

4.8 Hazards and Hazardous Materials

This section addresses impacts associated with the 2045 General Plan related to the use and transportation of hazardous materials, the accidental release of hazardous materials, new development or re-development on contaminated sites, air traffic hazards, interference with emergency response and evacuation plans, and the risk of exposure to wildland fires.

4.8.1 Setting

a. Definition of Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR) as follows:

“A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (California Code of Regulations, Title 22, Section 66261.10).”

Chemical and physical properties cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosiveness, and reactivity. CCR Title 22, Sections 66261.20 through 66261.24 defines the aforementioned properties. The release of hazardous materials into the environment can contaminate soils, surface water, and groundwater supplies.

b. Land Use Patterns

Past and present land use patterns are good predictors of the potential for past contamination by hazardous materials and the current use and storage of hazardous materials. Military, industrial, and certain commercial land uses, such as dry cleaners and auto service, are more likely to use and store large quantities of hazardous materials than residential land uses. Small quantities of hazardous materials are also routinely used and stored in other commercial and retail businesses, educational facilities, medical facilities, and households. Commercial land uses in Solvang are primarily concentrated adjacent to State Route (SR) 246. Light industrial uses are located adjacent to SR 246 at Solvang’s western city limits. Furthermore, land uses that allow for development of electric vehicle infrastructure, transformers, battery storage, hydrogen fueling, or other energy infrastructure have a higher potential of risk involving hazardous materials due to the use of materials such as batteries, fuel storage tanks, and other infrastructure.

Land use patterns are also useful for identifying the location of sensitive receptors, such as schools, day-care facilities, hospitals, and senior living facilities. Solvang Elementary School is located on Atterdag Road adjacent to existing residential and commercial land uses. Santa Ynez Valley Cottage Hospital is located in the eastern portion of Solvang on Viborg Road and surrounded by existing residential and institutional uses. Atterdag Village of Solvang, a senior living facility, is located adjacent to the Solvang Elementary School.

c. Existing Hazardous Material Contamination

The following databases were searched in July 2023 for records related to any known hazardous materials contamination within Solvang:

- United States Environmental Protection Agency (USEPA) Superfund Enterprise Management System database (USEPA 2023a).
- California State Water Resources Control Board (SWRCB) GeoTracker database, which includes data from the California Department of Toxic Substances Control (DTSC) (SWRCB 2023a).
- SWRCB’s list of solid waste disposal sites (SWRCB 2023b).
- California Environmental Protection Agency (CalEPA) Active Cease and Desist Orders (CDOs) and Cleanup Abatement Orders (CAOs) (CalEPA 2023a).

Solvang does not contain any active CDOs or CAOs or military cleanup sites. Based on a review of the databases listed above, there are 11 leaking underground storage tank (UST) cleanup sites and one cleanup site for volatile organic compounds. All 12 of these sites are designated as “Completed – Case Closed,” meaning remedial action has been undertaken, and following the remedial action the Santa Barbara County Environmental Health Services Division issued a closure letter or other formal closure decision document stating the site does not pose a substantial risk.

d. Airports and Airport Hazards

Airport-related hazards can occur if departing or landing aircraft pose a safety risk to nearby development, or vice versa. The nearest public airport to Solvang is the Santa Ynez Airport, located approximately five miles east of the City limits. Private aircraft regularly take off, land, refuel, and are stored at the Santa Ynez Airport. Emergency response aircraft are also stored at the airport which serves as a staging ground for the Santa Barbara County Air Support Unit. The Santa Barbara County Association of Governments (SBCAG) updated the Airport Land Use Plan (ALUP) in 2023 establishing safety zones around the airport to protect the public from potential noise and safety impacts associated with aircraft operations. The ALUP also designates allowable and conditionally allowable land uses for the different safety zones. The currently adopted safety zones shown in the Safety Compatibility Policy Map of the ALUP do not overlap the Planning Area¹. The City’s Sphere of Influence (SOI) northeast of Solvang encroach upon the imaginary airspace surfaces boundary, overflight notification zone, and Review Area 2², but the City limits do not currently overlap these areas (SBCAG 2023).

¹ The Planning Area covered by the 2045 General Plan consists of the corporate limits of the City as well as lands within the City’s Sphere of Influence (SOI). The term “sphere of influence” applies to the area designated by Santa Barbara County Local Agency Formation Commission (LAFCO) as the probable, future physical boundary or service area of the City.

² Review Area 2 consists of an overflight and airspace protection zone for the Santa Ynez Airport but excludes noise contours and safety zones that apply to land adjacent to the airport.

4.8.2 Regulatory Setting

a. Federal Regulations

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 gives the USEPA the authority to control hazardous waste from “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled USEPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Toxic Substances Control Act

Congress enacted the Toxic Substances Control Act (TSCA) of 1976, codified in Title 40 of the Code of Federal Regulations (CFR), to give USEPA the ability to track the 75,000 industrial chemicals currently produced or imported into the United States. USEPA repeatedly screens these chemicals and can require reporting or testing of those that may pose an environmental or human-health hazard. USEPA can ban the manufacture and import of those chemicals that pose an unreasonable risk. More specifically, in California, polychlorinated biphenyls (PCBs) are regulated by both State (RCRA and Title 22 of the CCR) and federal (TSCA) rules. TSCA has banned the manufacture, processing, use, and distribution in commerce of PCBs. TSCA gives USEPA the authority to develop, implement and enforce regulations concerning the use, manufacture, cleanup, and disposal of PCBs. TSCA also establishes USEPA’s Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by USEPA.³

Occupational Safety and Health Act of 1970

The United States Department of Labor’s Occupational Safety and Health Administration (OSHA) was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. The Occupational Safety and Health Act, which is implemented by OSHA, contains provisions with respect to hazardous materials handling. Federal Occupational Safety and Health Act requirements, as set forth in Title 29 of the CFR Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker’s right-to-know. OSHA has delegated the authority to administer OSHA regulations to the State of California.

Title 49 of the CFR, which contains the regulations set forth by the Hazardous Materials Transportation Act of 1975, specifies additional requirements and regulations with respect to the transport of hazardous materials. Title 49 of the CFR requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Drivers are also required to be trained in function and commodity specific requirements.

³ USEPA, *40 CFR Part 745, Rules 402 and 404*, August 29, 1996.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 provided a new set of mitigation plan requirements for State and local jurisdictions that encourage them to coordinate disaster mitigation planning and implementation. States are encouraged to complete a “Standard” or an “Enhanced” Natural Mitigation Plan. Enhanced plans demonstrate increased coordination of mitigation activities at the State level and, if completed and approved, increase the amount of funding through the Hazard Mitigation Grant Program. The State of California Multi-Hazard Mitigation Plan (SHMP), as discussed below, complies with this act.

b. State Regulations

Jurisdiction Over Hazardous Materials Management

The primary State agencies with jurisdiction over hazardous chemical materials management are the DTSC and the Central Coast Regional Water Quality Control Board (RWQCB). Other State agencies involved in hazardous materials management include California OSHA (CalOSHA) and the State Office of Emergency Services (CalOES).

Authority for statewide administration and enforcement of RCRA rests with DTSC. While DTSC has primary State responsibility in regulating the generation, storage, and disposal of hazardous materials, DTSC may further delegate enforcement authority to local jurisdictions. In addition, DTSC is responsible and/or provides oversight for contamination cleanup and administers statewide hazardous waste reduction programs. DTSC operates programs to accomplish the following: (1) manage the aftermath of improper hazardous waste management by overseeing site cleanups; (2) prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly; and (3) evaluate soil, water, and air samples taken at sites.

The storage of hazardous materials in USTs is regulated by the SWRCB, which delegates authority to the Central Coast RWQCB on the regional level, and typically to the local fire department on the local level.

The CalOSHA program is administered and enforced by the Division of Occupational Safety and Health. CalOSHA is similar to the federal OSHA program. Both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, CalOSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program, which is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The CalOES Hazardous Materials section under the Fire and Rescue Division coordinates statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats. In response to any hazardous materials emergency, staff are called upon to provide State and local emergency managers with emergency coordination and technical assistance.

California Occupational Safety and Health Act – California Labor Code, Section 6300 et seq.

The California Occupational Safety and Health Act of 1973 addresses California employee working conditions, enables the enforcement of workplace standards, and provides for advancements in the field of occupational health and safety. The California Occupational Safety and Health Act also

created CalOSHA, the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. CalOSHA's standards are generally more stringent than federal regulations. Under the former, the employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure. The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings. At sites known or suspected to be contaminated by hazardous materials, workers must have training in hazardous materials operations and a Site Health and Safety Plan must be prepared, which establishes policies and procedures to protect workers and the public from exposure to potential hazards at the contaminated site.

California Code of Regulations, Title 22, Hazardous Waste Management

At the State level, under Title 22, Division 4.5 of the CCR, DTSC regulates hazardous waste in California primarily under the authority of the Federal RCRA and the California Health and Safety Code. The Hazardous Waste Control Law, under CCR 22, Chapter 30, establishes regulations that are similar to RCRA but more stringent in their application and empowers the DTSC to administer the State's hazardous waste program and implement the federal program in California. The DTSC is responsible for permitting, inspecting, ensuring compliance, and imposing corrective action programs to ensure that entities that generate, store, transport, treat, or dispose of potentially hazardous materials and waste comply with federal and State laws. The DTSC defines hazardous waste as waste with a chemical composition or other properties that make it capable of causing illness, death, or some other harm to humans and other life forms when mismanaged or released into the environment.

The DTSC shares responsibility for enforcement and implementation of hazardous waste control laws with the SWRCB and, at the local level, the Central Coast RWQCB, and city and county governments.

California Code of Regulations Title 23, Chapter 15 Discharges of Hazardous Waste to Land Section 2511(b)

CCR 23, Chapter 15, Discharges of Hazardous Waste to Land, Section 2511(b) pertains to water quality aspects of waste discharge to land. The regulation establishes waste and site classifications as well as waste management requirements for waste treatment, storage, or disposal in landfills, surface impoundments, waste piles, and land treatment facilities. Requirements are minimum standards for proper management of each waste category, which allows regional water boards to impose more stringent requirements to accommodate regional and site-specific conditions. In addition, the requirements of CCR 23, Chapter 15 applies to cleanup and abatement actions for unregulated hazardous waste discharges to land (e.g., spills).

California Fire Code

The California Fire Code (CFC) is Chapter 9 of CCR Title 24 and is a fully integrated code based on the International Fire Code. The CFC establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The CFC uses a hazard classification system to determine what protective measures are required to ensure fire safety and protect lives. These measures may include construction

standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification.

More specifically, CFC Chapter 8 addresses fire related Interior finishes; CFC Chapter 9 addresses fire protection systems; and CFC Chapter 10 addresses fire-related means of egress. CFC Chapter 49 also contains regulations for vegetation and fuel management to maintain clearances around structures. These requirements establish minimum standards to protect buildings in Fire Hazards Severity Zones (FHSZ) in State Responsibility Areas, Local Responsibility Areas, and wildland-urban interface fire areas.

California Multi-Hazard Mitigation Plan

The California Office of Emergency Services (CalOES) prepares the SHMP, which identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy (CalOES 2018). The SHMP is required under the Disaster Mitigation Act of 2000 for the State to receive federal funding. The Disaster Mitigation Act of 2000 requires a SHMP as a condition of disaster assistance. The SHMP represents the State’s primary hazard mitigation guidance document, providing an updated analysis of the state’s historical and current hazards, hazard mitigation goals and objectives, and hazard mitigation strategies and actions. The SHMP represents the State’s overall commitment to supporting a comprehensive mitigation strategy to reduce or eliminate potential risks and impacts of disasters in order to promote faster recovery after disasters and, overall, a more resilient state. SHMPs are required to meet the elements outlined in the Federal Emergency Management Agency (FEMA) State Mitigation Plan Review Guide (revised March 2015, effective March 2016).

CalOES is responsible for the development and maintenance of the State’s plan for hazard mitigation. The State’s SHMP was last approved by FEMA as an Enhanced State Mitigation Plan in 2018. The plan is designed to reduce the effects of disasters caused by natural, technological, accidental, and adversarial/human-caused hazards. The SHMP sets the mitigation priorities, strategies, and actions for the state. The plan also describes how risk assessment and mitigation strategy information is coordinated and linked from local mitigation plans into the SHMP and provides a resource for local planners of risk information that may affect their planning area. The State of California is required to review and revise its mitigation plan and resubmit for FEMA approval at least every 5 years to ensure continued funding eligibility for certain federal grant programs.

State Emergency Plan

The foundation of California’s emergency planning and response is a statewide mutual aid system, designed to ensure that adequate resources, facilities, and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with an emergency situation.

The California Disaster and Civil Defense Master Mutual Aid Agreement (California Government Code Sections 8555–8561) requires signatories to the agreement to prepare operational plans to use in their jurisdiction and outside their area. These operational plans include fire and non-fire emergencies related to natural, technological, and war contingencies. The State of California, all State agencies, all political subdivisions, and all fire districts signed this agreement in 1950.

Section 8568 of the California Government Code, the California Emergency Services Act, states that “the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.” The act provides the basic authorities for conducting emergency operations

following the proclamations of emergencies by the Governor or appropriate local authority, such as a City Manager. The provisions of the act are further reflected and expanded on by appropriate local emergency ordinances. The act further describes the function and operations of government at all levels during extraordinary emergencies, including war.

All local emergency plans are extensions of the State of California Emergency Plan. The State Emergency Plan conforms to the requirements of California's Standardized Emergency Management System (SEMS), which is the system required by Government Code 8607(a) for managing emergencies involving multiple jurisdictions and agencies. The SEMS incorporates the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement, existing mutual aid systems, the operational area concept, and multi-agency or inter-agency coordination. Local governments must use SEMS to be eligible for funding of their response-related personnel costs under State disaster assistance programs. The SEMS consists of five organizational levels that are activated as necessary, including: field response, local government, operational area, regional, and State. CalOES divides the state into several mutual aid regions (CalOES 2017).

California Public Utilities Commission General Orders

General Order 165

General Order 165 establishes requirements for the inspection of electric distribution and transmission facilities that are not contained in a substation. Utilities must perform "Patrol" inspections, defined as a simple visual inspection of utility equipment and structures and designed to identify obvious structural problems and hazards, at least once per year for each piece of equipment and structure. "Detailed" inspections, where individual pieces of equipment and structures are carefully examined, are required every 5 years for all overhead conductor and cables, transformers, switching/protective devices, and regulators/capacitors. By July 1 of each year, each utility subject to this General Order must submit an annual report of its inspections for the previous year under penalty of perjury (CPUC 2017a).

c. Local Regulations

Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan

The Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan (HMP) contains goals and objectives that are intended to reduce loss of life and property from natural disasters. The HMP was comprehensively updated in 2023, and the City is a participating agency. During the planning process, this plan used FEMA tools to determine the most likely possible threats would be wildfire, earthquakes, drought and water shortage, pandemic/public health emergency, energy shortage and resiliency, extreme heat and freeze, and flooding. The HMP identifies mitigation action items that aim to meet objectives and reduce the impacts of these hazards. The Santa Barbara County Office of Emergency Management leads the responsibility for overseeing the Plan implementation and maintenance strategy. Plan implementation and evaluation will be a shared responsibility among all planning partnership members and agencies identified as lead agencies in the mitigation action plans.

City of Solvang Emergency Management Plan

The City's Emergency Management Plan (EMP) addresses the planned response to extraordinary emergency situations associated with natural disasters, technological and intentional incidents, and

national security emergencies in or affecting the City. The EMP addresses emergency management coordination, procedures required to protect the health and safety of the residents and property within Solvang, and emergency management organization required to respond to and mitigate emergencies or disasters within Solvang. The EMP integrates with Santa Barbara County's Operational Area response for area wide emergencies such as fire (City of Solvang 2013a).

4.8.3 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

This section describes the potential environmental impacts of the proposed project relevant to hazards and hazardous materials. The impact analysis is based on an assessment of baseline conditions in Solvang, including locations of hazardous materials use and storage, existing contaminated sites, air traffic hazards, emergency response and evacuation plan requirements, and the risk of exposure to wildland fires. This analysis identifies potential impacts based on the predicted interaction between the affected environment and construction, operation, and maintenance activities related to the predicted development that would occur under the proposed project. This section describes hazards and hazardous materials impacts in terms of location, context, duration, and intensity.

Significance Thresholds

California Environmental Quality Act (CEQA) Guidelines Appendix G provides the following significance thresholds to determine if a project would have a potentially significant impact on hazards and hazardous materials. For the purposes of this Environmental Impact Report (EIR), implementation of the proposed project may have a significant adverse impact if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
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;
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4. 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;
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;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

This section does not analyze the exposure of future development within the City to hazards because it is an impact of the environment on the project. The California Supreme Court held in a December 2015 opinion (*California Building Industry Association v. Bay Area Air Quality Management District*) that an analysis of impacts of the environment on a project is not required for CEQA compliance.

b. Project Impacts and Mitigation Measures

Threshold 1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
Threshold 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?

Impact HAZ-1 IMPLEMENTATION OF THE 2045 GENERAL PLAN COULD RESULT IN AN INCREMENTAL INCREASE OF THE OVERALL ROUTINE TRANSPORT, USE, STORAGE, AND DISPOSAL OF HAZARDOUS MATERIALS. COMPLIANCE WITH APPLICABLE REGULATIONS RELATED TO THE HANDLING, TRANSPORT, DISPOSAL, AND STORAGE OF HAZARDOUS MATERIALS AND ADHERENCE TO 2045 GENERAL PLAN POLICIES WOULD MINIMIZE THE RISK OF SPILLS AND THE PUBLIC'S POTENTIAL EXPOSURE TO THESE SUBSTANCES AND REDUCE THE RISK OF ADVERSE IMPACTS OF HAZARDOUS MATERIALS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Transport, Use, and Disposal of Hazardous Materials

Development facilitated by the proposed project would involve the use of potentially hazardous materials, such as vehicle fuels and fluids, which would be released should a spill or leak occur. Typically, small fuel or oil spills would not have a substantial impact on public health. Contractors of individual development projects would be required to implement standard construction best management practices (BMPs) for the use or handling of such materials to avoid or reduce the potential for such conditions to occur. Any transport, use, or disposal of hazardous materials would be carried out in accordance with applicable local, State, and federal regulations regarding the handling of potentially hazardous materials. These include the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Materials Management Act, and CCR Title 22. Hazardous materials transported on highways, such as State Route 243, would be subject to California Department of Transportation (Caltrans) requirements, as described in Title 49 of the CFR. In addition to these State and federal requirements, the City has protocols to remedy the accidental release of hazardous materials, set forth in the City's EMP. These protocols include response from the City's Fire and Rescue branch to control the accidental release of hazardous materials (City of Solvang 2013a). These regulatory safeguards minimize exposure of the public and environment to a potential release of hazardous materials.

The proposed project would include the following policies to minimize the potential for hazardous materials exposure:

- **Policy SAF-7.1: Hazardous Material Storage and Disposal.** The City shall require proper storage and disposal of hazardous materials, including medical waste, to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.

- **Policy SAF-7.2: Designated Routes for Transport of Hazardous Materials.** The City shall designate and continue to enforce safe routes through the City for the transport of hazardous materials.

Asbestos Exposure

Future development facilitated by the proposed project that requires demolition or redevelopment of existing structures, particularly old structures, has the potential to expose workers and the public to asbestos. The California Health and Safety Code Section 19827.5 requires that local agencies not issue a demolition or alteration permits until an applicant has assessed the potential for a structure to contain asbestos and demonstrated compliance with notification requirements under federal regulations involving hazardous air pollutants, including asbestos. CCR Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials, such that exposure levels do not exceed California Occupational Safety and Health Administration standards. Similarly, CCR Section 1529 sets requirements for asbestos exposure assessments and monitoring, methods of complying with exposure requirements, safety wear, communication of hazards, and medical examination of workers. The control of asbestos-containing material during demolition or renovation activities is regulated under the Federal Clean Air Act, which requires thorough inspection for asbestos where demolition would occur and specifies work practices to control emissions, such as removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak-tight containers, and disposing of the asbestos-containing waste material as expeditiously as practicable (USEPA 2023).

Upset and Accident Conditions

Future development facilitated by the proposed project would involve the use, storage, disposal, or transportation of hazardous materials. Some potential commercial, residential, and visitor-serving uses do not generally involve the use, storage, disposal, or transportation of significant quantities of hazardous materials. Hazardous material use and storage would primarily consist of common household hazardous materials such as solvents, paints, and chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be different from household hazardous materials currently in use throughout Solvang. Residents and workers would use limited quantities of products that contain hazardous materials routinely for periodic cleaning, repair, and maintenance, or for landscaping and pest control. The disposal of household hazardous materials would be conducted at the Health Sanitation Service located in Buellton (City of Solvang 2023).

Future development facilitated by the proposed project may include industrial uses that would sell, use, store, transport, or release substantial quantities of hazardous materials. Businesses that handle certain chemicals over threshold quantities are required to abide by State programs, such as preparation of a Hazardous Materials Business Plan (HMBP). An HMBP consists of basic information on the location, type, quantity, and health risks of hazardous materials, and emergency response and training plans (CalEPA 2023b). Hazardous materials must be reported in an HMBP if they are handled in quantities equal or greater than 55 gallons of a liquid, 200 standard cubic feet of a compressed gas, or 500 pounds of a solid. Mandatory reporting in HMBPs would reduce potential hazards to workers and the general public near industrial development from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Conclusion

Overall, applicable federal, State, and local regulations and proposed 2045 General Plan policies would minimize the potential for future development facilitated by the proposed project to create a significant hazard to the public or environment through the transport, use, or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, these impacts would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Impact HAZ-2 DEVELOPMENT FACILITATED BY THE 2045 GENERAL PLAN COULD RESULT IN AN INCREMENTAL INCREASE OF USE OF HAZARDOUS MATERIALS IN PROXIMITY TO SOLVANG ELEMENTARY SCHOOL AND SANTA YNEZ VALLEY UNION HIGH SCHOOL. ADHERENCE TO REGULATORY REQUIREMENTS WOULD ENSURE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Future development facilitated by the proposed project could include facilities which handle hazardous materials, substances, or waste. Solvang Elementary School is the only public school within Solvang and the SOI. Santa Ynez Valley Union High School, while not within the City's SOI, is located approximately 0.2-mile east of the SOI. Existing land use designations surrounding Solvang Elementary School include residential, recreational and open space, commercial, and office uses. The 2045 General Plan would not introduce or modify land use designations surrounding Solvang Elementary School to include industrial uses which typically emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Any future development that would emit hazardous air emissions or would handle a hazardous substance within 0.25 mile of an existing school would be required to notify the affected school district, pursuant to PRC Section 21151.4. Compliance with existing regulations would reduce the potential for a school and its occupants to be exposed to hazardous materials.

Future schools that may be developed to accommodate forecasted population increases in Solvang would be subject to California Education Code Section 17213, which requires the City to ensure the chosen site for a proposed school is not built on current or hazardous waste disposal sites, is not on a hazardous substance release site identified by the DTSC, and does not contain pipelines that carry hazardous substances. Assessment of any contamination is conducted in coordination with the DTSC's Brownfields Restoration and School Evaluation Branch, which is responsible for assessing, investigating, and cleaning up proposed school sites (DTSC 2023). The DTSC ensures that selected sites are free of hazardous materials, or if the sites were previously contaminated, have been remediated to a level that protects future students and staff. Therefore, the proposed project would not result in the handling of hazardous or acutely hazardous materials substances or waste within 0.25 mile of an existing or proposed school. This impact would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

<p>Threshold 4: Would the project be located on a site that is included on a list of hazardous material 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?</p>

Impact HAZ-3 IMPLEMENTATION OF THE 2045 GENERAL PLAN WOULD COMPLY WITH APPLICABLE REGULATIONS AND WOULD INCLUDE A POLICY TO MINIMIZE THE POTENTIAL FOR DEVELOPMENT TO BE LOCATED ON A HAZARDOUS MATERIALS SITE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

As stated in Section 4.8.1, *Setting*, Solvang does not contain any active CDOs, CAOs, or military cleanup sites. All 12 cleanup sites identified in the City are designated as “Completed – Case Closed,” meaning remedial action has been undertaken and the Santa Barbara County Environmental Health Services Division issued a closure letter or other formal closure decision document stating the site no longer poses a substantial risk.

Previously unidentified USTs that are encountered during construction activity can result in the contamination of soil and groundwater at a project site. In the event that a previously unidentified UST is uncovered or disturbed during construction activities of future development facilitated by the proposed project, it would be closed and abandoned in place or removed, consistent with applicable regulations. Tank removal activities could pose both health and safety risks, such as the exposure of workers, tank handling personnel, and the public to tank contents or vapors. Potential risks, if any, posed by USTs would be minimized by managing the tank according to existing standards contained in Division 20, Chapters 6.7 and 6.75 (Underground Storage Tank Program) of the California Health and Safety Code as enforced and monitored by the Environmental Programs Division. In addition to these State regulations, the proposed project includes the following policy requiring testing and remediation for contaminated sites:

- **Policy SAF-7.3: Testing and Remediation of Contaminated Sites.** The City shall require testing for contamination in areas suspected as potentially hazardous and shall require that the remediation of hazardous areas takes place prior to development in cooperation with the Santa Barbara County Public Health Department.

Existing federal and State regulatory requirements, as well as implementation of the proposed 2045 General Plan policy requiring testing and remediation of hazardous areas prior to new development, would minimize the potential for the proposed project to facilitate development on a hazardous materials site. New development on documented hazardous materials sites in Solvang would be preceded by remediation under the supervision of applicable regulatory agencies. Therefore, this impact would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 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?

Impact HAZ-4 DEVELOPMENT FACILITATED BY THE 2045 GENERAL PLAN COULD OCCUR WITHIN THE CITY'S CURRENT SPHERE OF INFLUENCE WHICH PARTIALLY OVERLAPS CONTOURS ESTABLISHED BY THE SANTA YNEZ AIRPORT LAND USE PLAN. ADHERENCE TO REGULATORY REQUIREMENTS AND IMPLEMENTATION OF 2045 GENERAL PLAN POLICES WOULD REDUCE POTENTIAL IMPACTS RELATED TO AIRPORT HAZARDS TO A LESS THAN SIGNIFICANT LEVEL.

The Santa Ynez Airport, located approximately five miles east of the City limits, is the nearest public airport to Solvang. While the City limits are not within an area under the jurisdiction of the ALUP, the City's SOI northeast of Solvang encroach upon the imaginary airspace surfaces boundary, overflight notification zone, and Review Area 2 (SBCAG 2023). If the City incorporates its northeastern SOI into its City limits, development facilitated by the proposed project could occur within the contours delineated in the ALUP. In accordance with California Public Utilities Code 21676, SBCAG would review the 2045 General Plan for consistency with the ALUP prior to the adoption of the 2045 General Plan, including height restrictions and noise compatibility exposure. In addition to these requirements, the proposed project includes the following policies to minimize potential safety hazards or excessive noise resulting from development in proximity to aircraft operations:

- **Policy SAF-9.1: Coordinate with the ALUC.** The City shall coordinate with the Airport Land Use Commission (ALUC) on land use planning around the Santa Ynez Airport and the City's Plan Area.
- **Policy SAF-9.2: Airport Area of Influence.** The City shall submit development proposals for land within the airport area of influence for review by the ALUC for consistency with the Airport Land Use Compatibility Plan.
- **Policy SAF-9.3: Airport Land Use Consistency.** The City shall work to achieve consistency between General Plan land uses and the ALUP, when and where it is appropriate. Measures may include restrictions on permitted land uses and development criteria, including height restrictions.

Compliance with the ALUP, review of the General Plan by SBCAG, and implementation of proposed 2045 General Plan policies, would ensure the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. This impact would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact HAZ-5 DEVELOPMENT FACILITATED BY THE 2045 GENERAL PLAN WOULD ADHERE TO APPLICABLE STATE AND LOCAL REGULATIONS TO ENSURE CONSISTENCY WITH ADOPTED EMERGENCY RESPONSE AND EMERGENCY EVACUATION PLANS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Construction activities associated future development facilitated by the proposed project would potentially interfere with adopted emergency response or evacuation plans as a result of temporary construction activities within rights-of-way, temporary construction barricades, or other obstructions that would potentially impede emergency access. Temporary construction barricades or other obstructions that would be potential obstructions to emergency access on State Highway System/routes would be subject to the standards set forth in the California Manual of Uniform Traffic Control Devices (Caltrans 2023). The California Manual of Uniform Traffic Control Devices requires the creation and approval of temporary traffic control plans to facilitate the movement of road users through a work zone (Caltrans 2023). Construction within a public easement or right-of-way would be required to obtain an encroachment permit from the City’s Public Works Department. In order to obtain an encroachment permit, a traffic and/or pedestrian control plan is required to be submitted to the City’s Public Works Department if the normal flow and safety of vehicle and pedestrian traffic would be affected (City of Solvang 2013b). These regulations would ensure construction activities associated with development facilitated by the proposed project would not impair emergency evacuation or emergency response plans.

Future development facilitated by the proposed project would result in additional traffic. The City’s EMP and the County’s HMP provide guidance during situations requiring an unusual or extraordinary response, including traffic control and management. Implementation of these plans involve coordination with all facilities and personnel of City and County government, along with the jurisdictional resources in the County, to effectively respond to an emergency (City of Solvang 2013a; County of Santa Barbara 2023). Furthermore, development facilitated by the proposed project would be required to comply with road standards and would be reviewed by the Solvang Emergency Services Coordinator and Fire Marshal to ensure new development would not interfere with evacuation routes or impede the effectiveness of evacuation plans. The 2045 General Plan would not introduce new features or policies that would preclude implementation of or alter these plans or procedures. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Impact HAZ-6 THE 2045 GENERAL PLAN INCLUDES POLICIES TO MINIMIZE WILDLAND FIRE RISK. DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT WOULD ADHERE TO THE CALIFORNIA FIRE CODE AND BE REVIEWED BY THE SANTA BARBARA COUNTY FIRE DISTRICT TO ENSURE PEOPLE OR STRUCTURES WOULD NOT BE EXPOSED TO SIGNIFICANT RISK OF LOSS, INJURY, OR DEATH INVOLVING WILDLAND FIRES. THEREFORE, THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Solvang, due to its rural surroundings, is a wildland-urban interface, which includes areas where homes or other structures are built near or among lands prone to wildland fire. The majority of Solvang is within a FHSZ, including the portion of the city south of the Santa Ynez River, as well as the perimeter of the City limits. In addition, Solvang's SOI is within a FHSZ. The central portion of Solvang with concentrated development, as shown in Figure 4.8-1, is not designated as a FHSZ.

Development within a FHSZ is unsafe when fire suppression activities would be impeded by lack of water, rugged terrain, or delayed response times. One SBCFD fire station, Station 30, serves Solvang and portions of unincorporated Santa Ynez Valley. In Solvang, the average response times from SBCFD are between three to five minutes (City of Solvang 2021).

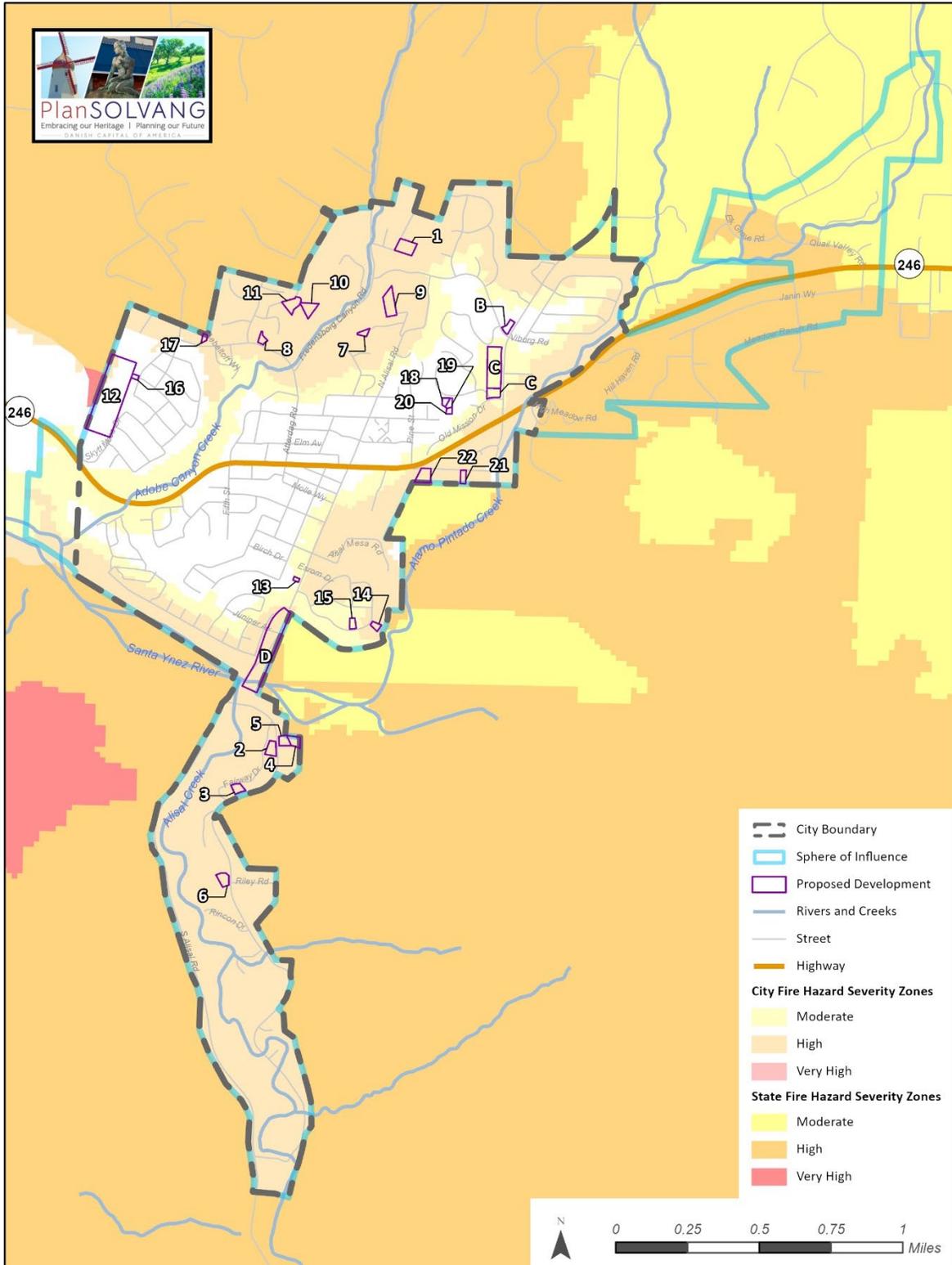
SBCFD enforces fire and building codes related to development in FHSZs. Development facilitated by the proposed project would be required to comply with SBCFD development standards that reduce wildfire risk. Standards include, but are not limited to, implementation of a 100-foot minimum defensible space barriers around all buildings or structures, removal of combustible vegetation within 30 feet of a building or structure, prohibition of trees located within 10 feet of a chimney or stovepipe, and removal of combustible vegetation at a minimum of 10 feet from both shoulders of a roadway or driveway. (SBCFD 2010).

Development facilitated by the proposed project would also be required to adhere to State and federal regulations related to reducing wildfire risk. This includes approval of site-specific design plans to verify compliance with applicable codes including, but not limited to, the following:

- Title 24, CCR, Building Regulations
- Uniform Fire Code
- National Fire Codes of the National Fire Protection Association
- Title 19, CCR, Public Safety
- Title 8, CCR, Occupational Safety
- California Health and Safety Code

The CFC includes safety measures that minimize the threat of fire, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves and vents to prevent intrusion by flame or embers. Development would also be required to meet California Building Code requirements, including CCR Title 24, Part 2, which includes specific requirements related to exterior wildfire exposure. CCR Title 14 sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures or life by reducing wildfire hazards risk. Additionally, implementation of the 2045 General Plan would include policies intended to minimize potential wildfire risks. Therefore, this impact would be less than significant.

Figure 4.8-1 Fire Hazard Severity Zones and Proposed Development



Source: City of Solvang, 2023; CAL FIRE, 2008.
 Date: August 14, 2023

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

4.8.4 Cumulative Impacts

The analysis in this section examines cumulative impacts on hazards and hazardous materials throughout the cumulative impact analysis area, and the 2045 General Plan's potential contribution to cumulative hazards.

Some types of hazards and hazardous materials impacts are related to site-and project-specific characteristics and conditions and would not be substantially affected by cumulative development. There are existing federal, State, and local regulations that effectively reduce the inherent hazard associated with routine transport, use, storage, and disposal of hazardous materials. Regulations and oversight, as outlined in the impacts analysis above, would also effectively reduce the potential for individual projects to create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions, as well as reduce the potential for individual projects to impact schools or cause impacts associated with hazardous materials sites. Thus, cumulative impacts related to the transport, use, storage, or disposal of hazardous materials, upset conditions, hazardous emissions near schools, and project locations on known or unknown hazardous materials sites, would be less than significant.

As part of project approval for the cumulative projects, SBCFD would assess project design for compliance with emergency access requirements. Cumulative projects are not reasonably anticipated to result in permanent road closures, impede an established emergency or evacuation access route, or interfere with emergency response requirements established by the City or County's emergency management plans. Therefore, the cumulative impact related to emergency response and evacuation plans consistency would be less than significant.

Compliance with the requirements of the airport land use plans within Santa Barbara County, including building height limitations and development limitations in noise contours, would reduce potential cumulative projects impacts related to aviation related hazards. Existing requirements for airports and existing local, State, and Federal regulations would also reduce the noise impacts of airport activity on residents and workers in the plan area. Therefore, the cumulative impact related to aviation-related hazards and excessive noise exposure would be less than significant.

A combination of federal, State, and local regulations limit or minimize the potential for exposure to wildland fires by reducing the amount of development in wildland urban interface areas, ensuring new development is developed according to California Building Code and California Fire Code, and incorporating requirements for fire-safe construction into the land use planning. Cumulative development may occur in designated FHSZs; however, project construction would adhere to respective SBCFD fire codes designed to provide minimum standards to increase fire-resiliency in buildings, prevent the occurrence of fires, and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in a wildland urban interface area. Adherence to the SBCFD regulations would ensure that California Fire Code standards including automatic sprinkler systems are incorporated into project design and permit requirements. Therefore, the cumulative impact related to wildland fire exposure risk would be less than significant.

For the reasons stated above, potential impacts associated with hazards and hazardous materials would not be cumulatively considerable, and cumulative impacts would be less than significant.

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