substances Control (DTSC) and the San Francisco Bay Regional Water Quality Control Board (RWQCB) is responsible for overseeing the cleanup of contaminated soil and groundwater sites in the East Dublin Specific Plan (EDSP) area. RWQCB regulations applicable to hazardous materials are contained in Title 27 of the California Code of Regulations (CCR). Additional state regulations applicable to hazardous materials are contained in CCR Title 22. CCR Title 26 is a compilation of those sections or titles of the CCR that are applicable to hazardous materials.

### **Local**

#### *City of Dublin*

#### City of Dublin General Plan

Chapter 4 of Dublin’s General Plan references the Alameda County Hazardous Waste Management Plan, enforced by the Alameda County Department of Environmental Health (ACDEH), to ensure consistency between the two. The General Plan establishes goals and policies pertaining to the hierarchy of hazardous waste management strategies and creates a set of criteria for the siting of expanded or new offsite hazardous waste facilities.<sup>3</sup>

Chapter 8 of the Dublin General Plan establishes guiding and implementing policies associated with hazards and hazardous materials. The policies included in this chapter aim to regulate the transportation, use, and storage of hazardous materials and minimize the risk of exposure from contaminated sites:

Guiding Policy 8.3.4.A.1:                      Maintain and enhance the ability to regulate the use, transport, and storage of hazardous materials and to quickly identify substances and take appropriate action during emergencies.

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<sup>3</sup> City of Dublin. 1985. *City of Dublin General Plan*. Community Development Department. Dublin, CA. Amended November, 2017.

- Guiding Policy 8.3.4.A.2: Minimize the risk of exposure to hazardous materials from contaminated sites.
- Implementing Policy 8.3.4.B.2: As part of the City’s Comprehensive Emergency Response Plan, the City has adopted a Hazardous Materials Response Plan. The City will periodically review the Plan to prepare for and respond to emergencies related to hazardous materials.
- Implementing Policy 8.3.4.B.3: Periodically review and enforce the City’s ordinances regulating the handling, transport, and storage of hazardous materials and hazardous waste.
- Implementing Policy 8.3.4.B.4: Require site-specific hazardous materials studies for new development projects where there is a potential for the presence of hazardous materials from previous uses on the site. If hazardous materials are found, require the clean-up of sites to acceptable regulatory standards prior to development.
- Guiding Policy 8.4.1.A.1: All proposed land uses within the Airport Influence Area (AIA) shall be reviewed for consistency with the safety compatibility policies and airspace protection policies of the Airport Land Use Compatibility Plan (ALUCP) for the Livermore Municipal Airport.

Eastern Dublin Specific Plan

The EDSP contains the following policies and programs as it relates to hazards and hazardous materials:

- Policy 11-1 Prior to issuance of building permits for site-specific Phase I (and if necessary Phase II) environmental site assessments shall be made available to the Community Development Director, with appropriate documentation that all recommended remediation actions have been completed.

*Alameda County*

The ACDEH is the Certified Unified Program Agency (CUPA) that coordinates and enforces numerous local, state, and federal hazardous materials management and environmental protection programs in the county. ACDEH administers a number of programs that contain basic information on the location, type, quantity, and health risks of hazardous materials and waste.

Alameda County Hazardous Materials/Waste Program

The Alameda County Hazardous Materials/Waste Program is recognized by the DTSC and enforces numerous local, state, and federal hazardous materials management and environmental protection programs in the County.<sup>4</sup>

Alameda County Safety Element: Chapter 2 Man Made Hazards

Chapter 2.2 of the Alameda County Safety Element describes man-made hazards present within unincorporated areas of the County and goals, policies and actions intended to minimize loss due to hazardous materials and aviation.<sup>5</sup> The chapter's goals and policies aim to minimize residents' exposure to the harmful effects of hazardous materials and waste. The following policies and programs from the Alameda County Safety Element relate to hazards and hazardous materials:

- Policy 2.P2 Hill area development, and particularly that adjoining heavily vegetated open space area, should incorporate careful site design, use of fire retardant building materials and landscaping, development and maintenance of fuel breaks and vegetation management programs, and provisions to limit public access to open space areas in order to minimize wildland fire hazards. (Source: Seismic Safety and Safety Element, pg. 7)
- Policy 4.P8 Developers shall be required to conduct the necessary level of environmental investigation to ensure that soil, groundwater and buildings affected by hazardous material releases from prior land uses and lead or asbestos in building materials will not have a negative impact on the natural environment or health and safety of future property owners or users. This shall occur as a pre-condition for receiving building permits or planning approvals for development on historically commercial or industrial parcels.
- Policy 4.P11 To the extent feasible, the County shall continue to support the removal of hazardous wastes from the solid waste stream in unincorporated Alameda County in accordance with Countywide plans.
- Policy 5.A2 Refer all updates to County General Plans, Specific Plans, and Zoning Ordinances to the Alameda County ALUC for a compatibility determination.
- Policy 6.P2 Adequate emergency water flow, emergency vehicle access and evacuation routes shall be incorporated into any new development prior to project approval.

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<sup>4</sup>Alameda County Environmental Health. *Alameda County Hazardous Materials/Waste Program*. Available: <https://www.acgov.org/aceh/hazard/>. Accessed: June 7, 2018.

<sup>5</sup> *Alameda County Safety Element: Chapter 2 Man Made Hazards*. Available: <https://www.acgov.org/cda/planning/generalplans/documents/SafetyElementAmendmentFinal.pdf>. Accessed: June 7, 2018.

*City of Livermore*

City of Livermore General Plan

Chapter 10 of the Livermore General Plan sets goals and policies to protect the community from the harmful effects of hazardous materials through promoting the safe transport of hazardous materials, requiring environmental investigation for contaminants prior to site redevelopment, and implementing relevant provisions consistent with the hazardous materials and waste management plans for the County.<sup>6</sup>

Livermore Municipal Airport Land Use Compatibility Plan

The ALUCP governs land use around Livermore Municipal Airport. The ALUCP is a guide for local jurisdictions in safeguarding the general welfare of the public as Livermore Municipal Airport and surrounding areas continue to grow. This document also facilitates the review of airport and land use development proposals within the airport influence area (AIA).

**EXISTING CONDITIONS**

Information in this section is based on the ESA prepared for the Project (see **Appendix G** of this Draft EIR). The ESA entailed a review of publicly available local, state, tribal, and federal environmental record sources; standard historic sources; aerial photographs; fire insurance maps; and topographic, geologic, and hydrogeologic records. Data sources related to historic land uses, current land uses, and environmental records from regulatory agencies were reviewed to identify known or potential sites associated with hazardous materials within the study area, which includes the Project site plus a 1 mile radius. These sites were then evaluated to identify known or potential releases of hazardous materials that could impact soils or groundwater beneath the Project site.

The ESA also included an Environmental Data Resources (EDR) radius map search of federal, state, and local environmental databases for historic hazardous spills or releases. As shown in **Table 5.7-1**, there are several facilities within the study area included in the EDR database. However, the seven parcels that encompass the Project site are not listed in the EDR database search results. Refer to **Appendix G** of this Draft EIR for additional information on these database searches.

**Site History**

According to the ESA's historic information sources, the largely undeveloped Project site was originally dedicated to rural residential and agricultural uses. A ranch compound dating back to the early 1900's was located on the Project site along the western end of the proposed alignment. A former residence was located at 3457 Croak Road on the Project site during the 1990s but was subsequently demolished. The business name listing corresponding with the address suggests the relationship to a trucking and equipment enterprise, which could have storage or used of petroleum products or other hazardous materials.

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<sup>6</sup> *Livermore General Plan: Chapter 10 Public Safety Element, Hazardous Waste Management*. Available: <http://www.cityoflivermore.net/civicax/filebank/documents/6101/> Accessed: June 7, 2018.

## **Potential Hazards Associated with Former Use**

### *Former Agricultural Uses*

Aerial photographs indicate that large portions of the study area were used for farming and ranching. Paths or narrow roads, possibly related to dry land farming, have been present in the study area since before 1940. As mentioned above, an apparent ranch compound was located along the western terminus of the proposed alignment near Fallon Road from the early 1900's to the late 1960's. A decayed livestock loading corral likely formerly associated with the structures is currently located in the Project site. The Project site has been used primarily for grazing land with partial field or row crops since at least 1949. It is possible that pesticides were in use in field or row crop areas.

### *Previous Residential or Commercial Land Uses*

Topographic maps reviewed as a part of the ESA depict structures near the western alignment terminus dating back to the early 1900's, with more recent, sporadic residential and agricultural development throughout the study area. These uses suggest the potential presence of water/dry wells, septic systems, and underground storage tanks (UST) used for the storage of heating oil or fuel.

### *Aboveground Storage Tanks*

Site records indicated two aboveground storage tanks (ASTs) were within the Project site and were removed sometime between 1985 and 1990 without incident. The tanks were located on a paved area with containment berms, to prevent spillage, and each stored approximately 5,000 gallons of diesel fuel associated with a former paving business that leased the property (Assessor's Parcel Number 905-1-4-4). The former presence of the ASTs is a potential environmental concern, as diesel-contaminated soils may be toxic to plants and soil microorganisms, and act as a source of groundwater contamination. If the groundwater below the site has been contaminated, the contamination could have spread to surrounding groundwater.

**Table 5.7-1 EDR Record Search Results**

Database Name	Search Radius (Miles)	Number of Listings	Property/Facility Name
Resource Conservation and Recovery Act – Large Quantity Generator (RCRA-LQG)	0.25	1	Target Store T2771 2800 Dublin Boulevard, Dublin, CA 94568
Resource Conservation and Recovery Act – Conditionally Exempt Small Quantity Generator (RCRA-CESQG)	0.25	1	CVS Pharmacy #17628 2800 Dublin Boulevard, Site B, Dublin, CA 94568
(DTSC equivalent CERCLIS Database (EnviroStor))	1.0	6	Proposed New Elementary School Jordan Ranch E-5, Site E, Fallon Road and north of I-580, Dublin, CA 94588
			Proposed Kolb Elementary School Palermo Way, Dublin, CA 94568
			M-1 Middle School Parcel O-Tract 6725/S, Dublin Ranch Drive, Dublin, CA 94588
			E-2 Elementary School Parcel O-Tract 6960/Antone Way, Dublin, CA 94588
			Proposed Elementary School E-4 5781 Fallon Road, Dublin, CA 94568
			E-5 Alternative School Site South of Central Parkway, east of Fallon Road, Dublin, CA 94588
State and Tribal Leaking Underground Storage Tank (LUST)	0.5	4	Bernard's 1051 Airway Boulevard, Livermore, CA 94550
			Livermore Municipal Airport 1800 Freisman Road, Livermore, CA 94550
			Las Positas Golf Course 909 Clubhouse, Livermore, CA 94566

Database Name	Search Radius (Miles)	Number of Listings	Property/Facility Name
Resource Conservation and Recovery Act – Large Quantity Generator (RCRA-LQG)	0.25	1	Target Store T2771 2800 Dublin Boulevard, Dublin, CA 94568
Resource Conservation and Recovery Act – Conditionally Exempt Small Quantity Generator (RCRA-CESQG)	0.25	1	CVS Pharmacy #17628 2800 Dublin Boulevard, Site B, Dublin, CA 94568
			Livermore Municipal Airport 1800 Freisman Road, Livermore, CA 94550
Spills, Leaks, Investigations, and Cleanups sites (SLIC)	0.5	2	Windwood at Jordan Ranch, 4233 Fallon Road, Dublin, CA 94568
			Freisman Ranch, 1600 Freisman Road, Livermore, CA 94550
Alameda County Contaminated Sites	0.5	5	Bernard's, 1051 Airway Blvd Livermore, CA 94550
			Windwood at Jordan Ranch, 4233 Fallon Road, Dublin, CA 94568
			City of Livermore Airport, 1800 Freisman Livermore, CA 94550
			Las Positas Golf Course, 909 Clubhouse, Livermore, CA 94566
			Freisman Ranch, 1600 Freisman Road, Livermore, CA 94550
Local Lists of Hazardous Waste/Contaminated Sites SCH (DTSC School Property Evaluation Program)	0.25	1	E-5 Alternative School Site South of Central Parkway, east of Fallon Road, Dublin, CA 94588
HIST CORTESE (Historical ("Cortese" Hazardous Waste & Substance Site List)	0.5	2	Las Positas Golf Course 909 Clubhouse, Livermore, CA 94566
			Livermore Municipal Airport, 1800 Freisman Road, Livermore, CA 94550



Database Name	Search Radius (Miles)	Number of Listings	Property/Facility Name
Resource Conservation and Recovery Act – Large Quantity Generator (RCRA-LQG)	0.25	1	Target Store T2771 2800 Dublin Boulevard, Dublin, CA 94568
Resource Conservation and Recovery Act – Conditionally Exempt Small Quantity Generator (RCRA-CESQG)	0.25	1	CVS Pharmacy #17628 2800 Dublin Boulevard, Site B, Dublin, CA 94568
Proposition 65 Records (Notify 65)	1.0	1	Airport/Los Positas Golf Course, 1800 Freisman Road, Pleasanton, CA 92561

Source: GeoCon, 2018

## Livermore Municipal Airport

The Project site is located approximately 1,800 feet north of the Livermore Municipal Airport, and is within the AIA and Airport Protection Area (APA), as shown in **Figure 5.7-1**. The APA is designed to prevent the encroachment of incompatible land uses near the vicinity of Livermore Municipal Airport. New residential land use designations, or the intensification of existing residential land uses, are prohibited within the APA. Nonresidential land uses may be allowed within the APA if they are consistent with the criteria set forth in Policy 3.3.2.8 of the ALUCP. The Livermore Municipal Airport AIA and APA, described below, overlap the Project site.

### *Airport Influence Area*

The AIA is the area in which current or future airport-related noise, overflight, safety, and airspace protection factors may significantly affect land uses or necessitate restrictions on those uses.

**Figure 5.7-1** depicts the Livermore Municipal Airport AIA, which includes portions of the cities of Livermore, Pleasanton, Dublin, and the County. The ALUC is authorized to review local land use actions affecting the AIA, including adoption or amendments of general plans, specific plans, zoning ordinances, and building regulations.

### *Airport Safety Zones*

The Airport Safety Zones (ASZ), as established in the ALUCP, outline the level of risk associated with a particular land use, and what uses are permitted in each zone. The ASZs include seven safety zones identified by runway length and flight patterns.<sup>7</sup> Permitted land uses generally require no limitations. The Project site is within the following ASZs, as shown in **Figure 5.7-1**:

- Zone 6, Traffic Pattern Zone, roughly corresponds to the APA boundaries. This zone contains the aircraft traffic pattern. While a high percentage of accidents occur in this zone, the size of the zone reduces the risk level as compared to the other zones. The Project is located wholly within Safety Zone 6 - the Traffic Pattern Zone. Although Safety Zone 6 risk concern is described as posing a “Generally low likelihood of accident occurrence at most airports; risk concern primarily is with uses for which potential consequences are severe.”
- Zone 7, Other Airport Environ/Horizontal Surface/Outer Conical Surface, is the area between Zone 6 and the AIA boundaries, and prohibits hazards to flight, but allows residential uses, transit-oriented uses, roads, automobile parking areas, open parking garages, storage of hazardous materials, and repair garages are permitted uses in this Zone.

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<sup>7</sup> The zones are established in accordance with Federal Aviation Regulation (FAR) Part 77.

Dublin Boulevard – N. Canyons Parkway Extension

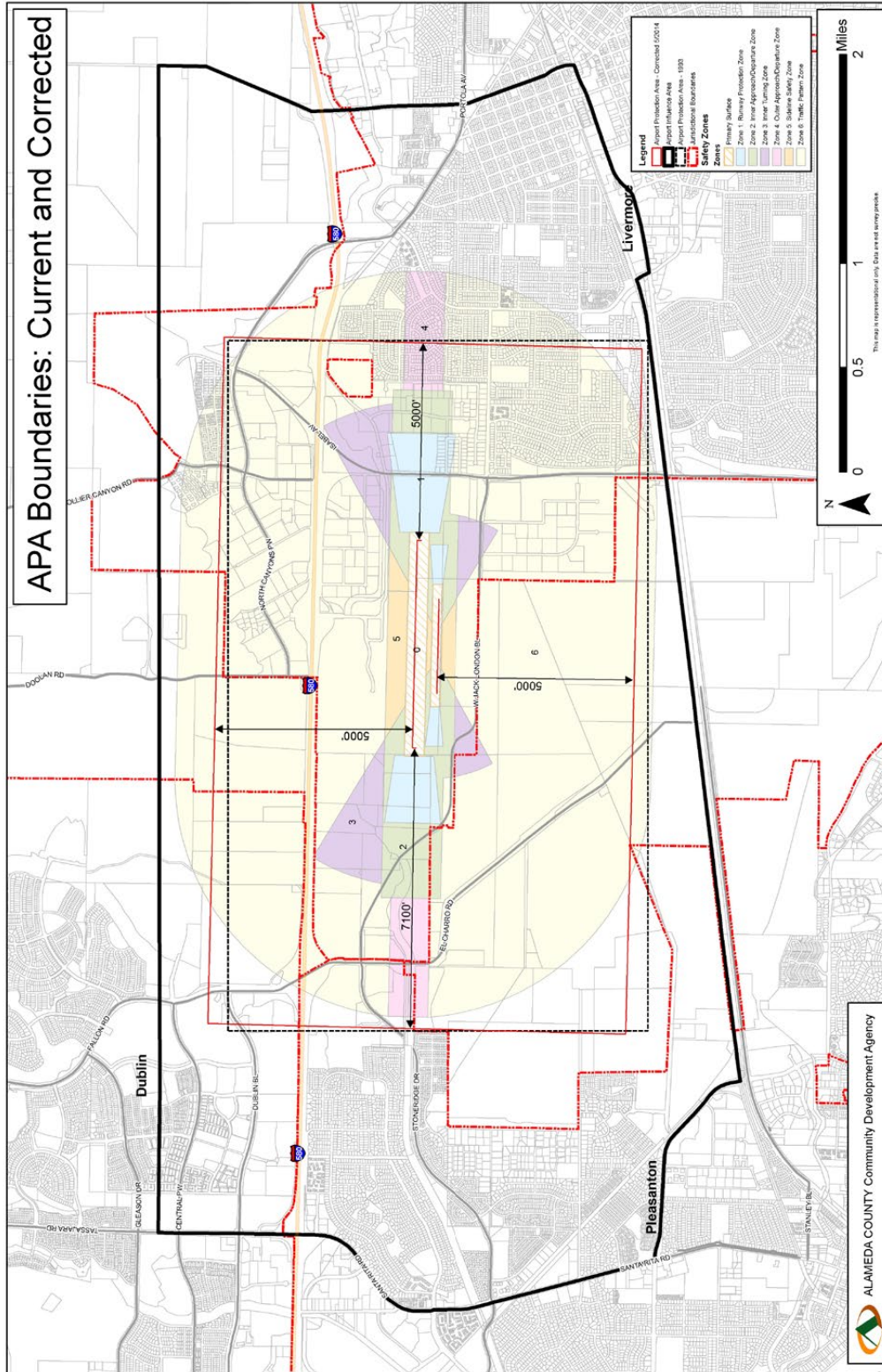


Figure 5.7-1

Current and Corrected ALUCP Zones and Boundaries

Source: Livermore Municipal Airport Land Use Compatibility Plan, 2012

## **Fire Hazards**

The California Department of Forestry and Fire Protection identifies fire hazards based on relevant factors such as fuels, terrain, and weather.<sup>8</sup> Fire Hazard Severity Zones (FHSZ) within Alameda County are ranked with moderate, high, and very high fire susceptibility. The Project site is located within a moderate FHSZ, which extends north in the undeveloped areas north of the Project.

## **IMPACTS AND MITIGATION MEASURES**

### **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:

- A. 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
- B. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- C. 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
- D. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- 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, result in a safety hazard for people residing or working in 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
- G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

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<sup>8</sup> California Department of Forestry and Fire Protection. California Fire Hazard Severity Zone Map. 2007. Available: <http://egis.fire.ca.gov/FHSZ/>. Accessed: November 5, 2018.

- 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

### **Methodology**

This analysis evaluates potential hazard and hazardous material concerns on the Project site against the significance criteria to identify potential risks to life or property that could occur as a result of the Project. Construction workers typically have the greatest risk of exposure during site preparation and grading. Accidents or spills during the transport of hazardous materials can also expose the public and the environment to these substances. If contamination at a site remains undetected or unmitigated, future site users could experience health risks due to long-term exposure.

### **Impact Analysis**

#### *No Impact Summary*

- A. 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.

The Department of Toxic Substance Control's Hazardous Waste and Substances Site List, prepared pursuant to Government Code Section 65962.5, is a planning document used by state and local agencies to provide information about hazardous material release sites. The Project site is not included on this list of hazardous material sites. Therefore, no impact would occur.

#### *Impacts of the Project*

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

Operation of the Project would not directly involve the routine use, disposal, or transportation of hazardous materials. Project operation would entail multi-modal use of a new roadway. During operation, automobile traffic along this facility could experience collisions that result in the accidental release of substances such as fuel, lubricants, or hazardous freight. In order to account for these potential hazards, the Project would be designed and engineered per standard engineering requirements for roadway slope, curvature, speeds, storm water treatment, lane orientation, and other standard roadway design criteria. Compliance with these standards would minimize the potential for hazardous material or waste release under accident conditions. The Project would be designed and operated consistent with all applicable standards and regulations for safety, and would not present a unique or above-average risk for accidents involving hazardous materials. This impact would be **less than significant**.

- C. 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.

**Impact HAZ-1: Project construction could expose construction workers and future users to soil contamination from past uses of the Project site and surrounding areas, including pesticides and/or petrochemicals from fuel. (Less than Significant with Mitigation)**

#### Construction

Construction would entail large areas of grading, installation of road surfaces, drainage improvements, cut/fill embankments, underground utilities, and a new bridge structure over Cottonwood Creek. Project construction would also require vehicles trips to deliver materials and remove waste products or excavated soil. As mentioned above, an environmental database search found no evidence of previous spills or widespread contamination on the Project site. However, excavation and grading could encounter residual contamination associated with previous residential, commercial, and agricultural uses on the Project site, as described below.

#### Previous Residential and Commercial Land Uses

Parcels within the Project site could contain septic systems, water/dry wells, and USTs used for the storage of heating oil and fuel. Leakage or spillage from these systems could have contaminated soil and/or groundwater within the Project site. Should any potential water/dry wells be encountered during construction, Dublin, Livermore, or the County would be required by law to remove wells in accordance with the California Department of Water Resources requirements for destroying wells as outlined in California Well Standards Bulletins 74-81<sup>9</sup> and 74-90.<sup>10,11</sup> If undocumented USTs or septic tanks are encountered during construction activities, Dublin, Livermore, or the County would be required by law to abandon and/or remove the USTs or septic tanks in accordance with the ACDEH Underground Storage Tank Program, which regulates the construction, operation, repair and removals of UST and septic tank systems used to store hazardous materials or waste. In the event a UST is unexpectedly encountered during construction, **Mitigation Measure HAZ-1** would be implemented to further protect worker safety. This measure requires a temporary halting of work until coordination with ACDEH is complete to ensure workers are not exposed to hazardous substances. With adherence to these regulations and **Mitigation Measure HAZ-1**, this impact would be less than significant.

#### Former Agricultural Uses

The study area including the Project site has historically been used primarily for rangeland with partial field or row crops. Aerial photographs indicate that portions of the study area were used for farming and ranching. It is possible pesticides were in use in field or row crop areas. The presence of residual pesticides associated with agricultural activities represents a potentially significant

<sup>9</sup> California Department of Water Resources. June 1981. California Well Standards: State of California. Bulletin 74-81.

<sup>10</sup> Alameda County Department of Environmental Health. *Alameda County Hazardous Materials/Waste Program*. Available: <https://www.acgov.org/aceh/hazard/>. Accessed: June 7, 2018.

<sup>11</sup> California Department of Water Resources. June 1991. California Well Standards. Bulletin 74-90.

impact, reduced to a less-than-significant level through implementation of **Mitigation Measure HAZ-2**. **Mitigation Measure HAZ-2** would require a limited soil investigation prior to issuance of any demolition, grading, or building permit. If agricultural contaminants are present on the Project site, a remediation plan shall be implemented to ensure the safety of workers and future users.

#### Aboveground Storage Tanks

The former existence of above-ground diesel storage tanks within the Project site (Assessor's Parcel Number 905-1-4-4) indicates a potential for diesel fuel contamination. ASTs can pose a serious hazard if leakage or spillage has occurred and has potentially contaminated the soil or groundwater. The presence of AST-related contaminants represents a potentially significant impact, reduced to a less-than-significant level through implementation of **Mitigation Measure HAZ-1**. **Mitigation Measure HAZ-1** provides protocols for construction safety if the results of the soil investigation are negative, but subsequently petroleum-impacted soils or USTs are unexpectedly encountered during construction.

#### Mitigation for Impact HAZ-1

**Mitigation Measure HAZ-1:** If petroleum-impacted soils or USTs are unexpectedly encountered during any construction activities, work in the area shall be temporarily halted and the corresponding jurisdiction (City of Dublin, the County, or Livermore) shall coordinate with the ACDEH to determine appropriate treatment and removal of the UST and contaminated soil.

**Mitigation Measure HAZ-2:** Prior to issuance of any demolition, grading, or building permit, a limited soil investigation will be completed within the construction area to identify potential contamination from past petroleum hydrocarbons and any agrichemical contamination from agricultural use.

- Soil samples will be collected and tested for residual pesticides by a qualified professional. Concentrations of agricultural contaminants will be compared to applicable State Water Quality Control Board Environmental Screening Levels.
- Dublin shall prepare and submit a comprehensive report to the ACDEH, signed by a qualified environmental professional, documenting the presence or lack of petroleum hydrocarbons, agrichemicals, or other contaminants on the Project site.
- If the soil investigation finds contaminants are present, Dublin, in cooperation with the County if needed, shall create and implement a remediation plan that ensures workers and future users of the Project are not exposed to concentrations in excess of screening levels or other risks associated with soil contamination in accordance with regulatory standards.

- Potential safety measures could include soil removal and treatment, or protective work attire requirements for construction workers.
  - The remediation plan shall also include provisions to outline safe transportation and disposal techniques, and would prevent the handling of hazardous materials<sup>12</sup> nearby sensitive educational facilities by delimiting work areas and hauling routes within 0.25 mile of a school.
- D. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

**Impact HAZ-2: Project construction could require transportation of contaminated soils within one-quarter mile of an existing or proposed school, if contaminated soils are found and removed from the construction footprint. (Less than Significant with Mitigation)**

Cottonwood Creek Elementary School is located 0.25 miles north of the Project site along Central Parkway. The next closest schools - Eleanor Murray Fallon Middle School and Mohr Elementary School - are located approximately 1 mile west of the Project site. If contamination is detected on the Project site, transportation and disposal activities could handle hazardous materials within 0.25-mile of schools along haul routes. This is considered a potentially significant impact. The remediation plan discussed under **Mitigation Measure HAZ-2** would include provisions to prevent the transportation of hazardous materials within 0.25-mile of educational facilities during hauling activities. With implementation of **Mitigation Measure HAZ-2**, this impact would be less than significant.

Mitigation for Impact HAZ-2

**Mitigation Measure HAZ-2** (described above)

- 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, result in a safety hazard for people residing or working in the project area.

And

- 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.

The Project site is located within the Livermore Municipal Airport AIA, including the Zone 6 and Zone 7 ASZs. Land within these zones is subject to policies that limit development within the airport's sphere of influence and prevent encroachment of incompatible land uses. As a roadway development, the Project is classified as a 'Utilities' land use, which is considered a permitted use in Zones 6 and 7 according to the Safety Compatibility Criteria, and would not result in a safety hazard

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<sup>12</sup> In this context, *hazardous materials* include a hazardous substance (as defined in California Public Resources Code Section 21151.4) or a mixture containing extremely hazardous substances in a quantity equal to or greater than the state threshold specified pursuant to subdivision (j) of Section 25532 of the Health and Safety Code.



for people residing or working in the hazards and hazardous materials study area. Based on feedback provided by the County, the Project could potentially provide an alternative area to land an aircraft in the event of an emergency. Therefore, the Project is considered consistent with the ALUC, and does not present a significant hazard. This impact would be **less than significant**.

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

**Impact HAZ-3: Project construction activities could temporarily interfere with emergency access at the intersection of Dublin Boulevard/Fallon Road, intersection of North Canyons Parkway/Doolan Road, and at the new intersection of Dublin Boulevard/Croak Road. (Less than Significant with Mitigation)**

The Project entails construction of a new roadway, which would not physically interfere with emergency response or evacuation plans. The connection of Dublin Boulevard to North Canyons Parkway may enhance emergency access by providing a local roadway connection between Dublin and Livermore and an alternative route to I-580. During construction, intersection modifications would occur at the existing Dublin Boulevard/Fallon Road and North Canyons Parkway/Doolan Road intersections, and a new intersection would be constructed at Croak Road. These improvements could require temporary roadway closures and detouring at Croak Road, Fallon Road, and Doolan Road, which would be accounted for in **Mitigation Measure TRAF-1**, as discussed in **Section 5.14, Transportation and Traffic**. This Mitigation Measure requires preparation of a traffic management plan (TMP), which would include press releases to notify and inform emergency services of upcoming road closures and detours, thereby preventing interference with adopted emergency response plans or emergency evacuation plans. Given the above, this impact would be less than significant with mitigation.

Mitigation for Impact HAZ-3

**Mitigation Measure TRAF-1 (described in Section 5.14, Transportation and Traffic)**

- 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.

The Project site is located within a moderate FHSZ, demonstrating a moderate susceptibility to fire hazards. However, Project implementation would represent little to no threat of exposing people or structures to fire hazards, as the Project would not include new residential or commercial uses, or other uses that would concentrate individuals at the Project site. This impact would be **less than significant**.

## CUMULATIVE IMPACTS

Cumulative impacts arise due to the linking of impacts from past, present, and foreseeable future projects in the region. Other projects in the area include past and planned residential, commercial, and infrastructure development projects in Dublin, Livermore, and elsewhere around the study area (see **Chapter 4.0, Introduction to Environmental Analysis**).

Construction of the Project, along with past, present, and reasonably foreseeable projects, would temporarily increase the regional use, transport, and disposal of hazardous materials and petroleum products commonly used at construction sites, such as diesel fuel, welding materials, lubricants, paints and solvents, and cement products containing strong acidic or basic chemicals. Demolition, ground-disturbing, and construction activities could disturb hazardous media – such as contaminated soil – that would require removal and off-site disposal. Such materials would incrementally contribute to the regional transportation and disposal of hazardous substances.

While hazardous materials handling may increase during construction and operation of past, present, and reasonably foreseeable projects, existing regulations, including CERCLA, RCRA, OSHA, and TSCA, require strict safety procedures and regulatory oversight related to hazardous materials and waste. Facilities and construction sites that use, store, generate, or dispose of hazardous materials or wastes and transporters of hazardous material and waste are required to comply with various federal, state, and local regulations to minimize the risk of a hazardous materials spill or accidental release. Furthermore, past, present, and reasonably foreseeable projects within areas of known contamination would be required by federal, state, and local statutes to develop management plans to ensure the safe removal and disposal of contaminated media prior to development.

There are no planned or reasonably foreseeable hazardous uses within the study area, or other transportation projects that would notably increase transportation of hazardous materials. Implementation of the Grand View project is anticipated to occur after this Project. Therefore, concurrent construction periods are not reasonably anticipated. Construction of the Grand View project could encounter soil contamination similar to that which is anticipated on the Project site. The Grand View project would be subject to mitigation from prior EIRs such as the Dublin General Plan EIR, EDSP EIR, and the Fallon Village Supplemental Environmental Impact Report (SEIR) and be subject to all regulations regarding hazardous materials. In addition, future projects would be required to prepare an independent evaluation of hazards and hazardous material impacts. Therefore, the Project would result in a less than cumulatively considerable contribution to any significant cumulative impact. No cumulative impact would occur.

Development intensification in fire-prone areas exacerbates the threat of wildland fires. Although most past, present, and future foreseeable projects in the study area would generally occur as infill development within urbanized communities, some projects could develop along the urban fringe within the FHSZ north of the Project site. Such development would marginally increase risks posed by wildfire on a project-by-project basis. Future projects would be subject to approval by Dublin and review for General Plan and ESDP consistency, and would be required to prepare an independent evaluation of hazards and hazardous material impacts. The Project would not directly or incrementally contribute to wildfire hazards, as it includes an extension of the roadway network

and no habitable structures or other features which would exacerbate wildfire risks. Therefore, the Project would not substantially increase risks associated with wildland fires on a cumulative basis. The Project would result in a less than cumulatively considerable contribution to any significant cumulative impact. No cumulative impact would occur.

Intensified development surrounding the Livermore Municipal Airport could locally increase airport safety hazards. The Project would not directly or incrementally contribute to airport safety hazards, as it is a project type that is compatible with the established ALUCP. Future projects within the Livermore Municipal Airport AIA would be required to comply with the ALUCP policies and other relevant Federal Aviation Administration requirements. Conformity with the ALUCP would ensure that cumulative development within the study area would not result in cumulative impacts associated with airport hazards. Therefore, the Project would result in a less than cumulatively considerable contribution to any significant cumulative impact associated with airport hazards. No cumulative impact would occur.

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