

## 4.8 Hazards and Hazardous Materials

### 4.8.1 Introduction

This section evaluates the effects of the Housing Element Update (HEU) and Stanford Community Plan Update (SCP) to result in substantial adverse effects related to hazards and hazardous materials. Below, the Environmental Setting portion of this section includes descriptions of existing conditions relevant to hazards and hazardous materials. Further below, existing plans and policies relevant to hazards and hazardous materials associated with implementation of the HEU are provided in the Regulatory Setting section. Finally, the impact discussion evaluates potential impacts to hazards and hazardous materials that could result from implementation of the HEU in the context of existing conditions.

### Notice of Preparation Comments

A Notice of Preparation (NOP) for the Draft EIR was circulated on August 8, 2022, and a scoping meeting was held on August 23, 2022. A revised NOP reflecting changes to the HEU's list of opportunity sites was circulated on March 21, 2023. Both NOPs circulated for a period of 30 days, and the NOPs and the comments received during their respective comment periods can be found in **Appendix A** of this EIR.

The Department of Toxic Substances Control (DTSC) provided a generic (i.e., not specific to this project) form letter in response to the first NOP stating that the Cortese List may not include all active hazardous materials sites and further investigation may be needed depending on site conditions and history, that an environmental regulatory agency such as the DTSC or Regional Water Quality Control Board (RWQCB) be consulted for sites known to have hazardous materials issues, that aerially deposited lead may be present along roadways due to the addition of lead in gasoline until 1992, that structures to be demolished be tested for the presence of hazardous materials such as asbestos-containing materials (ACM) and lead-based paint (LBP), that fill imported for site construction be tested to ensure the fill is free of contamination, and that sites previously used for agriculture be tested for organochlorine pesticides.

### Information Sources

The primary sources of information referenced in this section included those listed below. Please note that a full list of references for this topic can be found at the end of this section.

- Combined State Water Resources Control Board (SWRCB) GeoTracker and DTSC Envirostar Website (SWRCB/DTSC, 2022).
- Santa Clara County General Plan (1994).
- Stanford University Community Plan (2000).

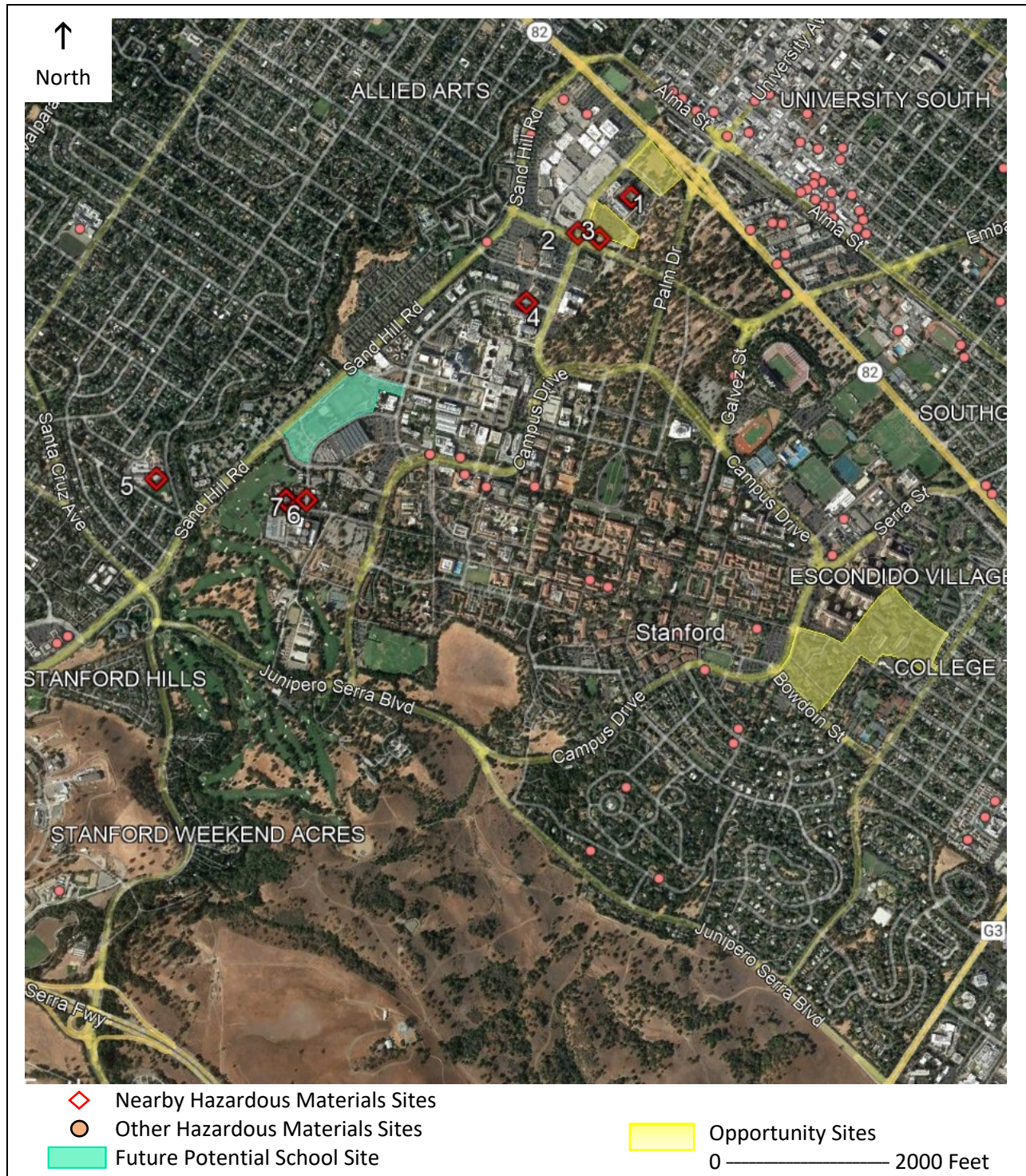
## 4.8.2 Environmental Setting

### Hazardous Materials Sites

Active and closed hazardous materials sites that have reported spills or releases are tracked on the SWRCB GeoTracker and DTSC EnviroStor websites, which can be viewed simultaneously (SWRCB/DTSC, 2022). The combined websites identify active and closed hazardous materials cleanup sites, permitted facilities, and various other regulatory records, some of which are not about spills or releases (e.g., operating permits). The combined websites were searched for hazardous materials cleanup sites that are on or close to housing opportunity sites, and may have the potential to adversely affect the development of those locations. Hazardous materials sites that are “nearby” are considered to be those that are adjacent to or upgradient of a project location. **Table 4.8-1** lists the nearby hazardous materials sites along with their current status of investigation and cleanup. The housing opportunity sites are shown on the figures listed below, along with hazardous materials cleanup sites. The figures identify nearby hazardous materials cleanup sites with a red diamond and a site number, keyed to Table 4.8-1.

- **Figure 4.8-1, Hazardous Materials Sites – Stanford Area**
- **Figure 4.8-2, Hazardous Materials Sites – North Capitol and Hostetter**
- **Figure 4.8-3, Hazardous Materials Sites – I-280 and I-880 Area**
- **Figure 4.8-4, Hazardous Materials Sites – Alum Rock Area**
- **Figure 4.8-5, Hazardous Materials Sites – Camden and Leigh Avenues**
- **Figure 4.8-6, Hazardous Materials Sites – Former Pleasant Hills Golf Course**

Most of the listed sites are closed cases where the regulatory agency overseeing investigation and cleanup has concluded that the site no longer poses a risk to people and the environment. Site closure means that the site has been cleaned up to established regulatory action levels, which also means that residual levels of chemicals at concentrations below the regulatory action levels may be present in soil and/or groundwater at and near these closed sites. Most of the closed sites are leaking underground storage tank (LUST) sites that had leaks of fuel and/or waste oil that have since been cleaned up. The remaining closed sites include Cleanup Program Sites, tiered permit sites (i.e., operating permits), and various other sites that have not had spills or releases. Only two of the listed sites are open cases being investigated and cleaned up (i.e., remediated), as summarized below. There is a closed LUST site at the former Pleasant Hills Golf Course site and this site is also described further, below.

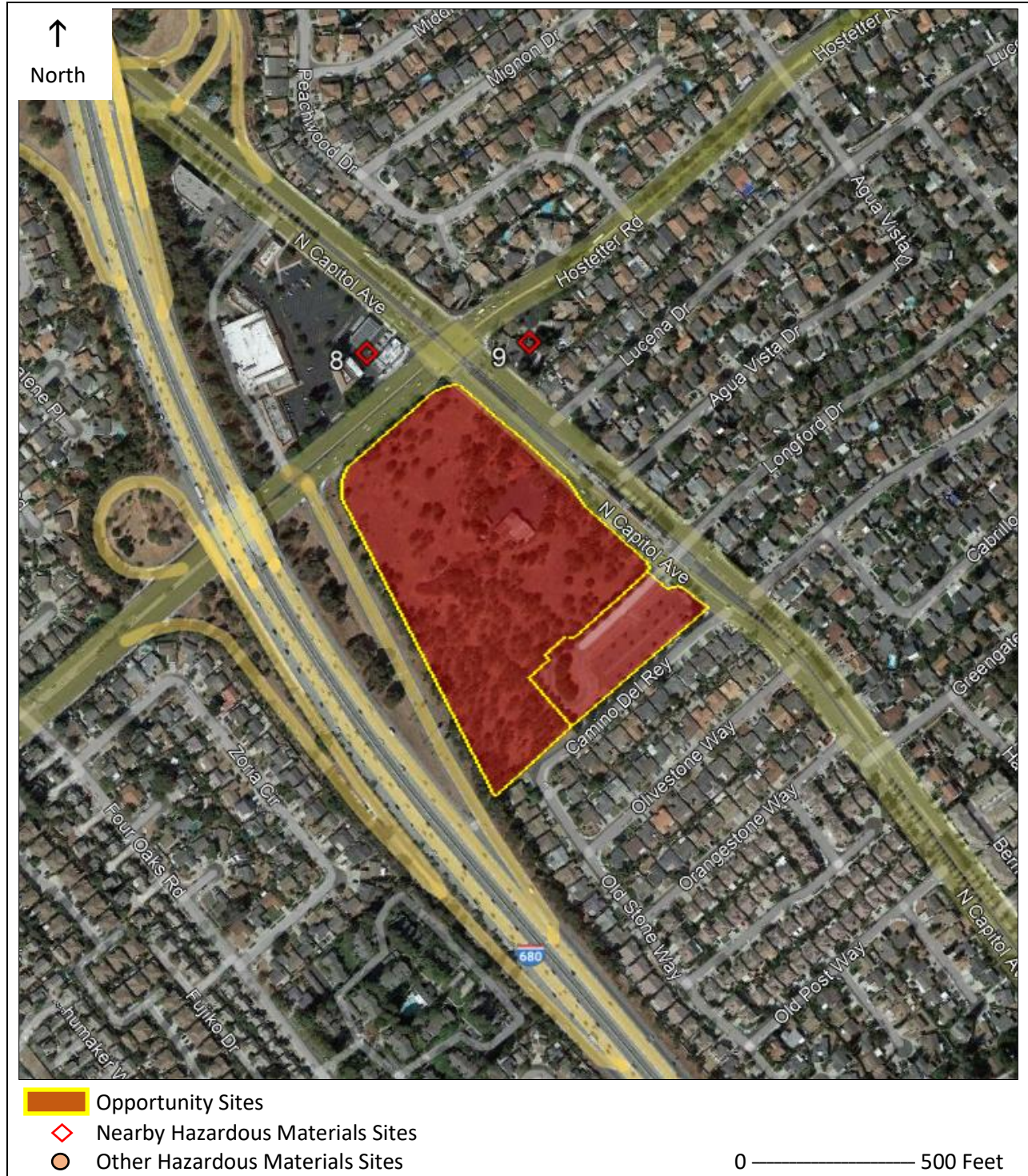


Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

SOURCE: Google, 2022

**Figure 4.8-1**  
Hazardous Materials Sites – Stanford Area



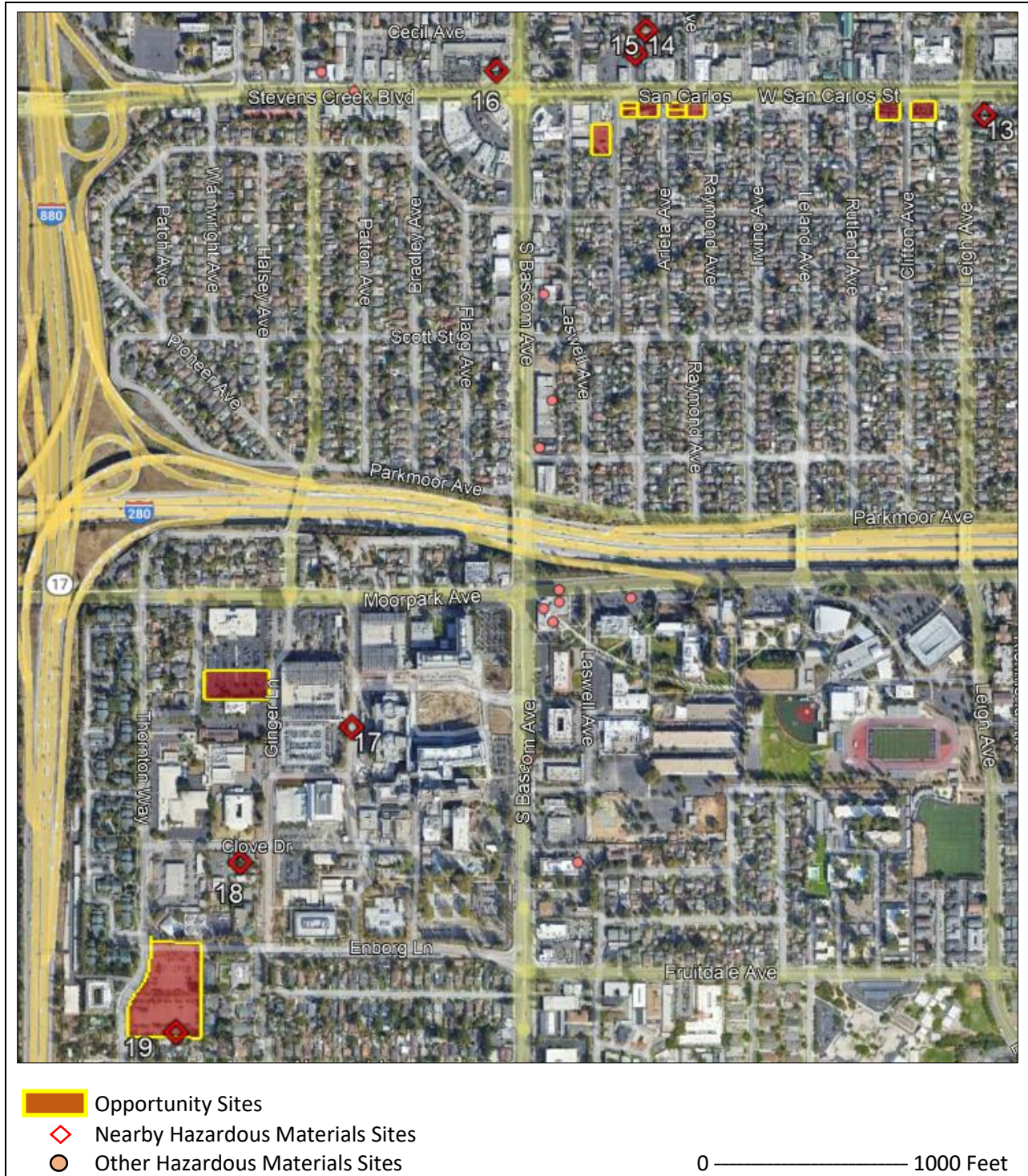


SOURCE: Google, 2022

Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

**Figure 4.8-3**  
Hazardous Materials Sites – North Capitol and Hostetter





Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

SOURCE: Google, 2022

**Figure 4.8-3**  
Hazardous Materials Sites – I-280-I-880 Area



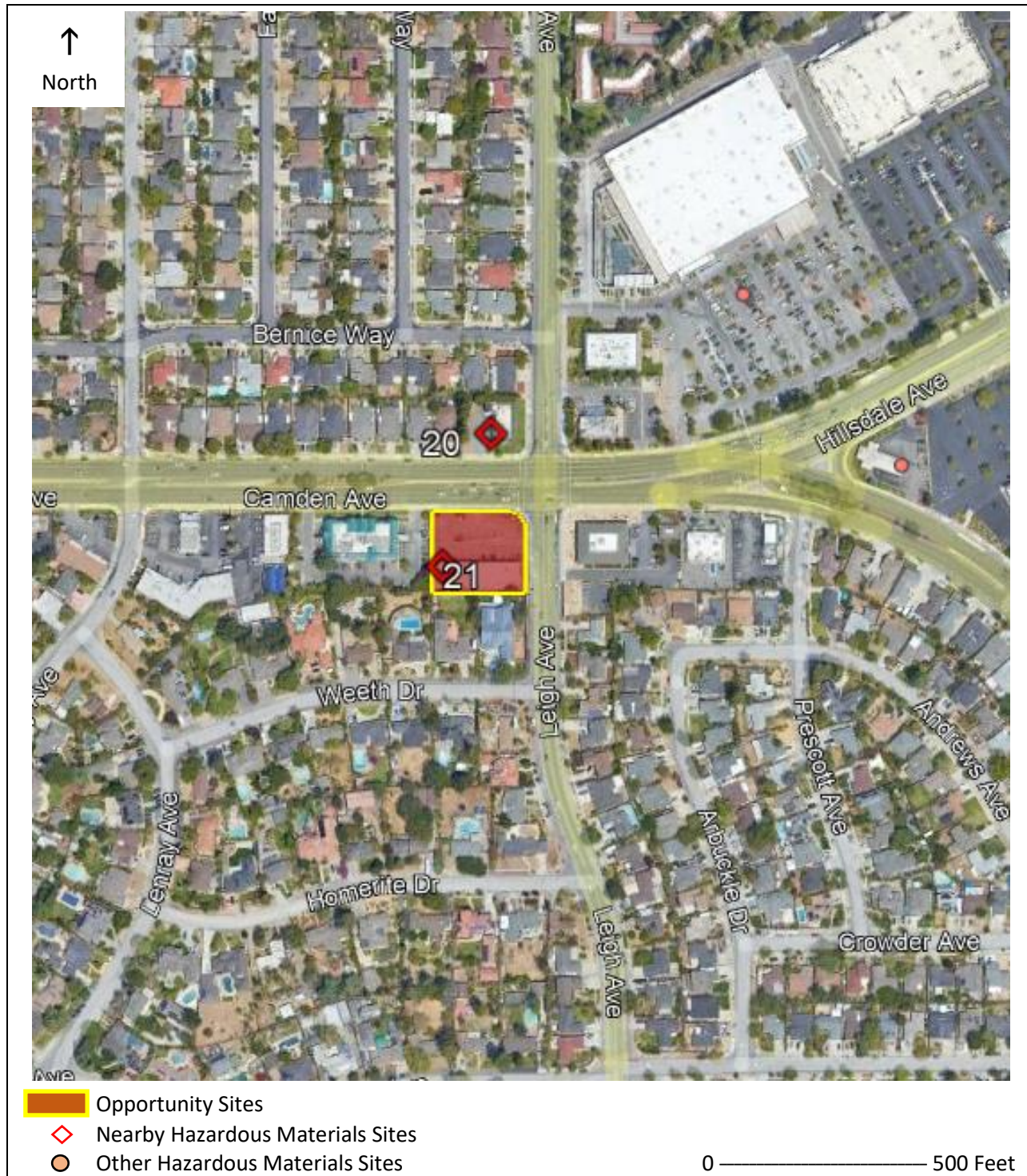


SOURCE: Google, 2022

Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

**Figure 4.8-4**  
Hazardous Materials Sites – Alum Rock





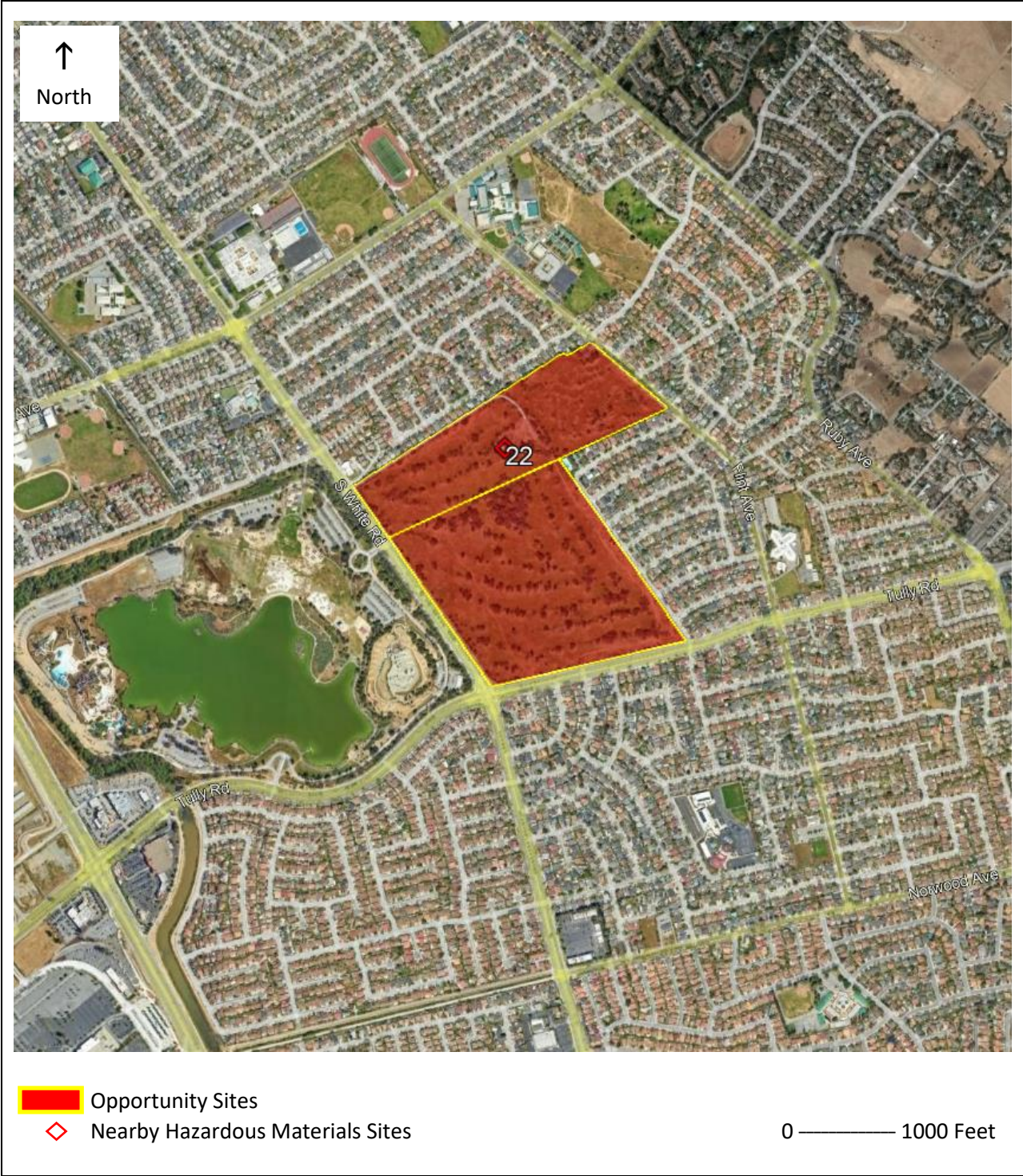
Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

SOURCE: Google, 2022

**Figure 4.8-5**

Hazardous Materials Sites – Camden and Leigh Avenues





SOURCE: Google, 2022

Santa Clara County Housing Element and Stanford Community Plan Update - 202100692

**Figure 4.8-6**  
Hazardous Materials Sites – Pleasant Hills Golf Course



**TABLE 4.8-1  
NEARBY HAZARDOUS MATERIALS SITES**

Site Number and Name	Address	Site Type	Status
1 – Stanford University Medical Center	211 Quarry Road, Palo Alto	LUST	Case Closed
2 – Chevron #9-9000	480 Quarry Road, Palo Alto	LUST	Case Closed
3 – Mobil	375 Arboretum Road, Palo Alto	LUST	Case Closed
4 – Stanford Children’s Hospital	701 Welch Avenue, Stanford	Cleanup Program Site	Case Closed
5 – Oak Knoll Elementary School	1895 Oak Knoll Lane, Menlo Park	School Investigation	No Action Required
6 – Stanford University	480 Oak Road, Palo Alto	Cleanup Program Site	Case Closed
7 – Stanford University	525 Oak Road, Palo Alto	Cleanup Program Site	Case Closed
8 – Shell Oil	1601 North Capitol Avenue, San José	LUST	Case Closed
9 – Shell Oil	1601 North Capitol Avenue, San José	LUST	Case Closed
10 – Gasco 723	3105 McKee Road, San José	LUST	Case Closed
11 – Private Residence	253 North White Road, San José	LUST	Case Closed
12- Country Club Gas	3495 McKee Road, San José	LUST	Open – Remediation
13 – Beacon #584	1744 San Carlos, San José	LUST	Case Closed
14 – Private Residence	48 Cleveland Street, San José	LUST	Case Closed
15 – Antiques Colony	30 Cleveland Street, San José	LUST	Case Closed
16 – Regal Gambucci	2211 Stevens Creek Boulevard, San José	LUST	Case Closed
17 – Santa Clara Valley Medical Center	751 South Bascom Avenue, San José	LUST	Case Closed
18 – Santa Clara County Repair Facility	2401 Clove Drive, San José	LUST	Case Closed
19 – Santa Clara County Office of Education	900 Thornton Avenue, San José	LUST	Case Closed
20 – Chevron #9-3291	1871 Camden Avenue, San José	LUST	Case Closed
21 – Swiss Cleaners	14540 Camden Avenue, San José	Imminent & Substantial Endangerment Order	Active
22 – Pleasant Hills Golf Course	2050 S. White Road, San José	LUST	Case Closed

NOTES: LUST = Leaking underground storage tank

SOURCE: SWRCB/DTSC, 2022



**Site 12, Country Club Gas** – The Country Club Gas site at 3495 McKee Road in San José is a LUST site that is in the process of being investigated and cleaned up. The most recent letter from the regulatory agency, the County of Santa Clara Department of Environmental Health, states that additional investigation and cleanup will be required (CSCDEH, 2022). The most recent groundwater monitoring report reports that the direction of groundwater flow for the monitoring events conducted between 2012 and 2021 have ranged from north to west northwest (WellTest, 2022). This direction of groundwater is away from the housing opportunity site located to the south across McKee Road, meaning this site would not be able to affect the housing opportunity site.

**Site 21, Swiss Cleaners** – The Swiss Cleaners site at 14540 Camden Avenue in San José is a former dry cleaner site that is listed as an active State Response or national priority List (NPL) site. Perchloroethene (PCE, also referred to as tetrachloroethene) was used as the dry-cleaning solvent at this facility from 1966 until 2009 (E2C, 2022). PCE was detected in soil under the concrete slab under the dry-cleaning machine in 2009. After investigation, a soil vapor extraction (SVE) system was installed to recover the solvent and its degradation byproducts and has operated cyclically from February 9, 2021, to the present. The SVE system has reduced the concentrations of dry-cleaning solvent. The consultant has recommended continuing SVE operations to further reduce dry cleaning solvent concentrations. This former dry cleaner is located in the far western portion of the existing strip mall building on the housing opportunity site. The former dry-cleaners suite is currently vacant.

**Site 22, Former Pleasant Hills Golf Course** – The former Pleasant Hills Golf Course site at 2050 South White Road in San José is a former LUST site that was closed on December 9, 1999. In November 1998 one 500-gallon gasoline UST was removed from the site. Two soil samples collected from beneath the tank contained detectable concentrations of methyl tert-butyl ether (MTBE) (SCVWD, 1999). A follow-up boring was drilled at the location of the UST to a depth of 45 feet below ground surface (bgs); the soil samples collected from this boring did not contain detectable concentrations of MTBE. A “grab” groundwater sample collected from this boring contained traces of gasoline, MTBE, and Benzene (SCVWD, 1999). A second boring was drilled to a depth of 36 feet bgs in the assumed downgradient direction (west-southwest); no chemicals were detected in the soil or groundwater from this location (SCVWD, 1999).

Although there were detectable levels of MTBE, gasoline, and Benzene at this site, the SWRCB concluded that the contamination was not a risk to the public or the environment because, at the time of the investigation, the concentrations appeared to be below the levels of regulatory concern (SCVWD, 1999). However, the regulatory requirements have been updated to be more stringent since 1999, and the residual contamination at this site may be considered an environmental concern.

Although this LUST site has been closed since 1999, it is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List).

## Schools

Schools located within 0.25 miles of a housing opportunity site are listed below in **Table 4.8-2**.



**TABLE 4.8-2  
 SCHOOLS**

School	Address
Bing Nursery School	890 Escondido Road, Stanford
Escondido Elementary School	850 Escondido Road, Stanford
Ida Jew Academy	1944 Flint Avenue, San José
August Boeger Middle School	1944 Flint Avenue, San José
Valle Vista Elementary School	2400 Flint Avenue, San José
Garden of Joy Montessori International School	2052 Flintcrest Drive, San José
Candyland Day Care	3011 Almond Drive, San José
Cedar Grove Elementary School	2702 Sugarplum Drive, San José

SOURCE: Google Street Maps 2022

## Airports

The Reid-Hillview County Airport is within 2 miles of the housing opportunity sites at the former Pleasant Hills Golf Course site and the sites near Alum Rock. The former Pleasant Hill Golf Course site is approximately 0.9 miles northeast of the Reid-Hillview County Airport; the northern end of the runway at the Reid-Hillview County Airport is 1.9 miles south of the southern edge of the housing opportunity site accessed from East Hills Drive in San José (APN 601-25-119, Alum Rock/East Foothills). Neither of the housing opportunity sites are located within the airport’s safety or noise hazard zones (Windus, 2020). The former Pleasant Hills Golf Course site is located within the airport’s height restriction area within the 283–433-foot height restriction area (Windus, 2020).

The Norman Y. Mineta San José International Airport is located just beyond 2 miles from the housing opportunity sites on West San Carlos Street in San José.

## Emergency Response and Evacuation Plans

The *Santa Clara County Emergency Operations Plan (EOP)* is an all-hazards document describing the County of Santa Clara Office of Emergency Management incident management organization, compliance with relevant legal statutes, other relevant guidelines, whole community engagement, continuity of government focus, and critical components of the incident management structure (CSCOEM 2022). While the EOP is not intended to address specific emergency responses, scenarios, hazards, or threats, the EOP has six hazard-specific and four function-specific annexes to the EOP that provide information for informed evacuation decision-making such as power shut off, flood, excessive heat, storm, wildfire, earthquake, emergency communications, access and functional needs, disaster cost recovery, and donations management. The operational area and signatories include the County and all cities including the Cities of San José and Palo Alto.



The primary goal of the EOP is to guide local decision makers and emergency personnel in handling emergencies consistent with the State requirements and in coordination with other State and local agencies and plans. The EOP emphasizes preparedness in advance of emergencies and development of appropriate and timely responses to emergencies when they occur. The EOP establishes a framework for organizing and managing emergency response; provides policies, responsibilities and procedures to protect persons, property and the environment; and sets forth concepts and procedures for field response, Emergency Operations Center activities and disaster recovery.

## Wildland Fires

The California Department of Forestry and Fire Protection (CAL FIRE) maps areas of significant fire hazard based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, then determine the requirements for special building codes designed to reduce the ignition potential of buildings. None of the housing opportunity sites are located within a designated fire hazard severity zone (CAL FIRE, 2022).

### 4.8.3 Regulatory Setting

#### Federal

The primary federal agencies with responsibility for hazardous materials management include the U.S. Environmental Protection Agency (USEPA), U.S. Department of Labor Occupational Safety and Health Administration (Fed/OSHA), and the U.S. Department of Transportation (USDOT). Federal laws, regulations, and responsible agencies are summarized in **Table 4.8-3**.

State and local agencies often have either parallel or more stringent rules than federal agencies. In most cases, state law mirrors or overlaps federal law and enforcement of these laws is the responsibility of the state or of a local agency to which enforcement powers are delegated. For these reasons, the requirements of the law and its enforcement are discussed under either the State or local agency section.

#### State

The primary State agencies with responsibility for hazardous materials management in the region include the DTSC and the RWQCB within the California Environmental Protection Agency (Cal EPA), California Occupational Safety and Health Administration (Cal/OSHA), California Department of Health Services (CDHS), California Highway Patrol (CHP), and the California Department of Transportation (Caltrans). State laws, regulations, and responsible agencies are summarized in **Table 4.8-4**.

**TABLE 4.8-3  
FEDERAL LAWS AND REGULATIONS RELATED TO HAZARDOUS MATERIALS MANAGEMENT**

<b>Classification</b>	<b>Law or Responsible Federal Agency</b>	<b>Description</b>
Hazardous Materials Management	Community Right-to-Know Act of 1986 (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA))	Imposes requirements to ensure that hazardous materials are properly handled, used, stored, and disposed of and to prevent or mitigate injury to human health or the environment in the event that such materials are accidentally released.
Hazardous Waste Handling	Resource Conservation and Recovery Act of 1976 (RCRA)	Under RCRA, the USEPA regulates the generation, transportation, treatment, storage, and disposal of hazardous waste from “cradle to grave.”
	Hazardous and Solid Waste Act	Amended RCRA in 1984, affirming and extending the “cradle to grave” system of regulating hazardous wastes. The amendments specifically prohibit the use of certain techniques for the disposal of some hazardous wastes.
Hazardous Materials Transportation	USDOT	USDOT has the regulatory responsibility for the safe transportation of hazardous materials. The USDOT regulations govern all means of transportation except packages shipped by mail (49 CFR).
	U.S. Postal Service (USPS)	USPS regulations govern the transportation of hazardous materials shipped by mail.
Occupational Safety	Occupational Safety and Health Act of 1970	Fed/OSHA sets standards for safe workplaces and work practices, including the reporting of accidents and occupational injuries (29 CFR 1910).
Airports	Federal Aviation Administration (FAA)	Restrictions on the height of buildings, antennas, trees, and other objects near Reid-Hillview County Airport are regulated by the Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77. The FAR Part 77 map is used by the FAA and the Santa Clara County Airport Land Use Commission (ALUC) to identify potential obstructions and hazards to aviation traffic. A Comprehensive Land Use Plan (CLUP) has been prepared by the Santa Clara County Airport Land Use Commission (ALUC). The CLUP seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.

**TABLE 4.8-4  
STATE LAWS AND REGULATIONS RELATED TO HAZARDOUS MATERIALS MANAGEMENT**

<b>Classification</b>	<b>Law or Responsible State Agency</b>	<b>Description</b>
Hazardous Materials Management	Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program); CUPA (Health and Safety Code Sections 25404 et seq)	In January 1996, Cal EPA adopted regulations, which implemented a Unified Program at the local level. The agency responsible for implementation of the Unified Program is called the Certified Unified Program Agency (CUPA), which for the County of Santa Clara is the Hazardous Materials Compliance Division (HMCD). HMCD has been certified by the state to be the CUPA to administer the CUPA programs throughout Santa Clara County, except in the cities of Santa Clara, Gilroy, and Sunnyvale, which are themselves CUPAs.
	California Fire Code	The California Fire Code regulates the storage and handling of hazardous materials, including the requirement for secondary containment, separation of incompatible materials, and preparation of spill response procedures.



**TABLE 4.8-4 (CONTINUED)**  
**STATE LAWS AND REGULATIONS RELATED TO HAZARDOUS MATERIALS MANAGEMENT**

<b>Classification</b>	<b>Law or Responsible State Agency</b>	<b>Description</b>
Hazardous Waste Handling	California Hazardous Materials Release Response Plan and Inventory Law of 1985; CUPA	The California Hazardous Materials Release Response Plan and Inventory Law of 1985 (Business Plan Act) requires that businesses that store hazardous materials onsite prepare a Hazardous Materials Business Plan (HMBP) and submit it to the local CUPA.
	California Hazardous Waste Control Act; DTSC	Under the California Hazardous Waste Control Act, California Health and Safety Code, Division 20, Chapter 6.5, Article 2, Section 25100, et seq., DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste in California. The hazardous waste regulations establish criteria for identifying, packaging, and labeling hazardous wastes; dictate the management of hazardous waste; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in landfills. DTSC is also the administering agency for the California Hazardous Substance Account Act. California Health and Safety Code, Division 20, Chapter 6.8, Sections 25300 et seq., also known as the State Superfund law, providing for the investigation and remediation of hazardous substances pursuant to State law.
Hazardous Materials Transportation	Titles 13, 22, and 26 of the California Code of Regulations	Regulates the transportation of hazardous waste originating in and passing through the state, including requirements for shipping, containers, and labeling.
	CHP and Caltrans	These two state agencies are primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies.
Occupational Safety	Cal/OSHA	Cal/OSHA has primary responsibility for developing and enforcing workplace safety regulations in California. Because California has a federally approved OSHA program, it is required to adopt regulations that are at least as stringent as those found in Title 29 of the Code of Federal Regulations (CFR). Cal/OSHA standards are generally more stringent than federal regulations.
	Cal/OSHA regulations (Title 8 CCR)	Concerning the use of hazardous materials in the workplace require employee safety training, safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation.
Construction Storm Water General Permit (Construction General Permit; Order 2009-0009-DWQ, NPDES No. CAS000002; as amended by Orders 2010-0014-DWQ and 2012-006-DWQ)	RWQCB	Dischargers whose project disturbs one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit; Order 2009-0009-DWQ, NPDES No. CAS000002; as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). Construction activity subject to this permit includes clearing, grading, grubbing, and other disturbances to the ground such as excavation and stockpiling, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of a facility. The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes specific Best Management Practices (BMPs) designed to prevent sediment and pollutants from contacting stormwater from moving offsite into receiving waters. The BMPs fall into

**TABLE 4.8-4 (CONTINUED)**  
**STATE LAWS AND REGULATIONS RELATED TO HAZARDOUS MATERIALS MANAGEMENT**

Classification	Law or Responsible State Agency	Description
		several categories, including erosion control, sediment control, waste management and good housekeeping, and are intended to protect surface water quality by preventing the off-site migration of eroded soil and construction-related pollutants from the construction area.
Municipal Separate Storm Sewer System (MS4) Permit NPDES No. CAS612008 and Order No. R2-2015-0049	RWQCB	The MS4 permit requires permittees (in this case, Santa Clara County Permittees, including the County and the various cities) to reduce pollutants and runoff flows from new development and redevelopment using BMPs to the maximum extent practical. The MS4 permittees entities formed the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) to collectively address waste discharge requirements (WDRs) and manage stormwater runoff from storm drains and watercourses within their jurisdictions. Member agencies implement pollution prevention, source control, monitoring, and outreach to reduce stormwater pollution in waterways and protect the water quality and beneficial uses of San Francisco Bay and Santa Clara County creeks and rivers.
Underground Infrastructure	California Code of Regulations Section 4216-4216.9	Section 4216-4216.9 "Protection of Underground Infrastructure" requires an excavator to contact a regional notification center (e.g., Underground Services Alert or Dig Alert) at least two days prior to excavation of any subsurface installations. Any utility provider seeking to begin a project that could damage underground infrastructure can call Underground Service Alert, the regional notification center for southern California. Underground Service Alert will notify the utilities that may have buried lines within 1,000 feet of the project. Representatives of the utilities are then notified and are required to mark the specific location of their facilities within the work area prior to the start of project activities in the area.

**Assembly Bill 747**

AB 747 was adopted in 2019 and requires safety elements to be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. The law authorizes a city or county that has adopted a local hazard mitigation plan, emergency operations plan, or other document that fulfills commensurate goals and objectives to use that information in the safety element to comply with this requirement by summarizing and incorporating by reference that other plan or document in the safety element.

**Senate Bill 99**

SB 99 was adopted in 2019, and requires a city or county, upon the next revision of the housing element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.



## Local

### ***Unified Hazardous Waste and Hazardous Materials Management Regulatory Program***

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program), codified in California Health and Safety Code Sections 25404 et seq., requires the administrative consolidation of six hazardous materials and waste programs under one agency, a Certified Unified Program Agency (CUPA). The following programs are consolidated under the unified program:

- Hazardous Materials Release Response Plans, and Inventory (also referred to as Hazardous Materials Business Plans)
- California Accidental Release Program
- Underground Storage Tanks
- Aboveground Petroleum Storage Spill Prevention Control and Countermeasures
- Hazardous Waste Generation and Onsite Treatment
- Uniform Fire Code Plans and Inventory Requirements

As previously noted, the State Secretary for Environmental Protection designated the County of Santa Clara is the Hazardous Materials Compliance Division (HMCD). HMCDs are charged with the responsibility of conducting compliance inspections of over hazardous materials facilities within their jurisdictional areas. These facilities and businesses handle hazardous materials, generate or treat a hazardous waste, and/or operate underground storage tanks. The HMCDs use education and enforcement to minimize the risk of chemical exposure to human health and the environment. The HMCD forwards important facility information to local fire prevention agencies that enables them to take appropriate protective action in the event of an emergency at regulated facilities. To legally store and use hazardous materials above the trigger quantities, users must apply for permits and demonstrate satisfactory compliance with regulations. The quantities that trigger disclosure are based on the maximum quantity on site at any time:

- 55 gallons, 500 pounds, or 200 cubic feet for 30 days or more at any time in the course of a year
- Any amount of hazardous waste
- Category I or II pesticides
- Explosives
- Extremely hazardous substances above the threshold planning quantity

### ***Santa Clara County General Plan, Safety Element***

The Santa Clara County General Plan is a comprehensive long-range general plan for the physical development of the County (County of Santa Clara, 1994). The General Plan contains the current County of Santa Clara Housing Element, which was adopted in 2015. The various elements

within the General Plan include goals and policies for the physical development of the County. General Plan strategies and policies in the Safety and Noise chapter related to hazards and hazardous materials and relevant to implementation of the HEU are listed below.

### **Hazardous Materials:**

**Strategy #1:** Manage Hazardous Materials Safely and Efficiently - By adhering to adopted building and development standards (i.e., Uniform Fire Code, Uniform Building Code, Hazardous Materials Management Plan, etc.), the County and cities can ensure that new development is designed and maintained in a manner that will shield or distance people and the environment from dangerous materials and activities.

**Policy C-HS 14:** All feasible measures to safely and effectively manage hazardous materials and site hazardous materials treatment facilities should be used, including complying with all federal and state mandates.

**Policy C-HS 15:** To achieve a more effective, efficient and economical regulatory environment, all feasible means to simplify and coordinate locally implemented hazardous materials management regulations should be considered.

**Strategy #2:** Ensure the Adequacy of Local Hazardous Waste Treatment Facilities - Where the use of hazardous materials is deemed necessary and appropriate, the County and cities should enforce reliance upon safe and cost-effective procedures. Through adoption and enforcement of the County Hazardous Waste Management Plan and other mandated hazardous materials programs, the County and cities can also ensure the safety, availability and adequacy of local hazardous waste treatment and disposal facilities.

**Policy C-HS 15.1:** Proposals to establish hazardous waste management facilities in Santa Clara County that are subject to the authority of the Countywide Hazardous Waste Management Plan (CHWMP) shall comply with all substantive and procedural provisions of that plan and with all applicable state and federal laws concerning the establishment and safe operation of such facilities.

**Policy C-HS 15.2:** The cities and County of Santa Clara shall ensure that all relevant discretionary land use and development decisions:

- a. Are consistent with the intent and provisions of the Countywide Hazardous Waste Management Plan (CHWMP), especially the facilities siting map and criteria, which identify potentially suitable areas for siting needed waste management facilities; and,
- b. Do not unnecessarily limit the availability of sites suitable for potential hazardous waste management facilities, as identified in the CHWMP facilities siting criteria and map.

**Policy C-HS 16:** To ensure criteria effectiveness and the adequacy of local facilities, periodically review and evaluate the facilities siting criteria of the Santa Clara County Hazardous Waste Management Plan.

### **Emergency Preparedness:**

**Strategy #1:** Plan for Immediate Disaster Response - Through wise land use and development practices, people and the environment can be protected from a wide range of natural or human-caused disasters. Prudent actions in advance of these occurrences can



substantially reduce the level of chaos, death and damage which might ordinarily be expected. Such actions can also minimize the period of time following a disaster before we can return to normal life. To be successful, our efforts must involve every segment of the community; government, business, and the public. We must all know what to do when a disaster strikes.

***Policy C-HS 17:*** Local governments should comply with all federal and state regulations regarding emergency planning and preparedness.

***Policy C-HS 18:*** Local government, business, and community organizations should cooperate in preparing the most effective emergency response plans and procedures feasible.

***Policy C-HS 19:*** The County and cities should comply with federal and state hazardous materials regulations and planning activities, including, the Countywide Hazardous Waste Management Plan, the Hazardous Materials Area Plan, and the Operations Section of the County Emergency Plan regarding a hazardous materials incident.

**Strategy #2:** Plan for Immediate Disaster Response - Critical to emergency preparedness is having a plan to pull ourselves together after disaster strikes. This entails giving considerable thought now to what we'll need to help ourselves get back to a normal state. All segments of the community should cooperate to ensure that, when disaster occurs, recovery is as swift as possible.

Local governments have an obligation to maintain law and order, and to quickly restore essential public services. Initially, this may have to be accomplished amid widespread destruction, damaged public infrastructure, and without any assistance from outside the county. Private industry, too, must think through the same scenario; what will be needed to resume doing business under extraordinary conditions.

***Policy C-HS 22:*** Ensure that critical emergency services and equipment normally provided by outside agencies will be available in each jurisdiction to the extent possible (i.e., public health, mental health, coroner, fire suppression, etc.).

***Policy C-HS 23:*** Local governments and hazardous materials users should work jointly to identify the most effective and economically feasible measures to prevent hazardous materials incidents and ensure the swift post-incident recovery of all effected.

### ***Stanford University Community Plan***

The current Stanford University Community Plan was adopted in 2000 (County of Santa Clara, 2000). The primary purpose of the Community Plan is to guide future use and development of Stanford lands in a manner that incorporates key County General Plan principles of compact urban development, open space preservation, and resource conservation. The Community Plan was adopted as an amendment of the General Plan in the manner set forth by California Government Code Section 65350 et seq. Any revisions to the Community Plan must also be made according to the provisions of State law for adopting and amending general plans. Community strategies and policies related to hazards and hazardous materials and relevant to implementation of the HEU and Community Plan Update are listed below.

#### **Resource Conservation:**

**Strategy #4, Reduce Non-Point Source Pollution:** Non-point source pollution has been identified as a major regional problem, accounting for approximately half of the contaminants discharged into San Francisco Bay. This type of pollution stems from a variety of sources on the campus, such as streets, parking lots, agricultural waste and runoff, erosion, and chemical or other waste from research activities. Stanford and the County’s efforts to reduce non-point source pollution are diverse, ranging from public education to development and implementation of best management practices.

**Policy SCP-RC 11:** Require Stanford to continue the use of appropriate best management practices to reduce non-point source pollution in agricultural, recreational, and academic areas and for construction activities, and include these practices as terms and conditions of leases of Stanford lands.

**Policy SCP-RC 12:** In planning for new development and redevelopment, utilize site, building and landscape design features which serve to reduce non-point source pollution.

### Health and Safety:

**Strategy #6, Manage Hazardous Materials Safely and Efficiently:** The strategy for hazardous material management and its associated policies focuses on issue of oversight and emphasizes compliance with the significant existing array of regulations and laws governing hazardous materials. It also incorporates a broadly recognized need to find substitute materials and reduce volumes of hazardous materials as much as possible to reduce risk levels.

**Policy HS 13:** Employ all feasible measures to safely and effectively manage hazardous materials and wastes and to site hazardous wastes treatment facilities.

**Policy HS 14:** Ensure compliance with all federal, state, and local regulations concerning hazardous waste management and disposal.

**Policy HS 17:** Coordinate with Stanford and local jurisdictions in both reducing general risk levels and preparing for emergency response.

**Policy HS 18:** Stanford shall prepare and maintain effective and feasible emergency plans for disaster response and recovery.

**Policy HS 19:** Consider emergency prevention and ability for emergency response in review of development projects on the campus with regard to access, seismic risks, flooding, fire, and other emergency issues.

## 4.8.4 Environmental Impacts and Mitigation Measures

### Significance Thresholds

The thresholds used to determine the significance of impacts related to hazards and hazardous materials are based on Appendix G of the *CEQA Guidelines*. Implementation of the proposed project would have a significant impact on the environment if it would:

- 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 area; and
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

## Issues Not Discussed in Impacts

Due to the nature of the proposed project, there would be no impact related to the following topics for the reasons described below:

- **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.** As discussed in Section 4.8.2, *Environmental Setting, Wildland Fires*, none of the housing opportunity sites are located within a CALFIRE-designated fire hazard zone or within a County-designated Wildland-Urban Interface zone. More information on the lack of wildfire risk to the project development locations can be found in Section 4.17 of this EIR, *Environmental Topics Not Subjected to Detailed Analysis*. As explained there, implementation of the proposed project would result in no impacts related to wildfire. Accordingly, this issue was not subjected to detailed analysis in the EIR and is not discussed further here.

## Methodology and Assumptions

This environmental analysis of the potential impacts related to hazards and hazardous materials is based on a review of the results of a review of published reports, database research, the County of Santa Clara General Plan, and the Stanford Community Plan.

The project would be regulated by the various laws, regulations, and policies summarized above in Section 4.8.3, *Regulatory Setting*. Compliance with applicable federal, state, and local laws and regulations is assumed in this analysis and local and state agencies would be expected to continue to enforce applicable requirements to the extent that they do so now. Note that compliance with many of the regulations is a condition of permit approval.

A significant impact would occur if, after considering the features described in the Project Description and the required compliance with regulatory requirements, a significant impact would



still occur. For those impacts considered to be significant, mitigation measures are proposed to reduce the identified impacts.

## Impacts and Mitigation Measures

### *Impacts*

**Impact HAZ-1: Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (*Less than Significant Impact*)**

### **HEU and Stanford Community Plan**

#### Construction

During the construction phase, construction equipment and materials would include fuels, oils and lubricants, solvents and cleaners, cements and adhesives, paints and thinners, degreasers, cement and concrete, and asphalt mixtures, which are all commonly used in construction. The routine use or an accidental spill of hazardous materials could result in inadvertent releases, which could adversely affect construction workers, the public, and the environment.

Construction activities would be required to comply with numerous hazardous materials regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety, and to reduce the potential for a release of construction-related fuels or other hazardous materials into the environment, including stormwater and downstream receiving water bodies. Contractors would be required to prepare and implement Hazardous Materials Business Plans (HMBPs) that would require that hazardous materials used for construction would be used properly and stored in appropriate containers with secondary containment to contain a potential release. The California Fire Code would also require measures for the safe storage and handling of hazardous materials.

As discussed in Section 4.6, *Geology, Paleontological Resources, and Mineral Resources*, construction contractors would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) for construction activities according to the National Pollutant Discharge Elimination System (NPDES) Construction General Permit requirements. The SWPPP would list the hazardous materials (including petroleum products) proposed for use during construction; describe spill prevention measures, equipment inspections, equipment and fuel storage; protocols for responding immediately to spills; and describe BMPs for controlling site runoff.

In addition, the transportation of hazardous materials would be regulated by the USDOT, Caltrans, and the CHP. Together, federal and state agencies determine driver-training requirements, load labeling procedures, and container specifications designed to minimize the risk of accidental release.

Finally, in the event of a spill that releases hazardous materials at a development site, a coordinated response would occur at the federal, state, and local levels, including the Santa Clara

County Fire Department, the Palo Alto Fire Department, or the San José Fire Department, depending on the location of the spill. In the event of a hazardous materials spill, the fire and police departments would be simultaneously notified and sent to the scene to respond and assess the situation.

The required compliance with the numerous laws and regulations discussed above that govern the transportation, use, handling, and disposal of hazardous materials would limit the potential for creation of hazardous conditions due to the use or accidental release of hazardous materials and would render this impact **less than significant**.

#### Operations

Once constructed, development projects would use and store small quantities of typical chemicals such as household cleaning solutions, paints and thinners, and motor fuel (e.g., vehicles and lawn mowers). Few of the chemicals would be considered hazardous materials (e.g., bleach) and the anticipated volumes would be small (i.e., less than 5 gallons). Given that the quantities would be small, routine use or an accidental spill of hazardous materials would render this impact **less than significant**.

**Mitigation Measure:** None required.

---

**Impact HAZ-2: Implementation of the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (*Less than Significant Impact*)**

#### HEU and Stanford Community Plan

As discussed in Section 4.8.2, *Environmental Setting, Schools*, there are several schools located within 0.25 mile of the Stanford area housing opportunity sites and potential future school location. None of the other housing opportunity sites in San José are located within 0.25 mile of a school. The construction of residential units under the HEU and potential future development of a school on the Stanford campus would include the handling of hazardous materials (though not acutely hazardous materials), as discussed above in Impact HAZ-1. The route to some of the locations could use roads that could pass near a school. The accidental release or spill of hazardous materials transported through the vicinity near the school could expose school children and workers to hazardous materials.

#### Construction

As discussed in Impact HAZ-1, there are numerous regulations covering the transportation, use, storage, and disposal of hazardous materials during construction activities. The required compliance with these regulations would ensure that nearby schools would not be exposed to hazardous materials. In addition, as discussed in Section 3.14, *Transportation*, construction that could affect nearby traffic due to temporary lane closures would be required to apply for and comply with the requirements of an encroachment permit from the local jurisdiction. Encroachment permits include the requirement to prepare and implement a construction traffic

control plan, which would manage the movement of vehicles, including those transporting hazardous materials on roads, including those adjacent to or near schools.

The required compliance with the numerous laws and regulations discussed above that govern the transportation, use, handling, and disposal of hazardous materials would limit the potential for creation of hazardous conditions near schools due to the use or accidental release of hazardous materials, and would render this impact **less than significant**.

#### Operations

Once constructed, the developed properties would use and store small quantities of chemicals typical in residential and school uses, such as household cleaning solutions, paints and thinners, and motor fuel (e.g., vehicles and lawn mowers). Few of the chemicals would be considered hazardous materials (e.g., bleach) and the anticipated volumes would be small (i.e., less than 5 gallons). Given that the quantities would be small, the routine use or an accidental spill of hazardous materials near a school would render this impact **less than significant**.

**Mitigation Measure:** None required.

---

**Impact HAZ-3: Implementation of the proposed project would 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. (*Less than Significant Impact with Mitigation*)**

#### HEU and Stanford Community Plan

##### Construction

As discussed in Section 4.8.2, *Environmental Setting, Hazardous Materials Sites*, there are two active hazardous materials cleanup sites located on the housing opportunity sites: 1) at the corner of Camden and Leigh Avenues in San José (see Figure 4.8-5) and at the former Pleasant Hills Golf Course site (see Figure 4.8-6). In addition, relative to all of the housing opportunity sites and the potential future school location on the Stanford campus, there are various nearby closed hazardous materials cleanup sites that may have residual levels of contamination in soil and/or groundwater near or under some of the project locations. Finally, the records search for active and closed hazardous materials sites was conducted during the preparation of this EIR; new hazardous materials spill or release sites may occur subsequent to the preparation of this EIR. Therefore, construction facilitated by the project's implementation could encounter contamination associated with a hazardous materials site that expose people or the environment to hazardous materials.

Consequently, construction activities have the potential to encounter hazardous materials. To address encountering contaminated materials during construction, each development project would be required to implement the following mitigation measures:

**Mitigation Measure HAZ-1, Conduct Phase I Environmental Site Assessment**



Prior to development on any project site, the project applicant shall conduct a Phase I Environmental Site Assessment in general accordance with the current version of ASTM 1527 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. This Standard requires checking regulatory agency databases such as the SWRCB GeoTracker and DTSC EnviroStor websites for the status of hazardous waste sites and landfill investigations and cleanups at the time of the proposed development, visually inspecting sites for hazardous materials, and interviewing persons knowledgeable about the site regarding hazardous materials use. The results of the Phase I assessment may indicate the potential or actual presence of hazardous materials, which would require subsequent investigations and cleanups. These investigations and cleanups would be required to comply with the regulatory requirements summarized in the Regulatory Setting.

### **Mitigation Measure HAZ-2: Health and Safety Plan**

Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition on any project site, the project applicant shall require that construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192).

The HASP shall be implemented by the construction contractor(s) to protect construction workers, the public, and the environment during all ground-disturbing and construction activities. HASPs shall be submitted to the County of Santa Clara Department of Environmental Health for review before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HASP shall include, but not be limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP.
- A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals.
- Specified personal protective equipment and decontamination procedures, if needed.
- The requirement to prepare documentation showing that HASP measures have been implemented during construction (e.g., tailgate safety meeting notes with sign-up sheet for attendees).
- A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site safety and health supervisor.
- Emergency procedures, including the route to the nearest hospital.
- Procedures to follow if evidence of potential soil or groundwater contamination is encountered (such as soil staining, noxious odors, debris or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include, but not be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the County and retaining a qualified environmental firm to perform sampling and remediation.

### Mitigation Measure HAZ-3: Site Management Plan

In support of the HASP described in Mitigation Measure HAZ-2, the project applicant for the specific work proposed shall require that contractor(s) develops and implements a site management plan (SMP) for the management of soil, soil gas, and groundwater before any ground-disturbing activity for properties with known or suspected contamination. The SMP shall include the following, at a minimum:

- Site description, including the hazardous materials that may be encountered.
- Roles and responsibilities of onsite workers, supervisors, and the regulatory agency.
- Training for site workers focused on the recognition of and response to encountering hazardous materials.
- Protocols for the materials (soil and dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.
- Reporting requirement to the County of Santa Clara Department of Environmental Health, documenting that site activities were conducted in accordance with the SMP.

The SMP shall be submitted to the County of Santa Clara Department of Environmental Health for review before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations.

**Significance After Mitigation:** With implementation of Mitigation Measure HAZ-1, each development site would be evaluated through an application to the County for development prior to construction to assess whether hazardous materials issues are present that could affect the development of the site. If hazardous materials issues are identified, Mitigation Measures HAZ-2 and HAZ-3 would establish procedures to investigate and clean up hazardous materials encountered during construction in a manner that would meet applicable regulatory standards. Implementation of these mitigation measures would reduce the impact to **less than significant**.

### Operations

Once constructed, the residences and potential future school would use and store small quantities of chemicals typical of residential and school uses, such as household cleaning solutions, paints and thinners, and motor fuel (e.g., vehicles and lawn mowers). Few of the chemicals would be considered hazardous materials (e.g., bleach) and the anticipated volumes would be small (i.e., less than 5 gallons). Given that the quantities would be small, the routine use or an accidental spill of hazardous materials near a school would render this impact **less than significant**.

**Impact HAZ-4: Implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (*Less than Significant Impact*)**

**HEU and Stanford Community Plan**

Construction activities would require construction workers, equipment, and materials to enter and exit development sites. In addition, the construction activities may require temporary road restrictions or closures on public roads to facilitate access to the sites or to construct utilities to existing utilities in roads. Temporary road closures could adversely affect emergency vehicles passing by the construction sites.

**Construction**

As discussed in Section 3.14, *Transportation*, development projects that affect nearby traffic due to temporary lane closures would be required to apply for and comply with the requirements of an encroachment permit from the local jurisdiction. Encroachment permits include the requirement to prepare and implement a construction traffic control plan, which would manage the movement of construction vehicles accessing and exiting the site. In addition, the traffic control plan would describe procedures to manage traffic flow if temporary road closures are necessary (e.g., construction of utility trenches to access existing utilities in a public road or sidewalk). The required compliance with traffic control plans would ensure that emergency response vehicles would be able to pass by active construction sites and would render this impact **less than significant**.

**Operations**

Once constructed, the housing opportunity sites would not restrict or close roads and would render this impact **less than significant**.

**Mitigation Measure:** None required.

---

**Impact HAZ-5: Implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area related to a public airport or public use airport. (*Less than Significant Impact*)**

**HEU and Stanford Community Plan**

As discussed in Section 4.8.2, *Environmental Setting, Airports*, the Reid-Hillview County Airport is within 2 miles of the housing opportunity sites at the former Pleasant Hills Golf Course site and the sites near Alum Rock. However, neither of the housing opportunity sites are located within the airport's safety or noise hazard zones. The former Pleasant Hills Golf Course site is within the airport's 283–433-foot height restriction area. None of the other housing opportunity sites or the potential future school site on the Stanford campus are located within 2 miles of an airport, nor are they included in any safety or noise hazard zones as delineated in an airport land use plan.



### Construction

As none of the project locations are located within any delineated safety or noise hazard zones, the project would not result in a noise or safety hazard to people working or residing in the area. Additionally, FAA regulations would prohibit any structures at the former Pleasant Hills Golf Course site from being constructed above the established height restriction without special permission from the FAA. As such, impacts related to noise and safety concerns would be **less than significant**.

### Operation

As the FAA building height restrictions applicable to the Pleasant Hills Golf Course would be applied to any structures there, no impact would occur during operation. Additionally, as stated above, none of the other sites associated with the project are located within any established safety or noise hazard zone. The impact during operations would therefore be **less than significant**.

### ***Cumulative Impacts***

This section presents an analysis of the cumulative effects of the proposed project in combination with other past, present, and reasonably foreseeable future projects that could cause cumulatively considerable impacts. Significant cumulative impacts related to hazards and hazardous materials could occur if the incremental impacts of the project combined with the incremental impacts of one or more of the cumulative projects described in Section 4.0.3, *Cumulative Impacts*. As previously discussed, the project would have no impact with respect to wildfire hazards. Accordingly, the project could not contribute to cumulative impacts related to that topic and is not discussed further.

The geographic area affected by the project and its potential to contribute to cumulative impacts varies based on the environmental resource under consideration. The geographic scope of analysis for cumulative hazardous materials impacts encompasses and is limited to the project's development sites and their immediately adjacent area. This is because impacts relative to hazardous materials are generally site-specific and depend on the nature and extent of the hazardous materials release, and existing and future soil and groundwater conditions. For example, hazardous materials incidents tend to be limited to a smaller and more localized area surrounding the immediate spill location and extent of the release and could only be cumulative if two or more hazardous materials releases spatially overlapped.

The timeframe during which the project could contribute to cumulative hazards and hazardous materials effects includes the construction and operations phases. For the project, the operations phase is assumed to be permanent. However, similar to the geographic limitations discussed above, it should be noted that impacts relative to hazardous materials are generally time-specific. Hazardous materials events could only be cumulative if two or more hazardous materials releases occurred at the same time, as well as overlapping at the same location.

**Impact HAZ-6: Implementation of the proposed project, when combined with other past, present, or reasonably foreseeable projects, would not result in a substantial adverse effect related to hazards and hazardous materials. (*Less than Significant Impact*)**

### **HEU and Stanford Community Plan**

#### **Cumulative Impacts During Project Construction**

Significant cumulative impacts related to hazards and hazardous materials could occur if the incremental impacts of the project combined with the incremental impacts of one or more of the cumulative projects discussed above to substantially increase risk that people or the environment would be exposed to hazardous materials.

The construction activities for all these cumulative projects would be subject to the same regulatory requirements discussed for the proposed project for compliance with existing hazardous materials regulations, including spill response. Cumulative projects that have spills of hazardous materials would be required to remediate their respective sites to the same established regulatory standards as the proposed project. This would be the case regardless of the number, frequency, or size of the release(s). The responsible party associated with each spill would be required to remediate site conditions to the same established regulatory standards. The residual less-than-significant effects of the project that would remain after mitigation would not combine with the potential residual effects of cumulative projects to cause a potential significant cumulative impact because residual impacts would be highly site-specific and would be remediated to below regulatory standards. Accordingly, no significant cumulative impact with respect to the use of hazardous materials would result. For the above reasons, the proposed project would not cause or contribute to a cumulatively considerable impact with respect to the use of hazardous materials, and impacts would be **less than significant**.

Construction for two or more projects that occur at the same time and use the same roads could cause interference with emergency access. However, development projects that affect nearby traffic due to temporary lane closures would be required to apply for and comply with the requirements of an encroachment permit from the local jurisdiction. Encroachment permits include the requirement to prepare and implement a construction traffic control plan, which would manage the movement of construction vehicles accessing and exiting the site. In addition, the traffic control plan would describe procedures to manage traffic flow if temporary road closures are necessary (e.g., construction of utility trenches to access existing utilities in a public road or sidewalk). The required compliance with traffic control plans would ensure that emergency response vehicles would be able to pass by active construction sites and would render this impact **less than significant**.

**Mitigation Measure:** None required.

#### **Cumulative Impacts During Project Operation**

Significant cumulative impacts related to operational hazards could occur if the incremental impacts of the project combined with those of one or more of the above-listed projects to cause a substantial increase in risk that people or the environment would be exposed to hazardous materials used or encountered during the operations phase.

Once constructed, the residences would use and store small quantities of chemicals typical in residences and school facilities, such as household cleaning solutions, paints and thinners, and motor fuel (e.g., cars and lawn mowers). Few of the chemicals would be considered hazardous materials (e.g., bleach) and the anticipated volumes would be small (i.e., less than 5 gallons). Given that the quantities would be small, the implementation of the proposed project would not cause or contribute to a cumulatively significant impact with respect to the use of hazardous materials, and impacts would be **less than significant**.

For the cumulative projects, the nature and the use of hazardous materials for the cumulative projects would be similar to that of the proposed project, in that the cumulative project components involving the handling, storage, and disposal of hazardous materials would be required to prepare and implement an HMBP and comply with applicable regulations, including those governing containment, site layout, and emergency response and notification procedures in the event of a spill or release. Transportation and disposal of wastes, such as spent cleaning solutions, would also be subject to regulations for the safe handling, transportation, and disposal of chemicals and wastes. As noted previously, such regulations include standards to which parties responsible for hazardous materials releases must return spill sites, regardless of location, frequency, or size of release, or existing background contaminant concentrations to their original conditions. Therefore, compliance with existing regulations regarding hazardous materials transport would reduce the risk of environmental or human exposure to such materials. The combined effects of the project and cumulative projects would not be cumulatively considerable result in a significant cumulative impact, and impacts would be **less than significant**.

---

## 4.8.5 References

- California Department of Forestry and Fire Protection (CAL FIRE), 2022. State Responsibility Area, Fire Hazard Severity Zones for Santa Clara County. Fire and Resource Assessment Program. November 21, 2022. Map. Scale 1:350,000.
- County of Santa Clara. 1994. *County of Santa Clara General Plan*. Available online: <https://plandev.sccgov.org/ordinances-codes/general-plan>. Accessed August 15, 2022.
- County of Santa Clara. 2000. *Stanford University Community Plan*. Available online: [https://stgenpln.blob.core.windows.net/document/SU\\_CP.pdf](https://stgenpln.blob.core.windows.net/document/SU_CP.pdf). Accessed August 15, 2022.
- County of Santa Clara Office of Emergency Management (CSCOEM). 2022. *County of Santa Clara Emergency Operations Plan*. January.
- County of Santa Clara. 2022. *Country Club Gas, 3495 McKee Road, San José, CA, Fuel Leak Investigation Case No. 06S1E26J01f, GeoTracker ID No. T0608500468*. August 24.
- E2C Remediation. 2022. *First Quarter 2022 Soil Vapor Extraction Status Report, Former Swiss Cleaners, 14540 Camden Avenue, San José, California*. May 11.

WellTest, Inc. 2022. *First Quarter 2019 Groundwater Monitoring Report (Report #5968), Country Club Gas, 3495 McKee Road, San José, CA, SCCDEH Fuel-Release Case #02-018; USTCF Claim #2626.* July 6.

Windus, Walter B. 2020. *Comprehensive Land Use Plan Santa Clara County, Reid-Hillview Airport.* Amended November 18.