

4.9 HAZARDS AND HAZARDOUS MATERIALS

This section describes the environmental setting, including regulatory framework and existing conditions in the Specific Plan Area related to, and potentially significant environmental impacts of the proposed Specific Plan on hazards and hazardous materials. The analysis in this section is based in part on the following databases and reports:

- GeoTracker, 2020. State Water Resources Control Board (SWRCB) database of hazardous materials sites that could affect groundwater quality, searched February 18, 2020
- EnviroStor, 2020. California Department of Toxic Substances Control (DTSC) database of sites with known contamination or sites for which there may be reasons to investigate further, February 18, 2020
- City of Madera General Plan, October 7, 2009
- City of Madera General Plan Update/Environmental Impact Report, May 2009
- Madera County Local Hazard Mitigation Plan Update, October 2017
- Madera County Madera Countywide Airport Land Use Compatibility Plan, Adopted September 25, 2015
- City of Madera Municipal Code

4.9.1 Environmental Setting

4.9.1.1 Specific Plan Area

The Specific Plan Area is approximately 1,900 acres in size and is located along the western edge of the City of Madera. The City is located along California State Route 99 (SR 99) and is 15 miles northwest of Fresno, the largest surrounding city. The Specific Plan Area is bound by Avenue 17 to the north, Road 24 to the east, the Fresno River to the south, and Road 22 to the west. The Specific Plan Area is located within the City's Sphere of Influence (SOI), recently approved in October 2018 by the Madera County Local Agency Formation Commission (LAFCO).

The Specific Plan Area is surrounded by primarily agriculture uses on the north and western boundaries, and the Fresno River and agriculture uses to the south. The Madera Municipal Golf Course, Madera Municipal Airport, and residential uses are directly north of the Specific Plan Area. The existing land use within the Specific Plan Area is predominately characterized by active agriculture operations and a mix of irrigated crops with three active Williamson Act contracts.¹ The Specific Plan Area has existing residential and agricultural support structures, as well as irrigation canals, as outlined in Section 3.13, Existing Land Uses and Infrastructure.

¹ Parcels 033-170-001, 033-170-009, and 033-170-005. These parcels are located south of Avenue 16 and west of Road 23 in the southwest portion of the Specific Plan Area.

Hazardous Materials within the Specific Plan Area. CalEPA is required to compile, maintain, and update lists annually of hazardous material releases under California Government Code Section 65962.5. The DTSC is responsible for maintaining the Hazardous Waste and Substances Site List (Cortese List) along with other state and local government agencies to provide additional hazardous material release information for annual updates.² The DTSC online EnviroStor and SWRCB online GeoTracker databases include hazardous material release sites along with other categories of sites or facilities specific to each agency's jurisdiction.^{3,4}

A review of the Cortese List shows no hazardous materials within the Specific Plan Area.

4.9.1.2 Regulatory Context

Hazardous materials refer to substances or waste products that exhibit potential harm to human health, safety, and/or the environment. Hazardous materials can be potentially corrosive, poisonous, flammable, and/or undergo a chemical reaction that may cause harm. These materials can be used in everyday products (e.g., household cleaners, industrial solvents, pesticides, electronics, plastic products, etc.) and can include toxic chemicals. These products are commonly used in agriculture, commercial, industry, hospitals, and households.

"Hazardous materials" described in this section includes all materials defined in the California Health and Safety Code (HSC) Section 25260 as a:

"substance or waste that, because of its physical, chemical, or other characteristics, may pose a risk of endangering human health or safety or of degrading the environment. 'Hazardous material' includes, but is not limited to...A hazardous substance (Section 25281 or 25316); a hazardous waste (Section 25117); A waste (Section 470 or Section 13050 of the Water Code)."⁵

"Hazardous substances" are substances that can adversely affect a person's health, or quality of the environment (e.g., carcinogenic, airborne contaminant, contaminates water, etc.). "Hazardous waste" is any discarded hazardous material and includes hazardous materials purposefully disposed of, or inadvertently released, unless the material has been specifically excluded by regulation. Hazardous wastes are broadly characterized by their ignitability, toxicity, corrosivity, reactivity, radioactivity, or bioactivity. Waste as referenced in HSC Section 470 and Section 13050 of the Water Code is used oil or sewage (radioactive, of human or animal origin, etc.).

Hazardous materials, including certain chemicals are regulated under various state and federal agencies such as the: United States Department of Transportation (USDOT), the United States

² California Environmental Protection Agency. 2020. Cortese List Data Resources. Website: calepa.ca.gov/sitecleanup/corteselist (accessed April 23, 2020).

³ California Department of Toxic Substances Control. 2020. EnviroStor. Website: www.envirostor.dtsc.ca.gov/public (accessed April 23, 2020).

⁴ California State Water Resources Control Board. 2020. GeoTracker. Website: geotracker.waterboards.ca.gov (accessed April 23, 2020).

⁵ Find Law. 2020. California Code, Health and Safety Code Section 25260. Website: codes.findlaw.com/ca/health-and-safety-code/hsc-sect-25260.html (accessed April 23, 2020).

Environmental Protection Agency (USEPA), the DTSC, the California Governor’s Office of Emergency Services, and other agencies.

The federal and state levels have defined hazardous waste similarly; however, certain distinctions have separated the two agencies. The federal agency addresses hazardous waste with the Resource Conservation and Recovery Act of 1976 (RCRA), while the state handles non-RCRA hazardous wastes. Federal, state, and local programs have set various regulations in handling (treating, storing, and transportation) and disposing hazardous waste to prevent mishandling and potential impact to public health and environment. Some materials are designated “acutely” or “extremely” hazardous under relevant statues and regulations.

Federal, state and local agencies and programs are briefly summarized below.

Federal Agencies and Regulations

United States Environmental Protection Agency. The USEPA mission is to protect human health and the environment. Laws and regulations under the USEPA are to ensure the safe production, handling, disposal, and transportation of hazardous materials and are enforced by the local and state agencies, as discussed below.

Unites States Department of Transportation. The USDOT is responsible for helping maintain and develop transportation systems and infrastructures of the nation. All transportation, excluding package delivery (regulated by the United States Postal Service) falls under USDOT responsibilities, including the transportation of hazardous materials between states and foreign countries. Additional standards for hazardous waste transportation were imposed by RCRA in 1976.

Occupational Safety and Health Administration. The main purpose of the Occupational Safety and Health Administration (OSHA) is to ensure safe and healthful working conditions for employees by setting and enforcing standards that must be followed by all. Training, outreach, education, and assistance fall under OSHA responsibilities. The OSHA Act of 1970 requires specific training for those handling hazardous wastes, as well as provision of information to employees exposed to hazardous waste/materials, and acquisition of material safety data sheets from material manufactures.

Federal Emergency Management Agency. Under the Department of Homeland Security, the Federal Emergency Management Agency (FEMA) coordinates federal government response to natural and manmade disasters. FEMA ensures emergency plans are established and development of policies and programs for emergencies are available at federal, state, and local levels. Enforcement is delegated to state and local environmental regulatory agencies.

Federal Aviation Administration (14 Code of Federal Regulations [CFR] Part 77). Under USDOT, the Federal Aviation Administration (FAA) is responsible for the regulation and oversight of civil aviation within the US and includes operation and development of the National Airspace System. The FAA reviews developments within a vicinity of an airport and reviews activities that may be potentially hazardous to navigable airspace. Regulations for 14 CFR Part 77 are in place

to ensure no temporary or permanent obstruction exists within the navigable airspace to limit airspace efficiency or can pose as a danger to the public. Structures have a maximum height based on proximity to the airport.

Toxic Substances Control Act (15 United States Code Section 2601-2692). Under the Toxic Substances Control Act (TSCA) of 1976 (amended December 31, 2002), the USEPA has the authority to require reporting, record-keeping, and testing requirements related to chemical substances and/or mixtures. Production, importation, use, and disposal are specifically addressed in the TSCA, and include polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. Use of chemicals listed under the TSCA require testing, inventory maintenance, and require those importing chemicals under Sections 12(b) and 13 to comply with certification and/or other reporting requirements.

Emergency Planning and Community Right-To-Know Act (Title III of the Federal Superfund Amendments and Reauthorization Act, or "SARA III"; 42 United States Code 11001, et seq.). The purpose of the Emergency Planning and Community Right-To-Know Act of 1986 is to help communities plan for chemical emergencies, provide notification of emergency releases of chemicals, and address a citizen's right to know about hazardous and toxic chemicals at a state and local level. Sara III increases access of chemical hazard information to communities and facilitates the creation and implementation of state/Native American tribe emergency response.

Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code 136, et seq.). The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) passed in 1974 has been amended several times with the most recent amendment by the Food Quality Protection Act of 1996. FIFRA was set to regulate pesticides to protect applicators, consumers, and the environment. The USEPA, under this act was given the authority to study the effects of pesticide use, enforce clear instruction use are included in pesticide labels, and require applicators to pass a licensing examination to be a "qualified applicator".

Hazardous Materials Transportation Act – Safe Transport of Hazardous Materials. As stated above, the USDOT regulates the transportation of hazardous materials between states (Title 49, Chapter 1, Part 100-185 of the Code of Federal Regulations). The Hazardous Materials Transportation Act (HMTA) was passed to improve regulations for transporting and to prevent spills and illegal dumping. The California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) enforces these federal laws within California. Driver training requirements, load labeling procedures, and container type specifications are examples of ways Caltrans and the CHP regulate hazardous materials within the State. HMTA governs safe transportation of hazardous materials by all modes, excluding bulk transportation by water.

Resource Conservation and Recovery Act. The RCRA, passed in 1976 and amended in 1984, regulates the treatment, storage, and disposal of hazardous and non-hazardous wastes. Tracking hazardous waste from generation to their ultimate fate in the environment is mandated under RCRA.

Comprehensive Environmental Response, Compensation and Liability Act. Introduced in 1980, the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) provides

a federal “Superfund” to clean up uncontrolled or abandoned hazardous-waste sites, including accidents, spills, and other emergency releases of pollutants and contaminants into the environment. CERCLA helps with hazard prevention and response by providing mechanisms for reacting to emergencies and chronic hazardous material releases. Many of the sites under CERCLA result from action taken before the era of comprehensive regulatory protection.

Federal and State Hazardous Materials-Specific Programs and Regulations

Asbestos-Containing Materials Regulations. Asbestos, a naturally occurring fibrous mineral was once commonly used for construction materials for its useful thermal properties and tensile strength. Asbestos-containing materials (ACMs) are generally defined as either friable or non-friable. Friable ACMs are defined as materials containing more than one percent asbestos and are more likely to produce airborne fibers than non-friable ACMs due to their weaker strength. Friable ACMs can be crumbled, pulverized, or reduced to powder by hand pressure. Non-friable ACMs are defined as materials containing one percent or less of asbestos and cannot be broken up by hand-pressure. When undisturbed, ACMs does not pose a health risk to building occupants, but once ACMs is damaged, airborne asbestos fibers can be inhaled and lead to various health problems, such as lung disease.

State and federal agencies regulate removal, abatement, and transportation procedures for ACMs. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible agency at the local level to enforce the National Emission Standards for Hazardous Air Pollutants (NESHAPs).

Lead-Based Paint. Once a commonly used paint, lead-based paint (LBP) was federally banned in 1978 by the Consumer Product Safety Commission. Exposure to LBP by inhalation or consumption can result in lead poisoning, which can cause anemia and damage to the brain and nervous system, particularly in children. Similar to ACMs, LBP does not pose a health risk to occupants when left undisturbed; however, deterioration, damage or disturbance can result in hazardous exposure. Based on the federal ban, it is assumed buildings built before, or shortly after 1978 contain LBP as phase out was gradual.

The California Division of Occupational Safety and Health (Cal-OSHA) addresses lead in construction in Title 8, Section 1532.1 of the California Code of Regulations. Regulations address all of the following areas: permissible exposure limits; exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection; employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

Polychlorinated Biphenyls. PCBs were commonly used in electrical equipment until USEPA prohibited use in 1979 and initiated the phase-out of existing PCB-containing equipment. TSCA,

15 United States Code Section 2601 et seq. handles regulated provisions and the inclusion of PCBs in electrical equipment. Regulated regulations include labeling and periodic inspection for certain types of PCB-containing equipment and outlines strict specific safety procedures for disposal. The State likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.

State Agencies and Regulations

California Health and Safety Code and Code of Regulations. Business emergency plans and chemical inventory reporting is mandated under California Health and Safety Code Chapter 6.95 and California Code of Regulations, Title 19, Section 2729. Businesses are required to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on-site. If a business uses hazardous materials (standalone or in use with other product) in certain quantities, an emergency plan must be provided.

California Environmental Protection Agency. The California Environmental Protection Agency (CalEPA) is authorized by the USEPA to enforce and implement certain laws and regulations regarding hazardous materials. Under CalEPA, the California DTSC protects the State and people from hazardous waste exposure under RCRA and the California Health and Safety Code.⁶ The DTSC requirements include written programs and response plans such as preparation of a Hazardous Materials Business Plan (HMBP). Programs under the DTSC includes aftermath clean-up of improper hazardous waste management, evaluation of samples taken from sites, regulation enforcement regarding use, storage, and disposal of hazardous materials, and encouragement of pollution prevention.

California Division of Occupational Safety and Health. Cal-OSHA is the state-level agency responsible for ensuring workplace safety and is responsible for adoption and enforcement of workplace safety standards and safety practices. If a site is contaminated, a Site Safety Plan must be created and implemented for the safety of workers. A Site Safety Plan establishes policies, practices, and procedures for workers and the public to follow to prevent exposure from hazardous materials originating from a contaminated site or building.

California Building Code. The California Building Code (CBC), contained in Part 2 of Title 24 of the California Code of Regulations (CCR) identifies building design standards, and includes standards for fire safety. The CBC is updated every three years, with the most recent version of the code effective January 1, 2020. The CBC is effective statewide; however, local jurisdictions may adopt more restrictive standards based on locality's conditions. A local city and county building official must check plans for commercial and residential buildings to ensure compliance with the CBC. Fire safety compliance with the CBC include fire sprinkler installation in all new

⁶ Hazardous Substance Account, Chapter 6.5 (Section 25100 et seq.) and the Hazardous Waste Control Law, Chapter 6.8 (Section 25300 et seq.) of the Health and Safety Code.

residential, high rise, and hazardous materials buildings; establishment of fire-resistant standards for fire doors, building materials, and certain types of construction; debris and vegetation clearance within a prescribed distance from occupied structures in wildfire hazard areas.

California Emergency Management Agency. The California Emergency Management Agency, established as part of the Governor's Office on January 1, 2009 [Assembly Bill (AB) 38 (Nava)], is responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities within the State and is supported by local government.

California Department of Forestry and Fire Protection. Public Resources Code 4201-4204 and Government Code 51175-89 requires the California Department of Forestry and Fire Protection (CAL Fire) to evaluate fire threat potential and hazard severity according to areas of responsibility (i.e., state, and local). Evaluations are based on topography, fire history, and climate and include fire threat rankings. In 2012, CAL Fire produced the Strategic Plan for California that contains goals, objectives, and policies to prepare and mitigate for the effects of fire on California's natural and built environments. The Strategic Plan was updated in 2019 to reaffirm, with minor adjustments, the Mission, Vision, and Values of the 2012 Strategic Plan.⁷

California Fire Code. The California Fire Code (CFC) is updated every three years with the most current update effective January 1, 2020.⁸ The CFC contained in Part 9 of CCR Title 24 incorporates by adoption the International Fire Code of the International Code Council with California amendments. Local jurisdictions can also adopt more restrictive standards based on local conditions, as previously mentioned with the CBC. The CFC regulates building standards, fire department access, fire protection systems and devices, fire and explosion hazard safety, hazardous material storage and use, and building inspection standards.

California Department of Transportation and California Highway Patrol. Caltrans and the CHP are responsible for enforcing federal and State regulations, as well as responding to hazardous material transportation emergencies. Caltrans is the first responder for hazardous material spills and releases on highway and freeway lanes, as well as intercity rail services. The CHP enforces proper labeling and packing regulations of hazardous materials in transit by performing regular vehicle and equipment inspections.

The following are descriptions of provisions included in the California Vehicle Code (CVC) and pertain to the transportation of hazardous-related materials.

- The CHP designates routes in California which are to be used for the transportation of explosives. (CVC Section 31616)
- The CVC applies when explosives are transported as a delivery service for hire or in quantities in excess of 1,000 pounds. The transportation of explosives in quantities of 1,000

⁷ California Department of Forestry and Fire Protection. 2019. Strategic Plan. Website: www.fire.ca.gov/media/5504/strategicplan2019-final.pdf (accessed April 23, 2020).

⁸ California Fire Code. 2019. *2019 California Fire Code, Title 24, Part 9*. Available online at: codes.iccsafe.org/content/CAFC2019/title-page (accessed April 23, 2020).

pounds or less, or other than on a public highway, is subject to the California Health and Safety Code. (CVC Section 31601(a))

- It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless the use of the highway is required to permit delivery of, or the loading of, such materials. (CVC Section 31602(b) and Section 32104(a))
- When transporting explosives through or into a city for which a route has not been designated by the Highway Patrol, drivers must follow routes as may be prescribed or established by local authorities. (CVC Section 31614(a))
- Inhalation hazards and poison gases are subject to additional safeguards. These materials are highly toxic, spread rapidly, and require rapid and widespread evacuation if there is loss of containment or a fire. The CHP designates through routes to be used for the transportation of inhalation hazards. It may also designate separate through routes for the transportation of inhalation hazards composed of any chemical rocket propellant. (CVC Section 32100 and Section 32102(b))

Regional Agencies and Regulations

Central Valley Regional Water Quality Control Board. The SWRCB was established by the Porter-Cologne Water Quality Act in 1969, which divided the state into nine regional basins under the direction of their respective Regional Water Quality Control Board (RWQCB).⁹ The Specific Plan Area is located within the Central Valley Region (Region 5). The Central Valley RWQCB is responsible for preserving, enhancing, and restoring the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses. Investigations can be required by the Central Valley RWQCB to ensure responsibilities are met.

San Joaquin Valley Air Pollution Control District. The SJVAPCD has primary responsibilities for control of air pollution from sources other than motor vehicles and consumer products (which are regulated under CalEPA and the California Air Resources Board). The SJVAPCD is responsible for preparing attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, and the issuance of permits for activities involving air emissions, including demolition and renovation activities.

The SJVAPCD has set local asbestos and renovation requirements developed by the USEPA in the NESHAPs regulation, 40 CFR, Part 61, Subpart M5 (San Joaquin Valley Pollution Control District Asbestos Bulletin 2012).

Madera County Environmental Health Division. On a local level, hazardous materials are regulated by the Madera County Environmental Health Division (MCEHD) as the Certified

⁹ California Water Code Sections 13000 et seq.

Unified Program Agency (CUPA) for Madera County.¹⁰ MCEHD must ensure consolidation, permitting, inspection, and enforcement activities of the six-state mandated Unified Programs. The six programs are:

1. Aboveground Petroleum Storage Act Program
2. California Accidental Release Prevention Program
3. Hazardous Material Release Response Plan
4. Hazardous Material Management Plan and Hazardous Materials Inventory Statement
5. Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs
6. Underground Storage Tanks Program

A HMBP must be prepared and filed if a facility stores, uses, or handles more hazardous materials equal to or in excess of the amounts listed below. The HMBP will help determine safe storage and use of the hazardous materials/chemicals and can be used in the event of an emergency by firefighters, health officials, planners, public safety officers, health care providers and others. By implementing the HMBP, potential dangers to human health and safety, and the environment can be reduced or prevented.

A HMBP is inspected at least once every three years by a CUPA inspector to verify compliance with the California Health and Safety Code and California Code of Regulations. Business Plans must include: 1) the type and quantity of hazardous materials; 2) a site map; 3) the risks of using these materials; 4) spill prevention; 5) emergency response; 6) employee training; and 7) emergency contacts.

A HMBP is required of any facility that handles hazardous materials or hazardous waste in amounts equal or greater than:

- 55 gallons for liquids;
- 500 pounds for solids;
- 200 cubic feet for compressed gases;
- The federal Threshold Planning Quantity for Extremely Hazardous Substances; or
- Radioactive materials in quantities for which an Emergency Plan is required as per Parts 30, 40, or 70, Chapter 1 of Title 10 of Code of Federal Regulations.

Madera County Sheriff's Office of Emergency Services. Madera's lead agency for all local emergency response efforts is managed by Madera County's Director of Emergency Services and the Sheriff's Office of Emergency Services (Sheriff's OES).¹¹ The Sheriff's OES is responsible for

¹⁰ Madera, County of. Environmental Health Division. Website: www.maderacounty.com/government/community-economic-development-department/divisions/environmental-health-division (accessed April 23, 2020).

¹¹ Madera, County of. Emergency Info, Madera County Office of Emergency Services. Website: www.maderacounty.com/government/public-health/emergency-info (accessed April 23, 2020).

“day-to-day administration of the County’s disaster preparedness and response program”, “maintaining the County’s Emergency Operations Center (EOC),” and “coordinating EOC activities during a disaster.” The Sheriff’s OES serves as an agent between federal, State, and local agencies involved in emergency response operations.

The Sheriff’s OES currently manages the following County emergency plans:

- Emergency Operations Plan, which outlines how the County will respond to an emergency and sets guidelines to manage a disaster;
- Local Hazard Mitigation Plan, which identifies hazards (man-made and natural) within the County, develops mitigation strategies, and is in line with the Disaster Mitigation Act of 2000;
- Community Wildfire Protection Plan, which helps the community plan how to reduce the risk of wildfire by identifying strategic sites and methods for fuel reduction projects;
- Continuity of Operations Plan (under preparation in December 2021) is an effort within individual executive departments and agencies to ensure that Primary Mission Essential Functions continue to be performed during a wide range of emergencies, including localized acts of nature, accidents and technological or attack-related emergencies;
- Mass Fatalities Response Plan (under preparation in December 2021) will serve as a framework for responders faced with a mass fatality.

Airport Land Use Compatibility Plans. The Airport Land Use Commission (ALUC) (Public Utilities Code Section 21670, et seq.) first established in 1967 was created to promote land use compatibility around airports by evaluating noise levels, ensuring “incompatible development does not occur on lands surrounding the airport”, and “reflecting on development and anticipated activity” in the future. Additionally, an imaginary surface surrounding all public use airports must be defined under the Federal Aviation Regulation, Part 77, previously described.

Each county with public use airports within California has a local jurisdiction. The Madera County ALUC must assist local agencies to ensure there is compatible land uses near the vicinity of airports, coordinate planning on a multi-regulatory level to provide safe and orderly development of air transportation and prepare and adopt land use compatibility plans. Madera County ALUC prepared an Airport Land Use Compatibility Plan that discusses airport zoning requirements and addresses land use and safety regulations within the airport zone and was adopted on September 29, 2015.

Local Regulations

Zoning Ordinance. Goals and policies listed in the General Plan are implemented in the City of Madera Zoning Ordinance. Zoning districts are established under the zoning law to guide development and land use in Madera by setting allowable land uses within each district. City zoning ordinances regulate allowable land use, parking, signage and other ordinance enacted under zoning law. The Zoning Ordinance must be consistent with adopted General Plans. When

the City of Madera adopts or updates a General Plan, the City must update the Zoning Ordinance accordingly.

City of Madera General Plan. The City of Madera General Plan is the City’s primary policy planning document. Through its 10 elements, the General Plan provides the framework for the management and utilization of the City’s physical, economic, and human resources. Each element contains goals, policies, and implementation measures that guide development within the City. The General Plan strives to maintain and improve Madera’s quality of life and implement the community’s shared vision for the future. The General Plan is the official policy statement of the City Council to guide development (both public and private), as well as the City’s operations and decisions. Hazards and hazardous material related goals, objectives, and policies specific to the city are included in the General Plan in the Health and Safety Element, the Land Use Element, and the Circulation and Transportation Element.

The General Plan includes the following policies for hazards and hazardous materials in the proposed Specific Plan are listed in Table 4.9.A.

4.9.2 Impacts and Mitigation Measures

The following section presents a discussion of the impacts related to hazards and hazardous materials that could result from implementation of the proposed Specific Plan. The section begins with the criteria of significance, which establish the thresholds to determine if an impact is significant. The latter part of this section presents the impacts associated with implementation of the proposed Specific Plan and the recommended mitigation measures, if required. Mitigation measures are recommended, as appropriate, for significant impacts to eliminate or reduce them to a less-than-significant level. Cumulative impacts are also addressed.

4.9.2.1 Significance Criteria

The thresholds for impacts related to hazards and hazardous material used in this analysis are consistent with Appendix G of the State CEQA Guidelines. Development of the proposed Specific Plan would result in a significant impact related to hazards and hazardous materials if it would:

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|------------------------|---|
| Threshold 4.9.1 | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; |
| Threshold 4.9.2 | 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; |
| Threshold 4.9.3 | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; |
| Threshold 4.9.4 | Be located on a site that is included on a list of hazardous materials sites compiled by Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment; |

Table 4.9.A: General Plan Policies Related to Hazards and Hazardous Materials

Policy/Action Item Number	Policy
Health and Safety Element	
Policy HS-8	<p>The City shall seek to ensure that new structures are protected from damage caused by earthquakes, geologic conditions, or soil conditions.</p> <p>Action Item HS-8.1 Adopt an All Hazards (natural and manmade) Disaster Plan. The Plan should be sufficiently broad in scope to include the designation of evacuation routes, staging areas, shelters, PODs (points of distribution), and protocols for coordinating all local government and volunteer agencies in assisting local residents in the event of a major earthquake, largescale fire or explosion, or hazardous chemical spill or release of hazardous airborne gas.</p>
Policy HS-9	The City of Madera will work with responsible agencies to identify and prevent potential hazardous waste releases.
Policy HS-10	The City will regulate the storage of hazardous and waste materials consistent with state and federal law. The City shall not permit above ground tanks without considering the potential hazards that would result from the release of stored liquids caused by possible rupture or collapse and may request applicants to have an emergency response plan.
Policy HS-11	The City will work with responsible agencies to ensure that all industrial facilities are constructed and operated in accordance with the most current safety and environmental protection standards.
Policy HS-12	The City will consider the potential impacts of facilities, which propose to store and/or process significant quantities of hazardous or toxic materials on the public and nearby properties. The City shall require such projects to prepare a site-specific hazard and threat assessment when determined necessary by the City's emergency services department(s) or appropriate consulting agencies. The hazard and threat assessment shall consider the likelihood of reasonably foreseeable events and their potential to create physical effects at off-site locations resulting in death, significant injury, or significant property damage.
Policy HS-13	For the purpose of implementing Policy HS-12, the City considers an event to be "reasonably foreseeable" when the probability of the event occurring is greater than of one in one million (1 * 10 ⁻⁶) per year.
Policy HS-14	Industries, which store and process significant quantities of hazardous or toxic materials, shall provide a buffer zone between the installation that houses such substances and the property boundaries of the facility sufficient to protect the public in the event of the release or leak of the materials.
Policy HS-15	The City will coordinate with the California Highway Patrol, the Madera County Department of Environmental Health Services, the Madera County Sheriff's Department, and all other appropriate local, state and federal agencies in hazardous materials route planning, notifications, and incident response to ensure appropriate first response to hazardous material incidents.
Policy HS-16	The City will work with other responsible agencies on efforts to clean up or contain identified soil or water contamination identified in the city limits. This policy will extend to the former Oberti salt ponds and other related facilities at such time as they are annexed to the city.
Policy HS-17	The City shall seek to avoid and minimize exposure of sensitive land uses to potentially hazardous emissions along truck routes and rail lines, which may be used by surface vehicles and rail cars carrying hazardous or toxic substances. These truck routes include Avenue 12 and Highways 99 and 145. Rail corridors include the two primary lines running north-south through Madera, as well as the spur line, which serves the industrial area in the southwest portion of the City.
Policy HS-18	The City shall require written confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for land uses proposed prior to the City approving site development or provide an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. This documentation shall specify the extent of development allowed on the remediated site as well as any special conditions and/or restrictions on future land uses.

Table 4.9.A: General Plan Policies Related to Hazards and Hazardous Materials

Policy/Action Item Number	Policy
Policy HS-31	The City shall consider the compatibility criteria in the Airport Land Use Compatibility Plan for the Madera Airport and the Madera Municipal Airport Master Plan in the review of potential land uses or projects. Projects shall be approved only where consistency with the compatibility criteria in the Airport Land Use Compatibility Plan can be demonstrated.
Policy HS-32	The City shall ensure that new development near the Madera Airport is designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, the Federal Aviation Administration, and other responsible agencies. It shall be the City's intent to comply with all state laws related to airport land use planning.
Policy HS-33	The City shall ensure the safety and protection of Madera and its community members by providing adequate first response capabilities to emergencies and by maintaining sufficient resources to expand protection as the community grows.
Policy HS-34	The City shall continue to maintain and update emergency service plans, including the Madera City Fire Department Emergency Operations Plan and the Hazardous Material Spills Emergency Response Plan.
Policy HS-35	The City shall ensure the safety and protection of Madera and its community members by providing appropriate first response to emergencies and ensure that sufficient resources are available to expand protection as the community grows.
Policy HS-36	The City will maintain and enhance community safety through coordinated regional emergency, law-enforcement and protective services systems.
Land Use Element	
Policy LU-35	<p>Figure LU-3 depicts the Village and District areas as defined by the City of Madera. This map shall be used to implement other policies in this General Plan, which refer to villages and village centers. Although shown as defined lines, the exact boundaries of a village may be adjusted at the City's discretion to reflect conditions on the ground, ownership boundaries, or other conditions. Such a change shall not be considered an amendment to this General Plan.</p> <p>VILLAGE D: SPECIFIC POLICIES*</p> <p>The following policies are intended to identify some of the unique issues for this area, which will need to be addressed, and to guide development, as the area transitions to urban use.</p> <ul style="list-style-type: none"> • All future development in this Village shall conform to the Building Blocks principles as described in this General Plan. • In conjunction with village and neighborhood planning, a mechanism shall be established, which creates a permanent agricultural buffer where the westerly edge of the Village abuts the Growth Boundary. This buffer shall average at least 400' in depth, with a minimum depth of 250', and must run continuously along westerly edge of the Village. No habitable structures are to be located within this buffer, although passive recreational opportunities (such as trails and community gardens) may be allowed. Alternative methods and designs to establish the buffer may be proposed, and including placing the buffer on either side of the Growth Boundary. Physical maintenance of the buffer shall be provided consistent with the design and function of the space. • The Village core area shall provide for an integrated mix of uses, including park and open space uses, along the river. • Future development along the Fresno River should be designed to take advantage of the river frontage, including orienting development to front the river where not otherwise prohibited by site conditions. • Village and neighborhood planning shall provide for the alignment of the designated arterial collector, which runs through the Village east and west (Cleveland Avenue), to bend to the south to provide circulation to the proposed village core located along the Fresno River. • All development proposals within Village D shall comply with the provisions of the Airport Land

Table 4.9.A: General Plan Policies Related to Hazards and Hazardous Materials

Policy/Action Item Number	Policy
	Use Master Plan. The establishment of land use designations at the village and neighborhood levels, as well as the layouts of individual projects, shall reflect the allowable uses and densities in the Airport Land Use Master Plan.
Circulation and Infrastructure Element	
Policy CI-47	All major development projects shall identify the size and cost of all infrastructure and public facilities and identify how the installation and long-term maintenance of infrastructure will be financed consistent with the policies in this General Plan.

Source: City of Madera General Plan (October 2009).

* Changes to Village D policies proposed by the Project Applicant are shown in strikeout text.

Threshold 4.9.5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;

Threshold 4.9.6 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;

Threshold 4.9.7 Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.9.2.2 Project Impacts and Mitigation Measures

The following discussion describes the potential impacts and impact significance related to hazard and hazardous materials that could result from implementation of the proposed Specific Plan. Mitigation measures are provided as necessary to reduce potential impacts.

Threshold 4.9.1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Hazardous materials would routinely be used, stored, and transported within the Specific Plan Area and are associated with industrial and commercial/retail businesses, as well as in educational facilities, health care facilities, major roadways, and residential uses.

Within the Specific Plan Area, hazardous waste would be generated by future industrial, business, public and private institutions, and residential use. Comprehensive databases will be maintained by the federal, State, and local agencies identifying facilities using large quantities of hazardous materials, facilities generating hazardous waste, and the class of hazardous materials. The use of certain classes of hazardous materials within the Specific Plan Area would require risk management plans to protect surrounding land uses.

Implementing the proposed Specific Plan would allow the use and storage of hazardous materials, including common cleaning products, building maintenance products, paints and solvents, and other similar items. Such hazardous materials routinely used are not used in sufficient quantities and are not the type of materials to pose a significant hazard to public health and safety or to the environment.

Future facilities within the Specific Plan Area may use certain classes of hazardous materials that require risk management plans to protect the surround land uses. The Specific Plan Area is predominately characterized by active agriculture operations and a mix of irrigated crops with existing residential and agricultural support structures. Demolition of the existing structures to accommodate the new development may potentially expose hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.), as a result, a significant impact would occur.

Hazardous materials may be transported during future operational, remediation and construction activities. Transport of hazardous materials, however, would be subject to existing federal, State, and local regulations, such as the following:

- DOT Hazardous Materials Transport Act-Code of Federal Regulations, Title 49
- USEPA Resource Conservation and Recovery Act
- USEPA Comprehensive Environmental Response, Compensation and Liability Act
- Toxic Substance Control Act
- California Health and Safety Code (Chapters 6.95 and 19)
- California Code of Regulations (Title 13 and Section 2729)
- California Vehicle Code [Sections 31616; 31601(a); 31602(b); 32104(a); 31614(a); 32100 and 32102(b)]
- Madera County Municipal Code (Chapter 7.24; Chapter 7.30; Chapter 16.12)
- City of Madera Code of Ordinance (Title III: Chapters 3, 6; Title V: Chapters 3-6; Title X: Chapter 5)
- City of Madera General Plan (see below)

Under Title 13 of the California Code of Regulations, transportation of hazardous materials must travel on designated specific roadways and transportation routes. The Specific Plan Area does not contain any of these roadways or routes to access the Specific Plan Area. Transport of hazardous materials would follow the most direct route taken to or from the nearest state-designated transportation route. Provisions from the CVC are listed above and were included in the General Plan Draft EIR. Routine transportation of hazardous materials associated with the proposed Specific Plan may use Avenue 12 and Highways 99 and 145.

The proposed Specific Plan identifies a circulation system that includes Avenue 17, Avenue 16 (Kennedy Street), Avenue 15 ½ (Cleveland Avenue), and Road 23 as the primary access roads. The route is away from existing residential neighborhoods when travelling westbound and is generally away from the public.

The following General Plan policies address the use and handling of hazardous materials and associated land uses involving hazardous materials:

Policy HS-15 The City will coordinate with the California Highway Patrol, the Madera County Department of Environmental Health Services, the Madera County Sheriff's Department, and all other appropriate local, state and federal agencies in hazardous materials route planning, notifications and incident response, to ensure appropriate first response to hazardous material incidents.

Policy HS-17 The City shall seek to avoid and minimize exposure of sensitive land uses to potentially hazardous emissions along truck routes and rail lines, which may be used by surface vehicles and rail cars carrying hazardous or toxic substances. These truck routes include Avenue 12 and Highways 99 and 145. Rail corridors include the two primary lines running north-south through Madera, as well as the spur line, which serves the industrial area in the southwest portion of the City.

Implementation of the proposed Specific Plan would be required to comply with the policies described above, as well as the federal, State, and local regulations pertaining to the transportation, use, and disposal of hazardous materials. As a result, potential impacts associated with the transportation of hazardous materials within the Specific Plan Area roadways would be considered less than significant. However, as discussed above, demolition of the existing structures to accommodate the new development may potentially expose hazardous building materials (e.g., asbestos containing materials, lead-based paint, etc.), resulting in a potentially significant impact.

Level of Significance Without Mitigation: Potentially significant.

Impact HAZ-1: Implementation of the proposed Specific Plan could result in the demolition of existing structures that may potentially expose the public or environment to hazardous building materials.

Mitigation Measure HAZ-1 Prior to the issuance of demolition permits related to new development proposed under the Specific Plan, asbestos and lead based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACMs) and/or LBP within existing structures to be removed. Removal by property owners and/or future developers of LBP, friable ACMs, and non-friable ACMs that have the potential to become friable during demolition, shall be outlined in an inspection report to be submitted for approval by the City of Madera Community Development Director or designee, to conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The San Joaquin Valley Air Pollution Control District (SJVAPCD) shall be notified by the property owners and/or future developers of properties (or their designee(s)) prior to any demolition and/or renovation activities.

Level of Significance With Mitigation: Less than significant.

Threshold 4.9.2 Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Implementing the proposed Specific Plan would result in the continued use and storage of hazardous materials, including common cleaning products, building maintenance products, paints and solvents, as well as continued generation of regulated hazardous wastes. There are no cases of reported cases of contamination in groundwater or residual soil within the Specific Plan Area; however, development resulting from the proposed Specific Plan may expose nearby residents and local schools to toxic emissions. Demolition of the existing structures, construction of the future development, and operational activities within the Specific Plan Area would involve demolition materials, gasoline fuels, asphalt, lubricants, toxic solvents to the Specific Plan Area and may potentially include heavy metals, residual agricultural associated chemicals (pesticides, herbicides, fertilizers), and PCBs from electrical transformers and industrial products.

An accidental release of hazardous materials can occur even when the highest level of precaution is practiced. Releases have occurred in highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

The Madera County LHMP and the Madera County Fire Department recognizes the potential for a large chemical release to occur anywhere within the County and could expose thousands of people to hazardous materials via air, soil, or water media. Transportation of a variety of chemicals would continue using the designated circulation system that serves the Specific Plan Area. The proposed Specific Plan identifies a circulation system in compliance with CVC provisions with routes westbound and away from existing residential neighborhoods.

The Madera County Fire Department has taken the role as the Hazardous Materials Response Team and upholds the responsibility of detecting, containing, and removing any release or potential release of hazardous substances to control or stabilize an incident.

The release of hazardous materials would be subject to existing federal, State, and local regulations and is similar to the transport/use/disposal of hazard materials. The following General Plan policies address potential releases of hazardous materials:

Policy HS-10 The City will regulate the storage of hazardous and waste materials consistent with state and federal law. The City shall not permit above ground tanks without considering the potential hazards that would result from the release of stored liquids caused by possible rupture or collapse and may request applicants to have an emergency response plan.

Policy HS-11 The City will work with responsible agencies to ensure that all industrial facilities are constructed and operated in accordance with the most current safety and environmental protection standards.

- Policy HS-14 Industries, which store and process significant quantities of hazardous or toxic materials, shall provide a buffer zone between the installation that houses such substances and the property boundaries of the facility sufficient to protect the public in the event of the release or leak of the materials.
- Policy HS-16 The City will work with other responsible agencies on efforts to clean up or contain identified soil or water contamination in the city limits. This policy will extend to the former Oberti salt ponds and other related facilities at such time as they are annexed to the city.
- Policy HS-18 The City shall require written confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for land uses proposed prior to the City approving site development or provide an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. This documentation shall specify the extent of development allowed on the remediated site as well as any special conditions and/or restrictions on future land uses.

In addition, implementation of Mitigation Measure AIR-2.1 would require that all disturbed areas shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover. By doing so, fugitive dust that may be contaminated through the use of agricultural-related pesticides herbicides, insecticides, or pesticides would be reduced. Compliance with the applicable mitigation measure, laws and regulations referenced above would result in less-than-significant impacts related to the accidental release of hazardous materials associated with implementation of the proposed Specific Plan.

Significance Without Mitigation: Less than significant. No mitigation is required.

Threshold 4.9.3 Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Specific Plan Area is located within the Madera Unified School District (MUSD), and the anticipated development of three elementary schools within the Specific Plan Area would be subject to review and approval of the MUSD. The proposed elementary schools would be located in each of the three neighborhoods identified in the proposed Specific Plan. Several existing school properties are located east, south, and west of the Specific Plan Area; however, all sites are located more than one-quarter mile away.

The anticipated elementary schools would be subject to environmental site assessments consistent with the MUSD in accordance with State laws, regulations, and policies prior to construction.¹² In

¹² California Department of Education. 2017. School Site Selection and Approval Guide, Hazardous Air Emissions and Facilities Within A Quarter Mile. Website: www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp#emissions (accessed April 23, 2020).

addition, there are no open cases for hazardous materials within the Specific Plan Area. As result, a less-than-significant impact would occur.

Significance Without Mitigation: Less than significant. No mitigation is required.

Threshold 4.9.4 **Would the project be located on a site that is included on a list of hazardous materials sites compiled by Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?**

Under Government Code Section 65962.6, the DTSC is required to compile and update the Cortese List, which provides information about the location of hazardous materials release sites. The Cortese List uses data resources from the DTSC and State Water Board. There are no open cases for hazardous materials listed in the Cortese List within the Specific Plan Area or within a two-mile radius of the Specific Plan Area.

The following General Plan policy addresses potential impacts of nearby hazardous materials:

Policy HS-12 The City will consider the potential impacts of facilities, which propose to store and/or process significant quantities of hazardous or toxic materials on the public and nearby properties. The City shall require such projects to prepare a site-specific hazard and threat assessment when determined necessary by the City's emergency services department(s) or appropriate consulting agencies. The hazard and threat assessment shall consider the likelihood of reasonably foreseeable events and their potential to create physical effects at off-site locations resulting in death, significant injury, or significant property damage.

Compliance with General Plan Policy HS-12, which would require site-specific hazards for development occurring under the proposed Specific Plan, would address potential impacts related hazardous material sites. As a result, a less-than-significant impact would occur.

Significance Without Mitigation: Less than significant. No mitigation is required.

Threshold 4.9.5 **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the imaginary surfaces surrounding an airport.

The Specific Plan Area is adjacent to the Madera Municipal Airport and is located within the planning area boundary of the airport. The potential hazards associated with implementation of

future growth in the vicinity of the airport, including within the proposed Specific Plan Area have been addressed in the General Plan and have undergone review by the Madera County ALUC.

The following General Plan policies address development near the Madera Municipal Airport:

- Policy HS-31 The City shall consider the compatibility criteria in the Airport Land Use Compatibility Plan for the Madera Airport and the Madera Municipal Airport Master Plan in the review of potential land uses or projects.
- Policy HS-32 The City shall ensure that new development near the Madera Airport is designed to protect public safety from airport operations consistent with recommendations and requirements of the Airport Land Use Commission, the Federal Aviation Administration, and other responsible agencies.
- Policy LU-35 Abbreviated "VILLAGE D: SPECIFIC POLICIES:
- All development proposals within Village D shall comply with the provisions of the Airport Land Use Master Plan. The establishment of land use designations at the village and neighborhood levels, as well as the layouts of individual projects, shall reflect the allowable uses and densities in the Airport Land Use Master Plan."

The Specific Plan is consistent with the General Plan and Madera County ALUC. As a result, subsequent development associated with the proposed Specific Plan would likewise be consistent with the General Plan and the Madera County ALUC, and therefore, hazards associated with public airport land use would be considered less than significant.

Significance Without Mitigation: Less than significant. No mitigation is required.

Threshold 4.9.6 Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Development of the Specific Plan Area includes residential, mixed use, park and recreation, natural open space, industrial, public facilities, and major roadways. It is not anticipated that the proposed Specific Plan would impair implementation nor physically interfere with adopted emergency response plan or evacuation plan based on the nature of land uses within the Specific Plan Area because new roadways constructed as part of implementation of the proposed Specific Plan would be constructed to access existing roadways within the Specific Plan Area, and existing roadways would not be impeded or restrict vehicle movement.

The General Plan sets forth an action plan to adopt an "All Hazards (manmade and natural) Disaster Plan" that provides safety protocols "for coordinating all government and volunteer agencies in assisting local residents in the event" of a disaster. Alongside this, the City will "continue to maintain and update emergency service plans" to improve emergency access to the city.

The following General Plan policies address potential interference of emergency response or evaluation plans:

Policy HS-8 The City shall seek to ensure that new structures are protected from damage caused by earthquakes, geologic conditions, or soil conditions.

Action Item HS-8.1

Adopt an All Hazards (natural and manmade) Disaster Plan. The Plan should be sufficiently broad in scope to include the designation of evacuation routes, staging areas, shelters, PODs (points of distribution), and protocols for coordinating all local government and volunteer agencies in assisting local residents in the event of a major earthquake, largescale fire or explosion, or hazardous chemical spill or release of hazardous airborne gas.

Policy HS-34 The City shall continue to maintain and update emergency service plans, including the Madera City Fire Department Emergency Operations Plan and the Hazardous Material Spills Emergency Response Plan.

Based on the required reviews by emergency service providers, as well as the proposed Specific Plan's implementation of General Plan policies, impacts related to physically interfering with adopted emergency response plan or evacuation plan would be considered less than significant.

Significance Without Mitigation: Less than significant. No mitigation is required.

Threshold 4.9.7 Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

There are no wildlands located within or adjacent to the Specific Plan Area. According to CAL fire,¹³ the area in which the Specific Plan Area is located does not classify as a very high fire hazard severity zones within the Local Responsibility Area.¹⁴

Implementation of the proposed Specific Plan would increase the population and need for fire protection and emergency services within the Specific Plan Area. Complying with the General Plan policies discussed below would ensure that the need for fire protection and emergency services are met.

The following General Plan policies address potential wildland and fire hazards:

Policy CI-47 All major development projects shall identify the size and cost of all infrastructure and public facilities and identify how the installation and long-term maintenance of infrastructure will be financed consistent with the policies in this General Plan.

¹³ California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Website: osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps (accessed April 23, 2020).

¹⁴ California Department of Forestry and Fire Protection. 2007. Office of the State Fire Marshal. *FACT SHEET: California's Fire Hazard Severity Zones*. Available online at: www.sccgov.org/sites/dpd/DocsForms/Documents/Fire_Hazard_Zone_Fact_Sheet.pdf (accessed April 23, 2020).

Policy HS-33 The City shall ensure the safety and protection of Madera and its community members by providing adequate first response capabilities to emergencies and by maintaining sufficient resources to expand protection as the community grows.

Implementation of the General Plan policies listed above would reduce potential impacts associated with wildland fires to less-than-significant levels.

Significance Without Mitigation: Less than significant. No mitigation is required.

4.9.2.3 Cumulative Impacts

The proposed Specific Plan would increase hazard-related impacts (hazardous waste/material transport and potential release, public airport use, interference with emergency plan, etc.); however, policies and actions identified above would reduce potential impacts to a less than significant level.

Anticipated development within the Specific Plan Area (e.g., residential, commercial, industrial, park, and recreational land use) would increase public exposure to potential hazards; however, each significant impact is considered significantly low and would likely not affect public or environmental health.

The proposed Specific Plan would not create public or environmental hazards through the routine transport, use, disposal, or accidental release of hazardous materials; emit or handle hazardous materials within proximity of a school; impede emergency response or evacuation; or expose people and structures to wildland fires. There are no hazardous waste materials within the Specific Plan Area as indicated in the Cortese List, nor is the area considered a fire hazard severity zone. The Specific Plan Area is adjacent to the Madera Municipal Airport and would be required to comply with policies listed in the Madera County ALUC and General Plan. Cumulatively, there are no significant impacts associated with the development of the proposed Specific Plan.

Development of the proposed Specific Plan would involve the transportation and use of hazardous materials, such as chemicals and solvents used for construction activities and routine cleaning and maintenance. Similarly, development of the proposed elementary school sites would be required to comply with applicable federal, state, regional, and local standards and requirements that address hazards and hazardous materials impacts in the same manner as the overall proposed Specific Plan. These regulations, procedures, and policies promote and require the proper handling, use, transport, and disposal of hazardous wastes and materials; facilitate implementation of emergency response plans and evacuation routes.

Therefore, the proposed Specific Plan's contribution to cumulative impacts associated with hazards and hazardous materials would be considered less than significant.

Significance Without Mitigation: Less than significant. No mitigation is required.