

## 3.8 HAZARDS AND HAZARDOUS MATERIALS

This section identifies associated regulatory requirements; describes the existing hazardous materials within the vicinity of the Project Site; evaluates potential impacts related to routine transport, use, or disposal of hazardous materials such as accidental release of hazardous materials into the environment; emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. This section also evaluates whether the Project Site is listed on a hazardous materials list indicating that the location could create a hazard to the public or the environment, is located within an airport land use plan, or would result in a safety hazard for people residing or working in the Project area. Lastly, this section evaluates whether the Project interferes with an adopted emergency response plan or emergency evacuation plan; and potential for wildland fires. The section identifies applicable mitigation measures related to implementation of the proposed development.

A Phase I Environmental Site Assessment (ESA) was completed by Partner Engineering and Science, Inc. (Partner) in August 2018 in accordance with the American Society for Testing and Materials (ASTM) Standard of Practice E 1527-05 (provided as **Appendix H**). Partner conducted a physical inspection of the Project Site on August 28, 2018. The following discussion summarizes the findings of the ESA and physical site inspection completed by Partner. No changes to the site have occurred since the physical inspection was conducted.

### 3.8.1 ENVIRONMENTAL SETTING

#### SITE HISTORY

Aerial photographs of the Project Site were used to determine the historic land use of the Project Site and if there was any evidence of hazardous material that may affect the environmental quality or represent environmental conditions. The aerial photographs were reviewed for the following features: sumps, pits, ponds, lagoons, above ground tanks, landfills, collection of drums or containers, discoloration of soil, structures and general land use. The following **Table 3.8-1: Aerial Photography Review Summary**, summarizes the results of the aerial review as outlined in the Partner Phase I ESA (2018). The aerials, obtained from Environmental Data Resources, Inc. (EDR), can be reviewed as part of the Phase I ESA included in **Appendix H**.

No sumps, pits, lagoons, above ground tanks, landfills, collection of drums or containers, or discoloration of soil was visible during the aerial review. Man-made ponds appeared within the northwesterly portion of the Annexation Area and south of the future alignment of 4<sup>th</sup> Street and the Warehouse Site. The ponds appear to have been installed as part of construction activities on the adjacent site, but were removed in 2018, and are no longer a part of the existing conditions.

**Table 3.8-1: Aerial Photograph Review Summary**

Year	Land Use	Identifiable Features
1938	Undeveloped	Appears to be undeveloped. Areas of lower, or less steep elevations between hills appear to be terraced for dry farming
1949, 1953, 1961, 1966	Agricultural	The northwest portion appears to have small structure or structures developed. No other significant changes visible
1978	Agricultural	Additional structures appear developed on the southwest portion along with what appears to be a stand of orchards. South of the property appears to be developed with what appears to be a structure and manmade surface water bodies. No other significant changes visible.
1985	Agricultural	An additional structure appears developed on the eastern portion of the southwest corner. No other significant changes visible.
1989, 1996	Mostly Undeveloped	Only one structure appears developed on the northwest portion. The water bodies appear empty or filled in south of the property. No other significant changes visible
2002, 2006	Mostly Undeveloped	The far northwest corner appears developed with the cell tower facility. No other significant changes visible.
2009, 2012	Mostly Undeveloped	Additional structures, or trailers appear next to the structure on the southwest portion of site. Area to the north appears mass graded from tract housing development. No other significant changes visible.
2016	Mostly Undeveloped	Previous structures, with the exception of the cell tower facility, appear removed. No other significant changes visible.

Source: Partner Engineering and Science, Inc. (2018). *Phase 1 Environmental Site Assessment*. Pages 6 and 7. Torrance, CA: Jeremy Russell.

## RECORDS REVIEW

Partner performed a computer database review (EDR) to review the existing Federal and State environmental databases per ASTM standards for environmental site assessments (E-1527-94). The database review included all sites within a one-mile radius around the Project Site. The full list of databases reviewed is included in **Appendix H**. The Project Site does not appear on the database reports as having underground storage tanks (USTs), a recorded spill or hazardous materials release, or having been impacted by an off-site source of contamination. There is one site less than a mile away that falls under the State Equivalent National Priorities List (NPL) and Comprehensive Environmental Recovery, Compensation, and Liability Information System (CERCLIS) lists. Furthermore, a search on the Department of Oil and Gas maps did not locate any oil wells within 1,000 feet of the Project Site.

Based on the review, a single site was located within the one-mile radius. The property of concern listed in the regulatory review is approximately 0.45 mile south of the Project Site. This property is identified as a RESPONSE, ENVIROSTOR, HIST Cal-Sites, Cortese, and HISTCORTESE site in the regulatory database report. The property identified as Lockheed Propulsion – Beaumont No. 2 at Jack Rabbit Trail is situated hydrologically downgradient and is 0.45 mile away. Partner reviewed available information and documents on the State Water Resources Control Board (SWRCB) GeoTracker online database. Based on the findings, vapor migration from this site is not expected to represent a significant environmental concern at this time.

## ON-SITE RECONNAISSANCE AND SITE INSPECTION

Partner conducted a physical inspection at the Project Site on August 28, 2018. A summary of the potential environmental concerns listed in the Phase I ESA are below. The visual site inspection did not reveal any

current or former USTs, significant surface staining, and vaulted electrical transfer boxes. There was no evidence of any subsurface abandoned foundations, seeps, or stressed vegetation. There was no indication of the storage or use of hazardous materials within the Project Site.

- No routine solid waste was observed generated at the subject property. Areas of trash, tires, and debris were observed to have been dumped on the southwestern and northwestern areas of the Project Site. No evidence of whether the waste was illegally dumped was observed during the Partner site reconnaissance.
- No sanitary discharges were observed on the subject property. No wastewater treatment facilities or septic systems were observed or reported on the Project Site. It is possible that the previous rural residential structures operated a septic system.
- No hazardous substances or petroleum products were observed on the Project Site during the site reconnaissance. No evidence of current or former aboveground storage tanks (ASTs) or USTs was observed during the site reconnaissance. No spills, stains, or other indications that a surficial release has occurred at the subject property were observed.
- No potential polychlorinated biphenyls (PCB)-containing equipment (transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the Project Site during Partner's reconnaissance.

## NEARBY AIRPORTS OR AIRSTRIPS

The nearest airstrip is the Banning Municipal Airport in Banning, located at 200 S. Hathaway Street, Banning, CA 92220, approximately nine miles east of the eastern Project Site boundary.

## WILDLAND FIRE HAZARDS

According to the Riverside County Parcel Report, the Project Site is within a moderate to high fire hazard severity zone (FHSZ).

## SCHOOLS

The nearest school to the Project Site is the Tournament Hills Elementary School at 36611 Champions Drive in Beaumont, approximately 1.5 miles to the north.

### 3.8.2 REGULATORY SETTING

Hazardous materials and wastes are identified and defined by federal and state regulations for the purpose of protecting public health and the environment. Hazardous materials contain certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous wastes are defined in the Code of Federal Regulations Title 40, Volume 25, Parts 260–265 and in the California Code of Regulations (CCR), Title 22 Div. 4.5, Chapter 11, Article 1, Section 66261. Over the years, the laws and regulations have evolved to deal with different aspects of the handling, treatment, storage, and disposal of hazardous substances.

## **FEDERAL**

### **Federal Toxic Substances Control Act of 1976**

The Federal Toxic Substances Control Act of 1976 tasked the U.S. Environmental Protection Agency (U.S. EPA) with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. The Federal Toxic Substances Control Act addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and lead-based paint.

### **Resource Conservation and Recovery Act of 1976**

The objectives of the Resource Conservation and Recovery Act are to protect human health and the environment from the potential hazards of waste disposal, to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner. The Resource Conservation and Recovery Act of 1976, which amended the Solid Waste Disposal Act in 1984, addresses solid and hazardous waste management activities. The Resource Conservation and Recovery Act affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act. The Hazardous and Solid Waste Amendments of 1984 also added Subtitle I, which governs underground storage tanks.

### **Comprehensive Environmental Response, Compensation, and Liability Act of 1980**

CERCLA, commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List, which is a list of contaminated sites warranting further investigation by the U.S. EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

## **STATE**

Primary state agencies with jurisdiction over public health hazards and hazardous chemical materials management are the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Boards (RWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations (California OSHA [CalOSHA] implementation), Office of Emergency Services (Office of Emergency Services—California Accidental Release Prevention Implementation), California Department of Fish and Wildlife, California Air Resources Board (CARB), California Department of Transportation (Caltrans), State Office of Environmental Health Hazard Assessment (Proposition 65 implementation), and the California Integrated Waste Management Board.

The enforcement agencies for hazardous materials transportation regulations are the California Highway Patrol and Caltrans. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations. South Coast Air Quality Management District (SCAQMD) Rules and Regulations pertain to asbestos abatement (including Rule 1403), Construction Safety Orders 1529 (pertaining to asbestos), and 1532.1 (pertaining to lead) from Title 8 of the CCR. Hazardous chemical and biohazardous materials management laws in California include the following statutes:

- Hazardous Materials Management Act – requires that businesses handling or storing certain amounts of hazardous materials prepare a hazardous materials business plan, which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program.
- Hazardous Waste Control Act (California Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) – authorizes the DTSC and local certified unified program agencies to regulate facilities that generate or treat hazardous waste.
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) – requires the governor to publish and update, at least annually, a list of chemicals known to the state to cause cancer, birth defects, or other reproductive harm, and to inform citizens about exposures to such chemicals.
- Hazardous Waste Management Planning and Facility Siting, also known as the Tanner Act (Assembly Bill [AB] 2948, 1986) – requires counties to prepare, for California DTSC approval, hazardous waste management plans, and prescribes specific public participation activities, which must be carried out during the local land use permit process for siting new or expanding off-site commercial treatment, storage, and disposal facilities.
- Hazardous Materials Storage and Emergency Response (AB 2185) – requires the immediate reporting to local fire departments and Offices of Emergency Services of any release or threatened release of a hazardous material, regardless of the amount handled by the business.
- California Medical Waste Management Act (California Health and Safety Code (HSC), §§ 117600–118360) – establishes procedures for the proper handling, storage, treatment, and transportation of medical waste.
- Land Disposal Restrictions (CCR, Chapter 18, Title 22) – set up by Congress in 1984 for the U.S. EPA, ensures that toxic constituents present in hazardous waste are properly treated before hazardous waste is land disposed.

State regulations and agencies pertaining to hazardous materials management and worker safety are described in the following subsections.

## **California Environmental Protection Agency**

The boards, departments, and offices that make up the California Environmental Protection Agency (CalEPA) include CARB, the Department of Pesticide Regulation, the Department of Resources Recycling and Recovery, the DTSC, the Office of Environmental Health Hazard Assessment, and the SWRCB. These

boards, departments and offices were placed within the CalEPA “umbrella” to create a cabinet-level voice for the protection of human health and the environment (such as clean air, clean water, clean soil, safe pesticides, and waste recycling and reduction) to assure the coordinated deployment of state resources.

## **Department of Toxic Substances Control**

The mission of the DTSC is to protect California’s people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its Enforcement and Emergency Response Division (EERD) to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as Certified Unified Program Agencies (CUPA). The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.

## **State Water Resources Control Board**

Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The SWRCB’s Brownfield Program goals are to:

- Expedite and facilitate site cleanups and closures for brownfield sites to support reuse of those sites;
- Preserve open space and greenfields;
- Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
- Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

Site clean-up responsibilities for brownfields primarily reside within four main SWRCB programs: the Underground Storage Tank Program; Site Cleanup Program; Department of Defense Program; and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect California’s surface and groundwater and return them to beneficial uses.

## **Government Code Section 65962.5**

Pursuant to Government Code § 65962.5, environmental regulatory database lists were reviewed to identify and locate properties with known hazardous substance contamination within the proposed Project area (California Government Code, § 65960 et seq.). Four state agencies are required to provide lists of facilities that have contributed, harbor, or are responsible for environmental contamination within their jurisdiction. The four state agencies that are required to provide these lists to the Secretary for Environmental Protection include the DTSC, the State Department for Health Services, the SWRCB, and the California Integrated Waste Management Board. The Secretary for Environmental Protection then takes each of the four-respective agency lists and forms one list, referred to as the Hazardous Waste and

Substances Site List – Site Cleanup (Cortese List), which is made available to every city and/or county in California (DTSC 2007).

### **California Health and Safety Code Section 25501**

California law defines a hazardous material as any material that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a present or potential hazard to human health and safety or to the environment if released in the workplace or the environment (California HSC § 25501).

### **California Occupational Safety and Health Administration**

CalOSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA 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 §§ 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

### **California Hazardous Waste Control Law**

The California Hazardous Waste Control Law (California HSC, Division 20, Chapter 6.5) is administered by the CalEPA to regulate the management of hazardous wastes. While the Hazardous Waste Control Law is generally more stringent than the Resource Conservation and Recovery Act, until the U.S. EPA approves the California hazardous waste control program (which is charged with regulating the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

### **California Accidental Release Prevention Program**

Similar to the Federal Risk Management Program, the California Accidental Release Prevention Program includes additional state requirements as well as an additional list of regulated substances and thresholds. The regulations of the program are contained in CCR Title 19, Division 2, Chapter 4.5. The intent of California Accidental Release Prevention Program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws.

### **California Health and Safety Code**

The handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95 of the California HSC. Under §§ 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan (HMBP). HMBPs contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Chapter 6.95 of the HSC establishes minimum statewide standards for HMBPs.

In addition, in the event that a facility stores a quantity of specific acutely hazardous materials above the thresholds set forth by California code, facilities are also required to prepare a risk management plan and California Accidental Release Plan. The risk management plan and California Accidental Release Plan provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts (California HSC, Chapter 6.95).

## LOCAL

### County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan

The City Beaumont is a participating jurisdiction in the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan (HMP). The HMP identifies the county's hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences, and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards for the County and Operational Area member jurisdictions, including the City Beaumont.<sup>1</sup>

### City of Beaumont Emergency Operations Plan

The City of Beaumont has an adopted Emergency Operations Plan (EOP) and Standardized Emergency Management System (SEMS) / National Incident Management System (NIMS). This plan establishes the emergency organization, assigns tasks, specifies policies and general procedures, and provides for coordination of planning efforts of the various emergency staff and service elements. Further, it is an extension of the State Emergency Plan. The EOP addresses the planned response to extraordinary situations associated with natural disasters and/or human caused incidents. The plan is intended to facilitate multi-agency and multi-jurisdictional coordination, particularly between the City of Beaumont and Riverside County, special districts, and state agencies.<sup>2</sup>

### City of Beaumont General Plan

#### *Safety Element*

The Safety Element establishes goals and policies to maintain and improve the safety of the City's residents. This Element complies with the State requirements for a Safety Element. The Project's consistency with these goals and policies is discussed in **Table 3.10-3: Beaumont General Plan Consistency Analysis** of this EIR. The following goals and policies are applicable to hazards and hazardous materials:

#### **Goal 9.11      A City with minimized risk associated with hazardous materials.**

- Policy 9.11.1    Require all users, generators, and transporters of hazardous materials and wastes to provide and maintain an updated inventory of hazardous waste and materials, associated handling procedures, and clean up response plans.
- Policy 9.11.2    Require an assessment of hazardous materials use as part of environmental review and/or include approval of the development of a hazardous management and disposal

<sup>1</sup> City of Beaumont. 2020. Beaumont General Plan Draft PEIR SCH No. 2018031022.

<https://www.beaumontca.gov/DocumentCenter/View/36627/DEIR-090720> (accessed November 2021).

<sup>2</sup> Ibid.

plan, as a condition of a project, subject to review by the County Environmental Health Department.

Policy 9.11-5 Prohibit placement of proposed new facilities that will be involved in the production, use, storage, transport, or disposal of hazardous materials near existing sensitive land uses (such as homes, schools, child-care centers, nursing homes, senior housing, etc.), that may be adversely affected by such activities.

### **3.8.3 STANDARDS OF SIGNIFICANCE**

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hazards and hazardous materials. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?;
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

### **METHODOLOGY AND ASSUMPTIONS**

The Project is evaluated against the thresholds of significance, as the basis for determining the level of impacts related to hazards and hazardous materials. This analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Where significant impacts remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the Project's significant adverse impacts.

### 3.8.4 PROJECT IMPACTS AND MITIGATION MEASURES

***Impact 3.8-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

***Level of Significance: Less than Significant Impact***

## CONSTRUCTION

During Project construction, potentially hazardous materials would be handled on-site. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain machinery. Handling of these potentially hazardous materials would be temporary and would coincide with the short-term construction phase. Although some of these materials would be stored on-site, storage would be required to comply with the guidelines established by the manufacturer's recommendations and the requirements of State and Federal law. Consistent with Federal, State, and local requirements, transport, removal, and disposal of hazardous materials from the Project Site would be conducted by a permitted and licensed service provider. Any handling, transport, use, storage, or disposal would comply with all applicable Federal, State, and local agencies and regulations, including the U.S. EPA, the California DTSC, the CalOSHA, Caltrans, RCRA, and the Riverside County Department of Environmental Health Hazardous Materials Branch (the CUPA for Riverside County).

## OPERATIONS

Operations of the Project are not anticipated to represent a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Properly removing and disposing of on-site hazardous materials in accordance with State and Federal regulations, such as RCRA or California DTSC regulations would reduce potential impacts associated with accidental release or contact with these substances to less than significant. Additionally, any potentially hazardous material handled on the Warehouse Site would be limited in both quantity and concentrations based on manufacturers specifications, and needs for Project operations. All products would be stored, handled, transported, and used consistent with other similar industrial uses located in the City and in accordance with all safe handling regulations. Additionally, any handling, transport, use, and disposal would comply with applicable Federal, State, and local agencies and regulations. Further, as mandated by the OSHA, all hazardous materials stored on the Warehouse Site, such as cleaners, fuels, solvents, or pesticides would be accompanied by a Material Safety Data Sheet, which would inform employees and first responders as to the necessary remediation procedures in the case of accidental release. In addition, and if applicable future operations would include a HMBP in accordance with HSC §§ 25500–25543.3. The HMBPs would contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of at off-site locations. Compliance with existing regulations would be sufficient to reduce potential impacts to a less than significant. No additional, Project-specific mitigation measures would be required.

The Project also would require some outdoor landscape maintenance activities. These demands would include the storage of, and periodic application of pesticides, herbicides, and fertilizers. If equipment needed for landscaping are used and housed on-site, the Project may require the storage and of fuels and solvents on-site. Use of this type of equipment and listed materials are common to such facilities and

compliance with existing regulations regarding their use would be sufficient to reduce potential impacts to a less than significant. No additional Project-specific mitigation measures would be required in this regard.

### **Mitigation Measures**

No mitigation measures are required.

***Impact 3.8-2: Would the Project 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?***

***Level of Significance: Less than Significant Impact***

## **CONSTRUCTION**

The construction of new developments could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials used during the construction phases of the Project, or as a result of the exposure of contaminated soil during grading activities. As discussed in **Impact 3.8-1** above, the handling of hazardous materials and waste during the construction phase would occur and would generally be limited to common construction materials including fuels, greases, lubricants, solvents, etc., none of which are typically acutely hazardous. Handling of potentially hazardous materials would be done according to Federal and State guidelines. For example, fuel stored in ASTs would have a secondary impermeable barrier and reservoir to contain any leaks or spills. All such materials used and stored for use during this period would be temporary in nature, lasting only as long as needed and coinciding with the short-term construction phase. In addition, the Phase I ESA for the Project Site evaluated the potential for hazardous materials to be present on site. This evaluation was based upon readily discernible and/or documented present and historic uses of the Project property, and adjoining properties and uses of those sites. The Phase I also considered the general characteristics of the site and the expected nature of hazardous materials that may be present as a result of such uses and is discussed in additional detail immediately following.

The Project Site is not listed on an NPL or Superfund site, and is not listed on any other regulatory database report documenting known hazardous materials sites, sites with past releases or site that has handled, used or disposed of materials, or site with known hazardous materials incidents. No significant environmental concerns were noted on the historical aerial photographs. Database searches did not reveal any USTs. According to the Division of Oil and Gas and Geothermal Resources (DOGGR) website, there are no oil, gas, or geothermal wells identified on or adjacent to the subject property. Accordingly, there have been no citations or issued notices of violations by any environmental regulatory agency for improper use or disposal of hazardous materials associated with the Project Site. Thus, impacts in this regard would be less than significant.

## **OPERATIONS**

Project operations would involve the routine transport, use, and storage of materials/chemicals typical of industrial facilities such as fuels, solvents, cleaners, lubricants, etc. While these materials are not typically

considered acutely hazardous, use of these materials could create a risk to the public or the environment if substantial quantities of these materials were accidentally released to the environment. However, as discussed in **Impact 3.8-1** above, the routine transport, use, and disposal of these materials during Project operations must adhere to Federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. The Project would also be subject to compliance with the regulatory framework, including the HMBP, which would require immediate clean-up of spills and notification of appropriate public safety department, such as the City Fire Department, if the magnitude of the spill warrants an emergency response. The potential for this eventuality; however, is considered low. Conformance to these measures and standards would ensure that Project operations would not 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. Impacts in this regard would be less than significant.

#### **Mitigation Measures**

No mitigation measures are required.

***Impact 3.8-3: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

***Level of Significance: Less than Significant Impact***

## **CONSTRUCTION AND OPERATIONS**

The nearest school to the Project Site is the Tournament Hill Elementary School at 36611 Champions Drive, Beaumont, CA 92223, approximately 1.5 miles to the north, and no schools are proposed closer to the Project Site at present. Therefore, the Project would not affect any nearby schools as there are no schools located within one-quarter mile of the Project Site. As discussed above, some hazardous substances and materials would be stored, used, and generated on the Project Site during construction and operation. These substances include fuels for construction equipment and vehicles, motor oil, cleaning solvents, paints, and storage containers and applicators containing such materials. However, use of these materials would be limited to the Warehouse Site, are not considered acutely hazardous, and do not have the potential to impact any schools. The Project would be required to adhere to all applicable regulations as noted in Impact 3.8-1. A less than significant impact would occur.

#### **Mitigation Measures**

No mitigation is necessary.

***Impact 3.8-4: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

***Level of Significance: No Impact***

## CONSTRUCTION AND OPERATIONS

Consistent with ASTM International E1527-13, environmental databases and records were reviewed during preparation of the Phase I ESA to determine whether the Project Site or surrounding properties are included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 (“Cortese” list). This records search concluded that the Project Site is not included on the Cortese list. No Recognized Environmental Conditions, Controlled Recognized Environmental Conditions, or Historical Recognized Environmental Conditions are identified to exist on the Project Site. Therefore, no impacts associated with hazardous materials would occur.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 3.8-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?***

***Level of Significance: No Impact***

## CONSTRUCTION AND OPERATION

The Project Site is not within two miles of a public airport or public use airport; therefore, the Project would not result in a safety hazard for the people residing or working in the area. The nearest airstrip is the Banning Municipal Airport in Banning located approximately nine miles east of Project Site. Furthermore, the Project does not include any towers or tall structures that would result in a safety hazard. Refer to **Section 3.11: Noise**, for impacts related to excessive noise. No impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 3.8-6: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

***Level of Significance: Less than Significant Impact***

## CONSTRUCTION AND OPERATIONS

The Project shall comply with the City’s adopted Multi-Hazard Functional Plan. The developer is required to design, construct, and maintain structures, roadways, and facilities to comply with the applicable Federal, State, and local requirements related to emergency access and evacuation plans. The proposed plan would be reviewed and approved by the fire marshal during the plan review.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 3.8-7: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

***Level of Significance: Less than Significant Impact***

The Project Site is located in an area with coastal sage scrub and other native habitat. The majority of surrounding areas have been previously disturbed with residential or industrial developments or other areas that are highly disturbed from off-road activity. The area to the north of the Project Site has been previously cleared and graded with improvements associated with the construction of the Potrero Boulevard overcrossing of State Route 60 (SR-60). Other large developments in the surrounding area that have removed native vegetation include the Heartland development on the north side of SR-60 and the Hidden Canyon Industrial park to the southwest. Although these areas and the Project Site are surrounded by developed areas and undeveloped areas, they are designated as a moderate, high, and very high FHSZs.<sup>3</sup>

While the Project Site is located in an area with vegetation that can be prone to fire, due to the presence of surrounding development, non-contiguous nature of the existing undeveloped areas, presence of area roadways, lack of steep slopes, and concrete construction of the proposed warehouse it is not likely to be affected by a wildfire during construction or operations. In addition, the undeveloped area to the south of the warehouse structure would be separated from the warehouse structure by proposed 4<sup>th</sup> Street, parking, the drive aisle, and landscaping. This buffer would be approximately 185 feet in width at its narrowest point. Lastly, the warehouse structure would be predominantly concrete which is not typically susceptible to fire. It is anticipated that these design elements would reduce exposure of the Warehouse Site and structure to wildfire. Therefore, although the surrounding areas could experience a fire, because of the above-listed factors, impacts would be less than significant.

**Mitigation Measures**

No mitigation is necessary.

### **3.8.5 SIGNIFICANT AND UNAVOIDABLE IMPACTS**

No significant unavoidable hazardous material impacts have been identified.

### **3.8.6 CUMULATIVE IMPACTS**

For purposes of hazardous materials impact analysis, cumulative impacts are considered for cumulative development in the general Project vicinity, a one-mile radius. Refer also to ***Section 3.0: Environmental Impact Analysis***, for discussion concerning the basis for the cumulative impact analysis and a list of related cumulative projects located in the Project vicinity.

Impacts associated with hazardous materials are often site-specific and localized. The EIR evaluates environmental hazards in connection with the Project Site and surrounding area. Regarding the off-site environmental hazards, the database search documents the findings of various governmental database searches regarding properties with known or suspected releases of hazardous materials within a search

<sup>3</sup> CAL FIRE. ND. FRAP FHSZ Viewer. <https://egis.fire.ca.gov/FHSZ/> (accessed November 2021).

radius of up to one mile from the Project Site and serves as the basis for defining the cumulative impacts study area.

The Project Site is currently vacant. Database record searches reveal that the site does not contain any USTs or hazardous cleanup sites. Historical aerial photo review shows the Project Site has been mostly undeveloped, with only a few small structures or trailers on the site.

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. The potential for cumulative impacts to occur is limited since the impacts from hazardous materials use on site are site-specific. Although some of the cumulative projects and other future projects associated with buildup of the surrounding communities (**Table 3-1**) also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are typically site specific. It is expected that future development within the area must comply with all Federal, State, and local statutes and regulations applicable to hazardous materials.

Each project is required to address any issues related to hazardous materials or wastes on a project-specific basis. With adherence to applicable Federal, State, and local regulations governing hazardous materials, the potential risks associated with hazardous materials would be less than significant. The incremental effects of the Project related to hazards and hazardous materials, if any, are anticipated to be minimal, and any effects would be site-specific. The potential impacts of the Project would be addressed by Project design and compliance with existing laws and regulations. Therefore, the Project's contribution to cumulative impacts would not be "cumulatively considerable."

### 3.8.7 REFERENCES

CAL FIRE. ND. *FRAP FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/>.

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<https://www.beaumontca.gov/DocumentCenter/View/36627/DEIR-090720>.

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