3.7

HAZARDS AND HAZARDOUS MATERIALS

3.7 Hazards and Hazardous Materials

This section of the Draft EIR addresses the potential for the Merced General Plan to create hazards to the public or residents of the area through the transport, use, or disposal of hazardous materials, the exposure of persons to existing onsite hazardous materials or soil contamination, or the exposure to potential wildland fires. During the Notice of Preparation period, the Office of Emergency Services stated that the City should examine the sections of state planning law that involve potential hazards the City may face.

3.7.1 SETTING

Environmental Setting

Lists of contaminated sites within the City of Merced are available through the Regional Water Quality Control Board and the Department of Toxic Substance Control. According to information provided by these agencies, several sites located within the City are associated with leaking underground fuel tanks (LUFT) or are classified as Spills, Leaks, Investigation, and Cleanups sites (SLIC). Appendix H lists the site name, location, site type and status of the listings identified. In addition, agricultural practices and businesses such as dry cleaners, gas stations and auto-repair shops could also be areas of contamination. Railroad rights-of-way typically have surface contamination due to the lubricating oil used on the wheels and the use of herbicides to help minimize weeds within these areas.

A substance may be considered hazardous due to a number of criteria, including toxicity, ignitability, corrosivity, or reactivity. The term "hazardous material" is defined in law as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

Once a hazardous material becomes ready for discard, it becomes a hazardous waste. A hazardous waste, for the purpose of this EIR, is any hazardous material that is abandoned, discarded, or (planned to be) recycled. In addition, hazardous wastes may occasionally be generated by actions that change the composition of previously non-hazardous materials. The same criteria (toxicity, ignitability, corrosivity, or reactivity) that render a material hazardous makes waste hazardous.

WILDLAND AND URBAN FIRE HAZARDS

Both urban and wildland fire hazard potential exists in the City of Merced and surrounding areas, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, or industrial structures due to human activities. Wildland fires affect grassland, brush or woodlands, and any structures on or near these fires. Such fires can result from either human made or natural causes.

The type and amount of fuel, topography, climate, and the availability of water for fire fighting are the primary factors influencing the degree of fire risk. Urban fires comprise the majority of fires in the City of Merced while the potential for wildland fires could increase as large blocks of

undeveloped land are annexed into the City. Most of the fires are caused by human activities involving motor vehicles, equipment, arson, and burning of debris.

As the City of Merced continues to grow and more rural lands are annexed to the City, there is the potential to exacerbate the potential for wildland fires. Proper land use planning, education, mitigation measures and investment in fire protection resources are key steps to reducing the potentially devastating effects of wildland fires and thus safeguarding the people and property of the City of Merced.

AIRPORT SAFETY

The City of Merced is impacted by the presence of two airports-Merced Regional Airport, which is on the southwest corner of the City, and Castle Airport, located approximately three miles west of the Highway 59 and Bellevue Road intersection (Figure 3.7-1). This is the former Castle Air Force Base.

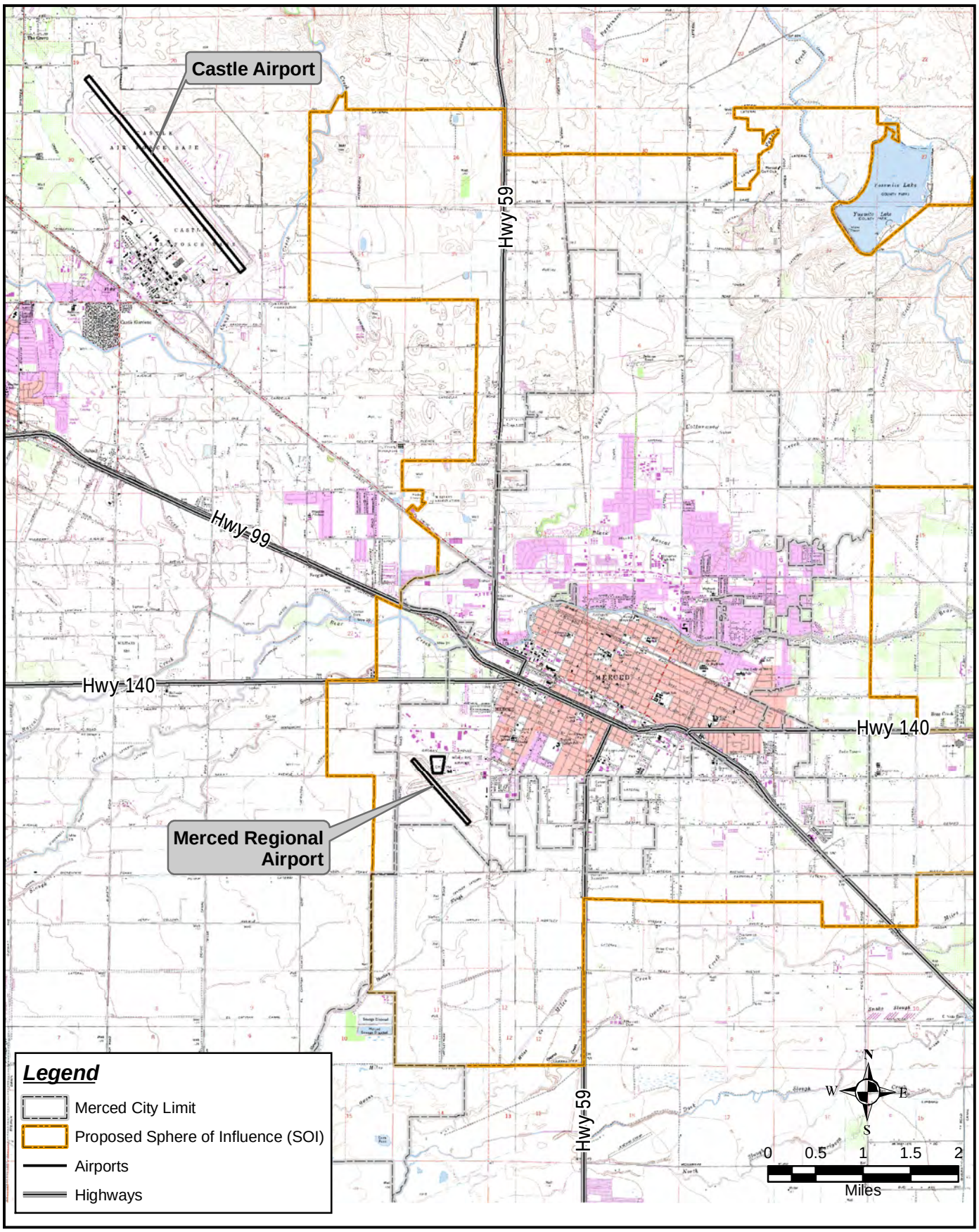
The continued operation of the Merced Regional Airport involves various hazards to both flight (physical obstructions in the airspace or land use characteristics which affect flight safety) and safety on the ground (damage due to an aircraft accident). Growth is restricted around the Regional Airport in the southwest corner of the City due to the noise and safety hazards associated with the flight path.

Castle Airport also impacts the City. Portions of the northwest part of the SUDP/SOI and the incorporated City are within Castle's safety zones (see Figure 3.7-2). The primary impact is due to noise (Zones C and D), though small areas have density restrictions (Zone B2). The military discontinued operations at Castle in 1995. One important criterion for determining the various zones is the noise factor. Military aircraft are designed solely for performance, whereas civilian aircraft have extensive design features to control noise. Now that the Castle Airport is used for civilian purposes, the approach zones for the airport are being re-evaluated, which may create opportunities for additional residential development.

Potential hazards to flight include physical obstructions and other land use characteristics that can affect flight safety, which include: visual hazards such as distracting lights, glare, and sources of smoke; electronic interference with aircraft instruments or radio communications; and uses which may attract flocks of birds. In order to safeguard an airport's long-term usability, preventing encroachment of objects into the surrounding airspace is imperative.

RAILROAD

Hazardous materials are regularly shipped on the BNSF and SP/UP Railroad lines that pass through the City. While unlikely, an incident involving the derailment of a train could result in the spillage of cargo from the train in transporting. The spillage of hazardous materials could have devastating results. The City has little to no control over the types of materials shipped via the rail lines. There is also a safety concern for pedestrians along the tracks and vehicles utilizing at-grade crossings. The design and operation of at-grade crossings allows the City some control over rail related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments.

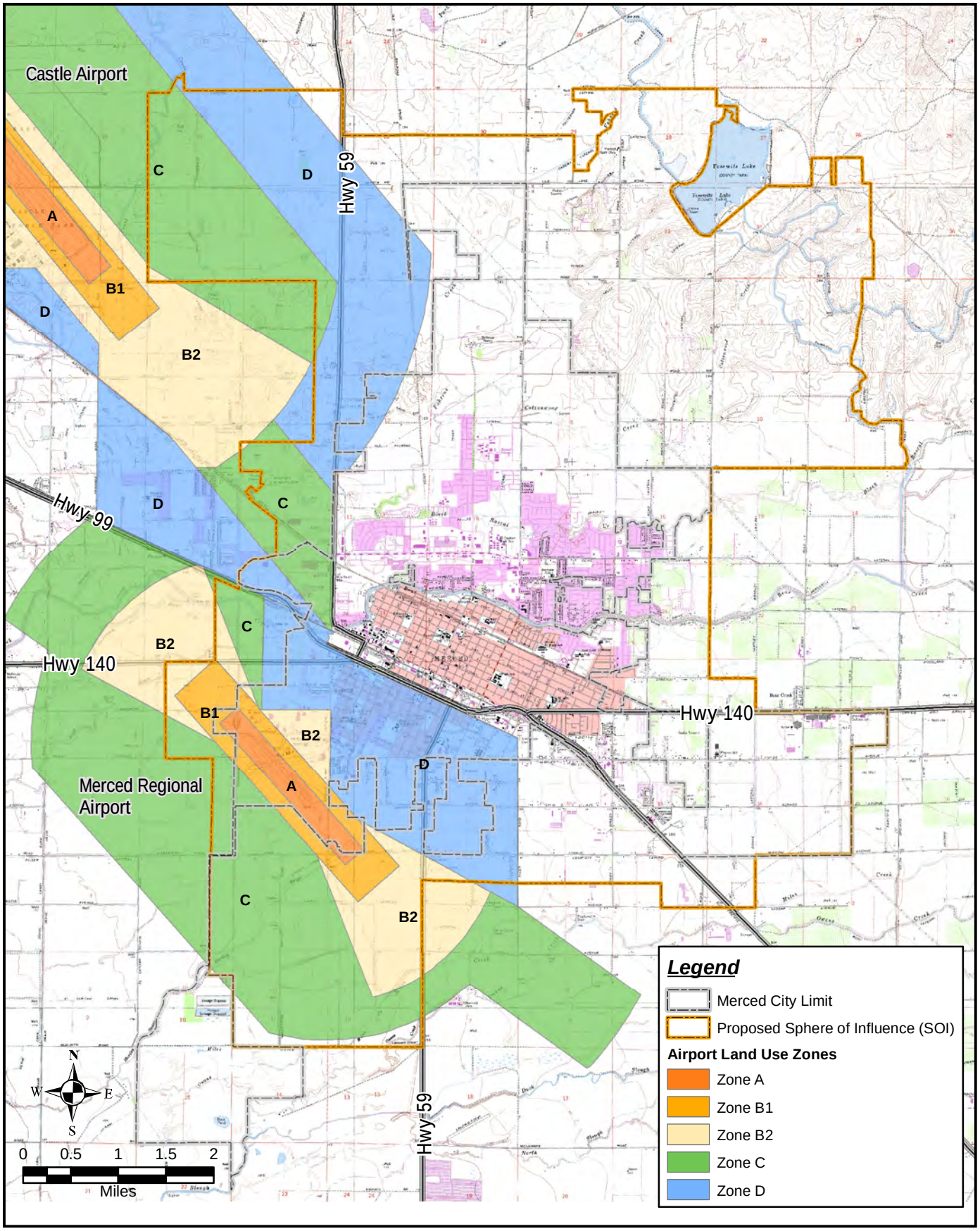


Quad Knopf

MERCED VISION 2030 GENERAL PLAN EIR
AIRPORT LOCATIONS

Figure 3.7-1

Job No.: 060429



Quad Knopf

MERCED VISION 2030 GENERAL PLAN EIR
AIRPORT COMPATIBILITY ZONES

Figure 3.7-2

Job No.: 060429

EMERGENCY PREPAREDNESS

Public Protection & Disaster Planning

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day emergencies and planning for a general disaster response capability.

The City's Emergency Plan and the County Hazardous Waste Management Plan both deal with detailed emergency response procedures under various conditions for hazardous materials spills. The City also works with the State Department of Health Services to establish cleanup plans and to monitor the cleanup of known hazardous waste sites within the City.

Regulatory Setting

The use of hazardous materials and disposal of hazardous waste are subject to numerous laws and regulations at all levels of government. Below is a brief overview of federal, state and local laws and regulations.

FEDERAL

Resource Conservation and Recovery Act (RCRA)

Under the Resource Conservation and Recovery Act (RCRA) of 1976 (42 U.S.C s/s 6901 et seq.), individual states may implement their own hazardous waste programs in lieu of RCRA as long as the state program is at least as stringent as federal RCRA requirements. The EPA must approve state programs intended to implement federal regulations. In California, the California Environmental Protection Agency (Cal EPA) and the Department of Toxic Substances Control (DTSC), a department within Cal EPA, regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. The EPA approved California's RCRA program, called the Hazardous Waste Control Law (HWCL), in 1992. DTSC has primary hazardous material regulatory responsibility, but can delegate enforcement responsibilities to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the HWCL.

The hazardous waste regulations establish criteria for identifying, packaging, and labeling hazardous wastes; prescribe the management of hazardous wastes; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in ordinary landfills. Hazardous waste generators must retain hazardous waste manifests for a minimum of three years. These manifests provide a description of the waste, its intended destination, and regulatory information about the waste. A copy of each manifest must be filed with the state. The generator must match copies of hazardous waste manifests with receipts from treatment, storage, and disposal facilities.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

The Comprehensive Environmental Response, Compensation, and Liability Act and associated Superfund Amendments provide the US Environmental Protection Agency with the authority to identify hazardous sites, to require site remediation, and to recover the costs of site remediation from polluters. California has enacted similar laws intended to supplement the federal program. The DTSC is primarily responsible for implementing California's Superfund Law.

US Department of Transportation

The United States Department of Transportation (DOT) regulates transportation of hazardous materials by truck and rail. This department also establishes criteria for safe handling procedures of hazardous materials.

STATE

California Code of Regulations, Title 22, §66261.20-24

Soils having concentrations of contaminants higher than certain acceptable levels must be handled and disposed of as hazardous waste when excavated. The California Code of Regulations, Title 22, §66261.20-24 contains technical descriptions of characteristics that would cause a soil to be classified as a hazardous waste.

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act)

The Business Plan Act requires that any business that handles hazardous materials prepare a business plan, which must include the following:

- Details, including floor plans, of the facility and business conducted at the site.
- An inventory of hazardous materials that are handled or stored on site.
- An emergency response plan.
- A safety and emergency response training program for new employees with annual refresher courses.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program)

In January 1996, the Cal EPA adopted regulations implementing the Unified Program. The program has six elements: hazardous waste generators and hazardous waste on-site treatment; underground storage tanks; aboveground storage tanks; hazardous materials release response plans and inventories; risk management and prevention programs; and Fire Code hazardous materials management plans and inventories. The plan is implemented at the local level. The local agency that is responsible for the implementation of the Unified Program is called the Certified Unified Program Agency (CUPA), and the Merced County Environmental Health Division is designated the CUPA.

California Vehicle Code § 32000

Common carriers are licensed by the California Highway Patrol (CHP), pursuant to California Vehicle Code § 32000. This section requires the licensing of every motor (common) carrier who transports, for a fee, in excess of 500 pounds of hazardous materials at one time, and every carrier, if not for hire, who carries more than 1,000 pounds of hazardous material of the type requiring placards.

California Emergency Services Act

Pursuant to the California Emergency Services Act, the state has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local governmental agencies and private persons. Response to hazardous materials incidents is one part of this plan. The plan is administered by the state Office of Emergency Services (OES). The OES coordinates the responses of other agencies, including the Cal EPA, CHP, the CDFG, the RWQCBs, the local air pollution control districts, and local agencies.

California Accidental Release Prevention Program (CalARP)

CalARP regulations became effective January 1, 1997, replacing the California Risk Management and Prevention Program. CalARP was created to prevent the accidental release of regulated substances. It covers businesses that store or handle certain volumes of regulated substances at their facilities. A list of regulated substances is found in § 2770.5 of the CalARP regulations. If a business has more than the listed threshold quantity of a substance, an accidental release prevention program must be implemented and a risk management plan may be required. The OES is responsible for implementing the provisions of CalARP.

LOCAL

Merced County Airport Land Use Compatibility Plan

In April 1999, the Merced County Airport Land Use Commission adopted the *Merced County Airport Land Use Compatibility Plan* (Merced County, 1999), which addresses what is now called the Merced Regional Airport. The Plan promotes compatibility between the airports in the County and the land uses that surround them through the establishment of compatibility zones surrounding the airports. The five zones are described as follows.

- Zone A: This zone is the Runway Protection Zone where all structures are prohibited.

- Zone B1: This zone is the Approach/Departure Zone, which runs adjacent to the runway. In this zone, educational facilities, hospitals, and aboveground storage of hazardous materials are prohibited. There is also a 0.2 unit/acre maximum density requirement for this zone.

- Zone B2: This zone is the Extended Approach/Departure Zone. In this zone, educational facilities, hospitals, and aboveground storage of hazardous materials are prohibited. There is a 1.0 unit/acre maximum density requirement for this zone.

- Zone C: This zone is the Common Traffic Pattern zone. In this zone, educational facilities, hospitals, and libraries are prohibited. There is an 8 units/acre maximum density requirement for this zone.

- Zone D: This zone is for Other Airport Environs and is the outermost zone of the airport. There are no development restrictions for this zone, with the exception of objects over 150 feet tall.

Figure 3.7-2 shows these zones in relation to the City. Castle Airport impacts the northwest part of the proposed SUDP/SOI through the establishment of Compatibility Zones "C" and "D." The far northwest corner of the plan area is designated for a Community Plan, which will ultimately contain a mix of residential and commercial uses. Zone "C" will establish a density restriction, and a number of public uses will be prohibited. The area within Zone "D" lies along Highway 59, and is designated for a mix of residential, commercial, industrial and public uses. Occasional noise events are the primary effects within this zone.

Merced County Hazardous Waste Management Plan

Merced County prepared an HWMP in 1989 in accordance with California Health and Safety Code Section 25135, et seq. The plan addresses waste reduction and on-site treatment, the siting of off-site hazardous waste facilities, transportation of hazardous wastes, cleanup of contaminated sites, and emergency response procedures. The Merced County Division of Environmental Health enforces the plan and maintains a list of known hazardous waste sites within the County that is updated continuously. The Merced City Fire Department also works with the County Division of Environmental Health to prevent the accidental release of hazardous substances by conducting inspections of hazardous materials facilities and enforcing use and storage requirements.

City of Merced Emergency Plan

The City has adopted an Emergency Plan, which is reviewed and updated annually. This plan identifies emergency evacuation routes and procedures for the City in the event that an incident occurs. The City coordinates with the Merced County Office of Emergency Services in planning for a number of potential emergency situations, such as floods, hazardous material spills, and major fires. The City also recently agreed to establish a Community Emergency Response Team (CERT) in coordination with the County OES. CERTs assist emergency responders with first aid, traffic control and clean-up.

General Plan Consistency

The *Merced Vision 2030 General Plan* contains a number of policies that apply to Hazards and Hazardous Materials impacts in conjunction with ultimate build-out of the City in accordance with the General Plan. The specific policies listed below contained in the Urban Expansion, Transportation and Circulation, Parks, Open Space, and Conservation and the Safety Elements of the General Plan are designed to ensure that hazards and hazardous materials impacts are minimized as development occurs in accordance with the *Merced Vision 2030 General Plan.*

Urban Expansion Policies:

UE-1.1 Designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area.

Transportation and Circulation Policies:

T-1.4 Promote traffic safety for all modes of transportation.

T-2.3 Support a safe and effective public transit system.

T-3.1 Preserve the Merced Regional Airport and its protective zones from incompatible encroachment and incompatible development within the Airport Industrial Park.

Open Space, Conservation, and Recreation Policies:

OS-4.1 Preserve open space areas which are necessary to maintaining public health and safety.

Safety Policies:

S-1.1 Develop and maintain emergency preparedness procedures for the City.

S-4.1 Promote the concept of fire protection master planning with fire safety goals, missions, and supporting objectives for the community.

S-4.2 Maintain a reasonable level of accessibility and infrastructure support for fire suppression, disaster, and other emergency services.

S-5.1 Continue to protect approach areas and control zones for both existing and future runway systems through land use regulations and property acquisition where necessary.

S-5.2 Prevent the encroachment of potential hazards to flight within the Airport's airspace.

S-7.1 Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials.

S-7.2 Ensure that hazardous materials are cleaned up before a property is developed or redeveloped.

3.7.2 THRESHOLDS OF SIGNIFICANCE

A project is normally considered to have a potentially significant impact on the environment if it will:

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

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

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

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

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

- 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

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

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

3.7.3 IMPACTS AND MITIGATION MEASURES

Impact #3.7-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

Discussion/Conclusion: The potential increase in development as a result of implementation of the 2030 General Plan could result in more hazardous materials being used, stored, transported through and discarded within the City of Merced, which would increase the potential risk associated with hazardous materials and waste. As a result, the 2030 General Plan includes policies and implementing actions that are intended to limit the impact hazardous materials could have on the population and environment.

Industrial and Commercial Uses

Potential increases in industrial and commercial use of hazardous materials would primarily be regulated by federal, State and County agencies, as discussed above, which would ensure that hazardous material use and transportation would be safely controlled. Implementing Action 1.4.c of Policy T-1.4 (Promote Traffic Safety) states that the City will promote increased traffic safety with special attention to hazards which could cause personal injury. Policies S-7.1 and S-7.2 of the Draft Safety Element call for the City to prevent injuries and environmental

contamination due to the uncontrolled release of hazardous materials and ensure that hazardous materials are cleaned up before a property is developed or redeveloped. Implementing Actions include supporting Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan (7.1.a); continuing to update and enforce local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids (7.1.b); and continuing to make sure underground storage tanks containing hazardous materials are properly installed, used, and removed (7.1.c).

Combined with federal, State and County requirements and standards, as well as the policies contained in the 2030 General Plan, adoption and implementation of the Plan would have a ***less than significant*** impact related to industrial and commercial use of hazardous materials.

Household Use

Residential growth that may occur over the lifetime of the 2030 General Plan could result in increased use of household hazardous materials. While this use is generally limited and is not typically considered a major hazard, facilitating the proper disposal of household hazardous waste creates opportunity for residents to properly dispose of such materials rather than "pouring them down the drain." The Merced County Division of Environmental Health has a facility near the Highway 59 landfill site for disposal of hazardous household chemicals and other items, such as batteries and electronics. In addition, the division conducts a number of hazardous waste collection events each year throughout Merced County.

The availability of proper disposal facilities and the commitment of the City to community education and emergency preparedness, reduce the potential impact from improper household hazardous materials disposal to ***less than significant.***

Mitigation Measures

No mitigation measures are required.

Impact #3.7-2: 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

Discussion/Conclusion: Due to the increase in population and non-residential land uses that would result from the implementation of the 2030 General Plan, there would be the potential for an increase in the risk of hazardous materials accidents such as spills. Although accidents involving hazardous materials cannot be completely avoided, the threat of accidents is maintained at a less than significant level by existing federal, State, County and local regulations that direct the production, use, emissions and transportation of hazardous materials. For example, the transport of hazardous materials by rail and truck is regulated by the Department of Transportation (DOT) and the California Environmental Protection Agency is responsible for implementing federal hazardous materials laws and regulations. The City's Emergency Plan also plans for response to a potential hazardous materials incident, in the event one was to occur.

Policies S-7.1 and S-7.2 of the Draft Safety Element call for the City to prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials and ensure that hazardous materials are cleaned up before a property is developed or redeveloped. Implementing Actions include supporting Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan (7.1.a); continuing to update and enforce local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids (7.1.b); and continuing to make sure underground storage tanks containing hazardous materials are properly installed, used, and removed (7.1.c).

By following federally- and State-mandated guidelines and the City's Emergency Plan for the handling of hazardous materials and by diverting hazardous materials away from populated areas, the risk associated with the potential for accidental release of hazardous materials into the environment and community would be ***less than significant***.

Mitigation Measures

No mitigation measures are required.

Impact #3.7-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

Discussion/Conclusion: Schools are one of several sensitive receptors that must be taken into consideration when the City is approving new land uses or transportation routes that may accommodate the production, use, storage, or transportation of hazardous materials and/or waste. Implementation of the 2030 General Plan would result in increased population levels throughout the City and would increase the number of school-age children as well. An increase in residential development throughout the City would generate an increase in the number of students (dependent upon future household sizes and make-ups), and would increase the need to construct additional school facilities. New school sites, as required by California law, will be evaluated for their proximity and potential exposure to hazardous materials as they are proposed for development. Policy P-7.1 commits the City to work closely with the school districts on school siting. Potential school sites will be selected to minimize their exposure to a variety of hazardous conditions. School acquisition/development projects to be funded under the State School Facilities Program must also satisfy several specific requirements established under the California Education Code and California Code of Regulations. These regulations require that potential school hazards relating to soils, seismicity, hazards and hazardous materials, and flooding be addressed during the school site selection process. Compliance with these requirements will address significant impacts associated with the siting of new public schools within the City.

Policies S-7.1 and S-7.2 of the Draft Safety Element call for the City to prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials and ensure that hazardous materials are cleaned up before a property is developed or redeveloped. Implementing Actions include supporting Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan (7.1.a); continuing to update and enforce

local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids (7.1.b); and continuing to make sure underground storage tanks containing hazardous materials are properly installed, used, and removed (7.1.c). The combination of federal, State, County and local regulations and implementation of 2030 General Plan policies and implementing actions and land use patterns would ensure that the risk to schools of hazardous materials or emissions would be ***less than significant***.

Mitigation Measures

No mitigation measures are required.

Impact #3.7-4: Would the proposed project be located on a site, or proximate to a site, that 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

Discussion/Conclusion: According to a California Department of Toxic Substances Control EnviroStor database search, several hazardous materials sites (LUFT's and SLIC's) are located in the Merced area or near Merced (see Appendix H). However, future development as a result of adoption of the 2030 General Plan will be in compliance with regulations established by the State Department of Health Services and the Merced County HWMP, and policies and implementing actions found in the 2030 General Plan. This impact is ***less than significant***.

Mitigation Measures

No mitigation measures are required.

Impact #3.7-5: Would the proposed project be located within an airport land use plan, or within two miles of a public airport or private airstrip, creating a safety hazard for people residing or working in the project area

Discussion/Conclusion: The Merced Regional Airport is a publicly owned, public use facility providing commercial air service and freight air cargo service. The airport is located in southwest Merced south of SR 99. In an effort to minimize potential hazards associated with the Merced Regional Airport, the 2030 General Plan proposes low-intensity land uses, such as industrial (and Industrial Reserve), as opposed to land uses such as commercial and residential that carry higher population densities, adjacent to the Runway Protection Zone (Zone A) in accordance with the Merced County Airport Land Use Compatibility Plan and Federal Aviation Administration recommendations.

Merced's Regional Airport Master Plan calls for the acquisition of property and/or approach protection easements in Zone A areas, a maximum occupancy level for commercial/industrial uses in Zones B1, B2, and C, and the retention of existing agricultural uses and the discouragement of residential land uses through density restrictions in the entire referral area (Zones A, B1, B2, and C).

Overall, the intent of the Merced Vision 2030 General Plan is to ensure that existing and future land uses function without imposing a nuisance, hazard, or unhealthy condition upon adjacent uses. Policies included as part of the 2030 General Plan that would minimize conflicts with local airports are summarized as follows. Implementing Action 1.1.c of Policy UE-1.1 (Designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area) of the Draft Urban Expansion Element states that incompatible urban development shall not be approved in designated airport clear zones. Implementation Action 1.1e states that the City will "Explore techniques to preserve…aircraft noise and safety zones…from incompatible urban development."

Policy S-5.1 of the Draft Safety Element states that the City will continue to protect approach areas and control zones for both existing and future runway systems through land use regulations and property acquisition where necessary. Policy S-5.2 addresses the encroachment of potential hazards to flight within the Airport's airspace. Implementing actions include retaining existing agricultural land uses and discouraging residential land use designations within the airport referral area; limiting industrial/commercial uses to those with peak occupancy levels of 25 persons/acre or less within Zones B1, B2, and C of the airport referral area; and exploring alternatives for acquiring approach protection easements and overflight easements for properties within the airport referral area (5.1.a, 5.1.b and 5.1.c). Implementation Action 5.2.a states that the City will continue to follow Federal Aviation Regulation standards regarding the maximum height of structures and other objects within the Merced Regional Airport referral area.

Castle Airport is also a focal point for the establishment of specific approach zones. Several of these zones encroach into the proposed SUDP/SOI, as well as existing City limits. Land use restrictions established in the Merced County Airport Land Use Compatibility Plan shall be recognized and enforced. A large area west of Highway 59 is proposed to be removed from the SUDP/SOI as depicted in the Draft February 2008 Land Use Map to avoid potential conflict, but will remain in the Area of Interest (AOI). Draft plans for the two Community Plan areas affected by the Merced and Castle Airports are consistent with the Land Use Compatibility Plan.

Airport safety is also addressed in other elements of the General Plan. Implementation Action 4.1d of Policy OS-4.1 (Preserve open space areas which are necessary to maintaining public health and safety) in the Draft Open Space Element states the City will continue to discourage residential uses in Merced Regional Airport Land Use Compatibility Zones. The Transportation Element includes Policy T-3.1 to "preserve the regional airport and its protective zones from incompatible encroachment." Adherence to the policies and implementing actions contained in the 2030 General Plan will ensure airport safety is achieved for those living and working in the planning area, as well as those flying in and out of the Merced Regional Airport. This impact is ***less than significant***.

Mitigation Measures

No mitigation measures are required.

Impact #3.7-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

Discussion/Conclusion: The 2030 General Plan could result in new development and population growth, which could affect the implementation of adopted emergency response and evacuation plans during disasters. Recognizing the need to plan for adequate emergency response to protect existing and future development, the 2030 General Plan contains several policies and implementing actions which support public education and emergency preparedness, as well as funding emergency service needs in conjunction with urban growth, and planning future emergency response travel routes. Draft Safety Element Policy S-1.1 aims to develop and maintain emergency preparedness procedures for the City through Implementation Actions 1.1a through 1.1f which call for annual review of the City's existing Emergency Plan; the preparation of route capacity studies and determine evacuation procedures and routes for different types of disasters; requiring that all new annexation areas be incorporated into the City's emergency plan at the time of annexation; establishing a process whereby the City systematically encourages review of and familiarity with the most current community disaster plan by those in local government and other local residents who hold responsible positions; and continuing to adopt and respect agreements with the County and adjacent communities for mutual and automatic aid assistance. Taken together, the proposed policies and implementing actions of the 2030 General Plan would reduce the potential emergency preparedness impact to ***less than significant***.

Mitigation Measures

No mitigation measures are required.

Impact #3.7-7: 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 residence are intermixed with wildlands

Discussion/Conclusion: The risk for wildland fire in the City of Merced and surrounding Planning Area is minimal. Fire and hazardous material safety for the residents of the City and for those working in fire suppression is the overall goal under Fire Protection in the Draft Safety Element. This goal is aided by Policy S-4.1 which calls for the City to promote the concept of fire protection master planning with fires safety goals, missions, and supporting objectives for the community. The Draft Safety Element also addresses fire protection with Policy S-4.2 which calls on the City to maintain a reasonable level of accessibility and infrastructure support for fire suppression, disaster, and other emergency services through implementing actions 4.2.a-4.2.e. These implementing actions include the continued enforcement of the "present nuisance abatement program regarding a height limit on weeds during the dry season in both vacant and developed lots" as well as public education through the provision of "fire prevention and disaster preparedness information through the schools, public interest groups, and other facilities and people." The Draft Open Space Element also addresses weed abatement with Implementing Action 4.1.c of Policy OS-4.1 (Preserve open space areas which are necessary to maintaining public health and safety) by means of "continue[d] enforcement of the City's weed abatement program to ensure undeveloped areas do not become fire hazards." The identified policies under

the 2030 General Plan are targeted to minimizing loss of life and property from wildland fires. The impact is ***less than significant***.

Mitigation Measures

No mitigation measures are required.

CUMULATIVE IMPACT ANALYSIS

As discussed above, while there would be an increase in local population and employment, the proposed General Plan would not result in a significant impact related to hazards and hazardous materials due to local, regional, State and federal regulations. Similarly, as growth occurs in the County, additional people would be exposed to the risk of hazardous materials, wastes and wildland fires. However, as would occur in Merced, regional, State and federal regulations would apply to development countywide, thereby reducing the potential for cumulative impacts associated with hazards and hazardous materials to a ***less than significant*** level.