4.9 PUBLIC SAFETY

Agricultural Residential Cluster Subdivision. The Agricultural Residential Cluster Subdivision would result in less than significant (Class III) impacts with respect to potential exposure to residual quantities of presently-banned agricultural chemicals. Impacts related to exposure to contaminants from truck and railway accidents involving hazardous materials would also be Class III, less than significant. The Agricultural Residential Cluster Subdivision would introduce residential uses into a high fire hazard area and potentially expose residents to hazards related to air safety. Impacts with respect to exposure to water treatment chemicals used for Agricultural Residential Cluster Subdivision water storage would be Class II, significant but mitigable. ***Impacts related to exposure to valley fever would be Class II, significant but mitigable.***

*Future Development Program. Because no active application exists for the Future Development Program other than the Agricultural Residential Cluster Subdivision, the assessment of public safety impacts is based on a reasonable worst case scenario with regard to the location of future land uses within anticipated development areas. Due to the extent of development envisioned in the Future Development Program, buildout of the program would result in a potentially significant public safety hazards related to hazardous material exposure, risk of upset, water treatment chemicals, land use conflicts, ~~and~~ errant golf balls**, and exposure to valley fever**. Impacts are significant but mitigable (Class II).*

Refer to Sections 4.7, Geologic Stability, 4.5, Drainage, Erosion, and Sedimentation, and 4.10, Public Services, for discussions of safety issues related to seismic/geologic hazards, flood hazards, and fire hazards, respectively.

4.9.1 Setting

a. Historical and Existing Use of Agricultural Chemicals. The Santa Margarita Ranch is currently zoned and operating under an agricultural land use designation, with the exception of a rural residential land use designation in the Margarita Farms area. The Santa Margarita Ranch has been historically utilized for grazing and crop production since the late 1700s. Crops such as winegrapes and olives were cultivated in the Ranch Headquarters area (north of the community of Santa Margarita) and herds of horses, cattle and sheep were grazed on the surrounding rangelands. The area has been in continuous agricultural production since the Spanish Period and has been used historically for commercial horse, cattle, and sheep grazing and for the cultivation of commercial dryland hay, dryland grain, Sudan grass, seed, winegrapes, and pasture crops. An existing vineyard (the Cuesta Ridge Vineyard) is located in the southern portion of the Ranch. The remainder of the Ranch, including the areas proposed for Agricultural Residential Cluster Subdivision development, is currently used for cattle grazing.

A variety of chemicals are used as pesticides, herbicides, and nutrients on agricultural crops in San Luis Obispo County. The dryland farming of grains and vineyards include the use of a variety of chemical herbicides, pesticides and nutrients. The chemicals that may be used for the on-site agricultural fields include the seasonal use of restricted material herbicides to control weeds prior to planting grain. Pesticides used could include seasonal use of restricted material herbicides to control weeds species. In addition, pesticides used may include various rodent control agents used underground directly in burrows.

b. Hazardous Materials. The Ranch vicinity contains several activities which involve the use of hazardous materials. The Unocal Oil Company operates a petroleum pump station located on the east side of El Camino Real, approximately midway between the communities of Santa Margarita and Garden Farms. This facility includes four open top floating tanks and two fixed roof tanks for heavier crude. Serving the petroleum pump station is a set of parallel, 8-inch pipelines which link the station to Avila Bay and the Shandon booster station. One line carries 28,000 barrels of oil per day and the other line carries between 18,000 and 25,000 barrels of oil per day (Unocal, 1991). These pipelines traverse east-west across the northern end of the Ranch property, roughly 500 feet north of the existing Ranch headquarters.

The Southern Pacific Milling Company operates a sand and gravel quarry, crushing facility, and asphalt batch plant northeast of the Santa Margarita Ranch, approximately two miles northeast of the community of Santa Margarita. Potential hazards associated with the quarry include fugitive dust emissions from daily plant operations, noise generated from facility operations and transport, and traffic hazards associated with mining trucks. Impacts related to fugitive dust and noise generation are discussed in Sections 4.2, *Air Quality,* and 4.8, *Noise,* respectively.

c. Air Safety. One private air strip is located on the Ranch, trending north-south approximately 750 feet west of the existing Ranch headquarter facilities. Safety hazards associated with private air strips are principally related to the risk of an aircraft accident. Personal use airports (defined as an airport limited to the noncommercial activities of an individual owner or family and occasional invited guests) are regulated by Federal Aviation Administration (FAA) regulations (Title 14 of the CFR) and are administered at the state level by the Caltrans Division of Aeronautics.

Neither the FAA nor Caltrans regulate land use adjacent to private airports. However, Part 77 of 14 CFR regulations requires FAA agency notification when there is a change in land use that would involve the development of structures and roadways adjacent to the facility. The criterion for notification depends on the height of proposed structures relative to the location of the runway. Upon request of an airstrip property owner, the FAA will conduct an airspace safety review to ensure that building height to distance from airstrip runway ratios comply with FAA and Caltrans safety requirements. State regulations (CCR Title 21, Division 2.5, Chapter 2) pertaining to personal-use airports contains the following minimum standards, found in Article 5, §3560: the runway length and width must be adequate to enable aircraft to operate safely, considering airport location and the performance data of the most demanding aircraft to utilize the airport; the ends of each runway be at least 200 feet from the airport property line; and the distance from the runway centerline to the property line of another owner must be at least 50 feet. In addition, Article 2, §3530 of Chapter 2, presents the permit requirements for maintaining and using a personal-use airport. These permit requirements include requirements for both airplanes and helicopters, and include distance requirements for operation of airstrips within boundaries of K–12 public and private schools.

d. Highway Accidents. U.S. Highway 101 and State Route 58 are major transportation routes that traverse the Ranch property. Trucks commonly carry a variety of hazardous materials, including gasoline and various crude oil derivatives, and other chemicals known to cause human health problems. When properly contained, these materials present no hazard to the community. But in the event of an accident, such materials may be released, either in liquid or gas form. In the case of some chemicals (such as chlorine), highly toxic fumes may be carried

far from the accident site. Traffic accidents involving large trucks hauling hazardous materials on the highways passing by the Ranch could result in a public safety hazard.

e. Railroad Accidents. The Union Pacific Railroad (UPRR) runs parallel to U.S. Highway 101 south of State Route 58, where it curves eastward to follow El Camino Real through the community of Santa Margarita. The Agricultural Residential Cluster Subdivision site is located approximately 500 feet south of the UPRR line, although the development area would be located over 3,000 feet from the UPRR right-of-way. Trains commonly carry a variety of hazardous materials, which may present a hazard to the community in the event of a derailment.

The Federal Railroad Administration administers a safety program that oversees the movement of hazardous materials (including dangerous goods), such as petroleum, chemical, and nuclear products, throughout the Nation's rail transportation system. Regulations pertaining to the transport of hazardous materials on railroads include specialized training, container sealing and movement, labeling, and emergency response. While railroad accidents related to hazardous materials spills are rare, railroad accidents are a possibility. Specifically, development potential along the railroad tracks would increase the potential for exposure to hazardous materials.

Safety is also a concern where railroad tracks are adjacent to development and there are no barriers that would prevent trespassing on the tracks. Trespassers can be hurt on the tracks or by passing trains or equipment. According to the Federal Railroad Administration Office of Safety Analysis, there have been five trespasser casualties (deaths or injuries) in San Luis Obispo County since the year 2000 (U.S. Department of Transportation Federal Railroad Administration, 2005). Four of those incidents resulted in deaths.

f. Chemical Storage. Improper storage or use of various chemicals, including chlorine-based products, buffers, soda ash, and other chemicals, could result in a release or direct contact by the public. Community swimming pools, water treatment associated with water storage tanks, and golf course and agricultural activities require the storage of such chemicals. In addition, the use of pesticides in the vicinity of non-agricultural development can result in the exposure of people to chemicals. Refer to Section 4.1, *Agricultural Resources*, for a discussion of potential agricultural chemical hazards.

g. Naturally Occurring Asbestos. Serpentine rock is a source of naturally-occurring asbestos. Asbestos is a known carcinogen and inhalation of asbestos may result in the development of lung cancer or mesothelioma. Serpentine rock is known to occur in the southwest corner of the Santa Margarita Ranch property, adjacent to U.S. Highway 101. In addition, undocumented serpentine rock may occur in other portions of the Ranch property where development is proposed and/or envisioned. Refer to Section 4.2, *Air Quality,* for a discussion of potential impacts related to naturally occurring asbestos.

h. Valley Fever. Valley fever (*Coccidioidomycosis*) is an infectious disease caused by the fungus Coccidioides immitis. Infection is caused by inhalation of spores that have become airborne when dry, dusty soil or dirt is disturbed by wind, construction, farming, or other activities. The valley fever fungus is typically found at the base of hillsides in undisturbed soil, especially around rodent burrows, Native American ruins, and burial grounds. It usually grows in the top few inches of soil, but can grow down to 12 inches. The

fungus does not survive well in highly populated areas because there is usually not enough undisturbed soil for the fungus to grow. In addition, the fungus is not likely to be found in soil that has been or is being cultivated and fertilized because human-made fertilizers, such as ammonium sulfate, enhance the growth of the natural microbial competitors of the valley fever fungus. Infection is most frequent during summers that follow a rainy winter or spring, especially after wind and dust storms. Valley fever infection is common only in arid and semiarid areas of the Western Hemisphere. In the United States, it is mostly found from southern California to southern Texas.

Valley fever is spread through the air, particularly when soil containing the valley fever fungus is disturbed by construction, natural disasters, or wind. People can breathe in the spores and get valley fever; it is not spread from person to person. Approximately 60 percent of infected persons have no symptoms and do not seek medical attention. The remaining 40 percent develop a spectrum of illness ranging from mild to moderate flu-like symptoms to pneumonia. About 0.5 percent of valley fever-infected persons may develop disseminated disease, where the infection spreads to other areas of the body. For example, meningitis is a rare but particularly serious manifestation of disseminated valley fever.

Individuals most vulnerable to valley fever are agricultural workers, construction and road workers, and archaeologists because they are exposed to the soil where the fungus might be just below the surface. Exposure to wind storms or recently disrupted soils (i.e., resulting from major earthquakes or construction) may increase the chances of infection. Infections can occur in persons without occupational exposure. Of those without an occupational risk of contracting the disease, the most susceptible are those with suppressed immune systems. Domestic animals are also susceptible to valley fever. Dogs are especially susceptible due to their proximity to the ground and often need long-term therapy with antifungal medication.

An estimated 50,000 to 100,000 persons develop symptoms of valley fever each year in the United States, with 35,000 new infections per year in California alone (http://www.dhpe.org/infect/ valley.html). According to the San Luis Obispo County Public Health Department, there were over 90 cases of valley fever reported between October 2006 and January 2007 in San Luis Obispo County, compared to 113 for all of 2005 (San Luis Obispo County Public Health Department, Public Health Department Notice, January 9, 2007). This is a statistically significant increase (Public Health Department Notice, January 9, 2007).

~~h~~ **i. Hazardous Materials Records Review.** Rincon conducted a search of available hazardous materials records using Environmental Data Resources, Inc. Two hazardous materials sites were identified adjacent to the Ranch property and one hazardous materials site was identified within the boundaries of the Santa Margarita Ranch. K Kidd Transportation, located off-site at 17259 Walnut Street in the community of Margarita Farms, was listed as a Resource Conservation and Recovery Act (RCRA) and Facility Index System (FINDS) site. Mike Cole Farms, located just east of the Ranch at 6835 Calf Canyon Hwy (SR 58), was listed as a RCRA and FINDS site. La Panza Ranch, located on-site near the intersection of SR 58 and West Pozo Road, was listed as an Historic Underground Storage Tank (HIST UST) site. These sites did not release hazardous materials that could migrate to the Santa Margarita Ranch property. No release sites are reported to be present within the boundaries of the Agricultural Residential Cluster Subdivision.

A review of the EDR orphan list records also identified 42 sites that, due to poor or inadequate address information, cannot be plotted. Of these 42 sites, only one site has been identified as a release site. Kaiser Sand & Gravel, located near El Camino Real northeast of the northern portion of the Ranch property, was listed as LUST, Cortese, EMI, and CA WDS site. The site is assumed to be associated with the Southern Pacific Milling Company sand and gravel quarry, which is located northeast of the Santa Margarita Ranch; approximately two miles northeast of the community of Santa Margarita [refer to Section 4.9.1(b) above]. Due to the location of this facility over 1,250 feet from the nearest envisioned land use and the nature of the remaining listings as non-release sites, the orphan sites are not expected to impact the Santa Margarita Ranch property.

Table 4.9-1. EDR Listing Summary of Sites in the Vicinity of the Santa Margarita Ranch

Site Name	Site Address	Relative Location	Database Reference*
Mike Cole Farms	6835 Calf Canyon Hwy Santa Margarita, CA	Just east of the Ranch property, north of Agricultural Residential Cluster Subdivision site	RCRA-SQG, FINDS
La Panza Ranch	SR 58 / West Pozo Road Santa Margarita, CA	On the Ranch property, east of Agricultural Residential Cluster Subdivision site	HIST UST
Santa Margarita Elementary School	22070 H Street Santa Margarita, CA	Adjacent, within Santa Margarita	HAZNET, FINDS
Pacific Bell	9315 Encina Avenue Santa Margarita, CA	Adjacent, within Santa Margarita	RCRA-SQG, FINDS
Pacific Beverage Company	22255 El Camino Real Santa Margarita, CA	Adjacent, within Santa Margarita	HAZNET, LUST, Cortese, SWEEPS, UST
Pintor's Tire & Fuel	22301 El Camino Real Santa Margarita, CA	Adjacent, within Santa Margarita	FINDS, UST
Whitaker Contractors	22985 El Camino Real Santa Margarita, CA	Adjacent, within Santa Margarita	HAZNET
K Kidd Transportation	17259 Walnut Street Atascadero, CA	Adjacent, within the community of Margarita Farms	RCRA-SQG, FINDS
UNOCAP Santa Margarita Pump Station/Conoco Phillips, Santa Margarita NDPL	18781 El Camino Real Atascadero, CA	Adjacent, north of Future Development Program	AST, HAZNET, CHMIRS, FINDS, RCRA-LQG, EMI, ERNS

* *AST Above Ground Storage Tank*
CHMIRS California Hazardous Material Incident Report System
Cortese - Public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with USTs having a reportable release and all solid waste disposal facilities from which there is known migration
EMI Emissions Inventory
ERNS Emergency Response Notification System
FINDS Facility Index System
HAZNET Data extracted from copies of hazardous waste manifests received each year by the Department of Toxic Substances Control (DTSC).
HIST UST Historical Underground Storage Tank
LUST Leaking Underground Storage Tank
RCRA-LQG Resource Conservation and Recovery Act, Large Quantity Generators
RCRA-SQG Resource Conservation and Recovery Act, Small Quantity Generators
SWEEPS Statewide Environmental Evaluation and Planning System.
UST Underground Storage Tank

The Pacific Beverage Company, located at 22255 El Camino Real, was listed as a HAZNET, LUST, Cortese, SWEEPS, and UST site in the EDR database. A diesel gasoline leak was detected in this location in 1994. The site was remediated and the case was closed in 1995. Due to the location of the LUST site in the community of Santa Margarita and the case having received a closed status, the property would not be expected to impact the Agricultural Residential Cluster Subdivision or Future Development Program.

Due to the nature of the remaining listings as non-release sites, the specified properties would not be expected to impact development under either the Agricultural Residential Cluster Subdivision or Future Development Program.

4.9.2 Impact Analysis

a. Methodology and Significance Thresholds. Assessment of impacts is based on: 1) review of site information and conditions; 2) review of technical studies prepared for the project site; and 3) review of the County of San Luis Obispo Safety Element, and other County information regarding safety issues.

In accordance with State CEQA Guidelines, the proposed Agricultural Residential Cluster Subdivision and Future Development Program would result in a potentially significant impact related to hazards and hazardous materials if it would:

- *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*
- *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;*
- *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school;*
- *Be located on a site which is included on a list of hazardous 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;*
- *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, or within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;*
- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or*
- *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.*

The San Luis Obispo County APCD does not have specific formal thresholds of significance for valley fever. However, the following factors may indicate a project's potential to create valley fever effects, which may create a significant hazard to the public:

- ***Where the top 12 inches of soil would be disturbed;***
- ***In areas with dry, alkaline, sandy soils;***
- ***In virgin, undisturbed, non-urban areas;***
- ***In windy areas;***

- ***Where archaeological resources probably or known to exist in the area (Native American midden sites);***
- ***When special events (i.e., fairs or concerts) and motorized activities (motocross track, All Terrain Vehicle activities) occur on unvegetated soil;***
- ***Non-native populations are working (i.e., out-of-area construction workers).***

The likelihood that the valley fever fungus may be present increases with the number of the above factors applicable to the project or project site.

Hazards related to wildland fires are discussed in Section 4.10, *Public Services.* Hazards related to pesticide use near residential land uses are discussed in Section 4.1, *Agricultural Resources*. Hazards related to railroad crossings and pedestrian and bicycle conflicts with automobiles are addressed in Section 4.12, *Transportation and Circulation.*

b. Agricultural Residential Cluster Subdivision Impacts and Mitigation Measures.

Agricultural Residential Cluster Subdivision Impact S-1	**Due to the presence of current and historic agricultural practices on the Agricultural Residential Cluster Subdivision site, on-site soils may contain contaminants that could pose a risk to health. However, site disturbance would not occur in an area of historical croplands. Impacts would be Class III, *less than significant*.**

The historical use of portions of the Santa Margarita Ranch for agricultural production may have resulted in undocumented residual quantities of presently-banned agricultural chemicals on the Agricultural Residential Cluster Subdivision site. The use and storage of agricultural chemicals within the Ranch could result in releases of contaminants that could cause adverse health effects. However, agricultural practices other than grazing have been confined to the southern portions of the Agricultural Residential Cluster Subdivision site, where disturbance is not proposed. As discussed in Section 4.1, *Agricultural Resources*, the northern portion of the property (where site disturbance for proposed residences, roadways, and utility lines would occur) is composed primarily of grazing land. In addition, slopes in this area are relatively steep, resulting in further constraints to agricultural production. The likelihood that future residents and construction/maintenance workers could be exposed to residual agricultural chemicals in on-site soils is minor. Impacts are less than significant.

Mitigation Measures. No mitigation is required.

Residual Impacts. Impacts would be less than significant.

Agricultural Residential Cluster Subdivision Impact S-2	**Highway and railway accidents that involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. Due to the distance between transportation corridors and proposed development, as well as regulations already in place, impacts would be Class III, *less than significant*.**

U.S. Highway 101 and State Route 58 are major transportation routes near the Agricultural Residential Cluster Subdivision site. Trucks commonly carry a variety of hazardous materials, including gasoline and various crude oil derivatives, and other chemicals known to cause human health problems. In the event of an accident, such materials may be released, resulting in a public safety hazard. Due to the distance of Highway 101 from the proposed Agricultural Residential Cluster Subdivision development (approximately 1 ¼ miles), accidents on this route pose no risk to proposed development. State Route 58 abuts the Agricultural Residential Cluster Subdivision site to the north. However, the proposed lots nearest SR 58 (Lots 6 through 9) would be located over 625 feet from this roadway. The distance between major area roadways and the proposed Agricultural Residential Cluster Subdivision would prevent future residents from being exposed to toxic chemicals in the event of an accident, whether in liquid or gas form. Impacts would be less than significant.

The transport of hazardous materials on the Union Pacific Railroad (UPRR) rail corridor that traverses the Santa Margarita Ranch area is also not prohibited. Under authority delegated by the Secretary of Transportation, the Federal Railroad Administration administers a safety program that oversees the movement of hazardous materials (including dangerous goods), such as petroleum, chemical, and nuclear products, throughout the United States rail transportation system, including shipments transported to and from international organizations. Regulations pertaining to the transport of hazardous materials on railroads include specialized training, container sealing and movement, labeling, and emergency response. While railroad accidents related to hazardous materials spills are rare, railroad accidents are a possibility. Specifically, development potential along the railroad tracks would increase the potential for exposure to hazardous materials. However, implementation of existing federal, state, and local regulations pertaining to the use, containment, and transport of hazardous materials would minimize the possibility of an accident. In addition, proposed lots nearest the UPRR (Lots 35 and 39) would be located approximately 3,000 feet south this rail corridor. Regulations already in place and the distance between the UPRR line and development areas will render impacts associated with exposure to hazardous materials less than significant.

Mitigation Measures. No mitigation is required.

Residual Impacts. Compliance with applicable federal, state and local laws will ensure less than significant impacts.

Agricultural Residential Cluster Subdivision Impact S-3	**Two water storage tanks are proposed to be constructed to serve the Agricultural Residential Cluster Subdivision. The potential public safety impact associated with failure of the water storage tanks is Class II, *significant but mitigable*.**

Two water storage tanks would be built with a capacity of 188,000 gallons each to serve the proposed Agricultural Residential Cluster Subdivision. Both tanks will be located atop a hill near the center of Phase II Agricultural Residential Cluster Subdivision development, approximately 250 feet east of Lot 77 and 500 feet south of lot 68. In the event of tank failure, water stored in the tanks would flow predominantly westward, potentially inundating Lots 76 through 79. In addition, water may potentially flow eastward, depending on exact siting of proposed storage tank. In the event of easterly flow, lots 68 and 61 may be impacted as well.

Mitigation Measures. Agricultural Residential Cluster Subdivision measure AES-1(d) (Bury Water Tanks) in Section 4.12, *Visual Resources*, calls for the proposed water tanks to be placed below grade to reduce their visual profile. This measure would incrementally reduce hazards associated with potential water tank failure. The following additional mitigation measure is required:

Agricultural Residential Cluster Subdivision S-3(a)

Property Protection. Properties located adjacent to the tank area shall be protected in the event of tank failure. This protection shall include a berm or diversionary structure that can withstand the force of water flowing against it, as determined by a qualified engineer. Future property owners of lots 76 through 79, 61 and 68 shall be informed of the potential risk of property damage and a notice shall be recorded on the property Title describing the risk of tank failure.

Plan Requirements and Timing. This measure shall be completed prior to the issuance of a Phase II land use permit. **Monitoring.** Planning and Building staff will verify that a diversion structure is provided before development of the water tank can occur.

Residual Impacts. With implementation of the above measures, impacts related to potential water tank failure hazards would be less than significant.

Agricultural Residential Cluster Subdivision Impact S-4

The Agricultural Residential Cluster Subdivision includes land uses that may involve the use, transport, or storage of limited quantities of hazardous chemicals. Residential land uses would not be expected to use chemicals in quantities that would pose a significant health risk if properly used. However, the potential public safety impact associated with the use, transport and/or storage of water tank treatment chemicals would be a Class II, *significant but mitigable* impact.

Phase II of the Agricultural Residential Cluster Subdivision includes the installation of two water storage tanks. Treatment of the water inside the storage tanks would require the use of chemicals such as chlorine-based products, buffers, soda ash, and other chemicals. In addition, residential development would introduce landscaping and associated landscape maintenance chemicals such as fertilizers, pesticides, and herbicides. Improper storage or use of these and other chemicals could result in a release or direct contact by workers or the public. These impacts are *significant but mitigable* (Class II).

Mitigation Measures. The following mitigation measures are required:

Agricultural Residential Cluster Subdivision S-4(a)

Chemical Storage. All chemicals are to be stored in a locked and labeled enclosure. The enclosure shall be properly placarded in accordance to County of San Luis Obispo Fire Department requirements. Emergency telephone numbers shall be properly displayed in and near the chemical storage areas. Material Safety

Data Sheets shall be kept within the enclosure in a location accessible to all who handle the chemicals. All chemicals shall be used in a manner consistent with their purpose. Personnel who handle chemicals shall be trained in their proper use, storage, and disposal.

Plan Requirements and Timing. This measure shall be completed prior to the issuance of a Phase II occupancy permits. **Monitoring.** County of San Luis Obispo Fire Department shall site inspect prior to issuance of occupancy permits. The Fire Department shall site-inspect annually to ensure compliance with required measures.

Residual Impacts. With implementation of the above measure, impacts related to chemical storage would be less than significant.

Agricultural Residential Cluster Subdivision Impact S-5	**The proposed Agricultural Residential Cluster Subdivision is located 1.3 miles southeast of a private air strip. Aircraft overflight areas present a potential for aircraft accidents that could result in personal injury or property damage. These impacts would be considered Class III, *less than significant*.**

A private air strip is located on the Santa Margarita Ranch, trending north-south approximately 750 feet west of the existing Ranch headquarter facilities. The air strip consists of one 3,400 foot long runway and is used approximately three times per week. The Agricultural Residential Cluster Subdivision site is located approximately 1.3 miles southeast of this facility. Safety hazards associated with private air strips are principally related to the risk of an aircraft accident.

Personal use airports are regulated by Federal Aviation Administration (FAA) and are administered at the state level by the Caltrans Division of Aeronautics. Pursuant to compliance with applicable FAA policies and regulations, impacts would be less than significant.

Refer to Section 4.8, *Noise*, for a discussion of noise impacts resulting from air strip operations.

Mitigation Measures. Beyond compliance with applicable FAA policies and regulations, no mitigation measures are required.

Residual Impacts. Impacts would be less than significant.

Agricultural Residential Cluster Subdivision Impact S-6	**Large-scale grading and excavation operations during Agricultural Residential Cluster Subdivision development could expose construction workers and other individuals to valley fever. Impacts are Class II, *significant but mitigable.***

The Agricultural Residential Cluster Subdivision site contains dry soils, is relatively undisturbed and in a non-urban area, and contains known archaeological resources [refer to Section 4.9.2(a)]. In addition, the San Luis Obispo County Public Health Department has identified a statistically significant increase in valley fever cases in San Luis Obispo County

(Public Health Department Notice, January 9, 2007). As a result, valley fever spores have the potential to occur on the site.

Impacts would occur during large-scale grading and excavation operations, particularly during summers that follow a rainy winter or spring, or during and immediately after wind and dust storms. These activities could expose construction workers and others to valley fever spores, if present in soil within the Agricultural Residential Cluster Subdivision area. Construction of the proposed Agricultural Residential Cluster Subdivision would result in a potentially significant health impact related to valley fever.

Mitigation Measures Agricultural Residential Cluster Subdivision measures AQ-2(b) (Dust Control), AQ-2(d) (Dust Control Monitor), and AQ-2(e) (Active Grading Areas) would minimize dust generation, thereby minimizing exposure to valley fever, should it be present.

Residual Impacts. With implementation of the above measures, impacts related to valley fever would be less than significant.

c. Future Development Program Impacts and Mitigation Measures. The Future Development Program represents potential future buildout of the Santa Margarita Ranch, including the proposed Agricultural Residential Cluster Subdivision. Refer to Section 4.9.2(b) for a discussion of public safety impacts resulting from the Agricultural Residential Cluster Subdivision independently.

Future Development Program Impact S-1	**Development in accordance with the Future Development Program would occur in areas historically used for agricultural production with soils that could contain residual quantities of presently-banned agricultural chemicals. The exposure of future site construction workers and residents to these contaminants is a Class II, *significant but mitigable* impact.**

The historical use of portions of the Santa Margarita Ranch for agricultural production may have resulted in undocumented residual quantities of presently-banned agricultural chemicals. According to the agricultural study prepared for the Agricultural Residential Cluster Subdivision and Future Development Program, various crops, including winegrapes and olives, have historically been cultivated in the Ranch Headquarters area (north of the community of Santa Margarita). The Future Development Program envisions a Bed and Breakfast, café, amphitheater and winery at this location. In addition, two of the five ranch/farm headquarters would be located on or adjacent to existing agricultural production (refer to Figure 2-9 in Section 2.0, *Project Description*). The Future Development Program land use location southwest of the community of Santa Margarita, which is envisioned to include a residential village, guest ranch, lodge, restaurant, winery, and golf course, borders existing agricultural production to the southeast.

Several Future Development Program land uses may be located in areas historically used for agriculture. Future residents, visitors, and construction/maintenance workers could be exposed to residual agricultural chemicals. Impacts are potentially significant unless mitigated.

Areas envisioned for future development could also potentially contain contaminants associated with undocumented on- or off-site hazardous materials releases. Rincon conducted a search of available hazardous materials records using Environmental Data Resources, Inc. Two hazardous materials sites were identified adjacent to the Ranch property and one hazardous materials site was identified within the boundaries of the Santa Margarita Ranch. K Kidd Transportation, located off-site at 17259 Walnut Street in the community of Margarita Farms, was listed as a Resource Conservation and Recovery Act (RCRA) and Facility Index System (FINDS) site. Mike Cole Farms, located just east of the Ranch property at 6835 Calf Canyon Hwy (SR 58), was listed as a RCRA and FINDS site. La Panza Ranch, located on-site near the intersection of SR 58 and West Pozo Road, was listed as an Historic Underground Storage Tank (HIST UST) site. These sites did not release hazardous materials that could migrate to the Santa Margarita Ranch property. In addition, the off-site petroleum pump station and on-site petroleum pipelines have the potential to contaminate soils on the Ranch property. Improper handling and disposal of contaminated soils would result in a health risk to people which would be a potentially significant impact unless mitigation is incorporated.

Groundwater depths throughout the Ranch property vary (between 35 and 150 from the surface; Hopkins, 2006). Should groundwater be encountered, and if it is contaminated, there is the potential release of contaminants onto areas envisioned for future development. This would be a potentially significant impact.

Mitigation Measures. The following measures are required:

Future Development Program S-1(a)

Soil and Groundwater Assessment. Prior to construction of any of the Future Development Program conceptual land use areas historically used for agriculture, a soil and groundwater assessment shall be completed by a registered soils engineer or soils remediation specialist to determine the presence or absence of regulated contaminants within the area of development. This assessment shall target agricultural chemicals that may have been used in the historically farmed portions of the Ranch property and contamination associated with the off-site petroleum pump station and on-site pipelines. If soil or groundwater sampling indicates the presence of any contaminant in quantities not in compliance with applicable laws, the Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) shall be contacted by the project applicant to determine any necessary remediation efforts. Soils and/or groundwater shall be remediated in compliance with applicable laws. Site assessments that result in the need for soil excavation are required to include: an assessment of air resource impacts and health impacts associated with excavation activities; identification of any applicable local standards that may be exceeded by the excavation activities, including dust and noise levels; transportation impacts from the removal or remediation activities; and risk of upset management practices shall employed if an accident occurs on or off the site. A copy of

applicable remediation certification from RWQCB and/or DTSC, or written confirmation that a certification is not required shall be submitted to Planning and Building prior to issuance of a building permit.

Plan Requirements and Timing. The results of preliminary soil and groundwater tests shall be submitted for review and approved by Planning and Building prior to approval of any future building permits. **Monitoring.** Building inspectors shall site inspect during grading and prior to occupancy clearance to ensure compliance with the required measures.

Future Development Program S-1(b)

Potential Discovery of Groundwater. In the event that groundwater is encountered during grading or construction, all grading or construction work in the vicinity of the groundwater will be halted. The groundwater shall be tested for TPH and VOC, and be screened for common industrial groundwater pollutants using EPA testing method 8260b. If one or more pollutants are found in unsafe concentrations, the water shall be treated to a concentration below RWQCB standards, by a County approved registered environmental assessor or environmental engineer in consultation with RWQCB before the water can be released into the watershed. Such testing can occur in advance of grading activities to preclude the possibility of watershed contamination.

Plan Requirements and Timing. During construction, a qualified specialist shall review and field-verify the results of the required testing of any groundwater should it be encountered during construction activities. **Monitoring.** Building inspectors shall site inspect during grading and prior to occupancy clearance to ensure compliance with the required measures.

Future Development Program S-1(c)

Screening of Imported Fill Material. Prior to issuance of building permits, a soils engineering study and hazardous materials report of all imported fill materials shall be prepared by a qualified professional and submitted to the County Engineer for review. The soils engineer study and hazardous materials report shall demonstrate that all imported fill materials maintain engineering properties that are suitable for site development, and are free from contaminants that exceed threshold health and public safety levels.

Plan Requirements and Timing. During construction, a qualified specialist shall review and field-verify the results of the required screening of all imported fill material during construction activities. **Monitoring.** Building inspectors shall site inspect during grading and prior to occupancy clearance to

ensure compliance with the required measures.

Residual Impacts. With implementation of the above measures, hazardous materials impacts would be less than significant.

Future Development Program Impact S-2 — **Highway and railway accidents pose a direct threat to public safety at crossings and along transportation corridors. Accidents involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. Due to the potential proximity of transportation corridors to Future Development Program components, this is a Class II, *significant but mitigable* impact.**

As discussed under Agricultural Residential Cluster Subdivision Impact S-2, hazardous materials may be transported on U.S. Highway 101, State Route 58, and the Union Pacific Railroad (UPRR) rail corridor. Development in accordance with the Future Development Program may directly abut one or more of these transportation corridors.

The California Public Utilities Commission (CPUC) is responsible for safety oversight for all railroads and highway/rail crossings. Historically, the UPRR and the CPUC have been advocates of closing railroad crossings as opposed to permitting new ones. The UPRR has little incentive to approve new crossings and/or right-of-way agreements due to liability issues.

Accidents on these transportation corridors could create public safety hazards. Impacts would be Class II, *significant but mitigable*.

Area Roadways. Highway 101 traverses the western edge of the Ranch property. The livestock sales yard may be located adjacent to this Highway, although it would be located at a higher elevation than the roadway (refer to Figure 2-9 in Section 2.0, *Project Description*). The portion of the Future Development Program envisioned for development of a residential village, guest ranch, lodge, restaurant, winery, and golf course is located approximately 625 feet east of Highway 101 in its westernmost reaches (refer to Figure 2-9 in Section 2.0, *Project Description*). The Future Development Program trail is also envisioned adjacent to US 101 from the southernmost Ranch boundary to SR 58, abutting the Highway in some locations. North of the community of Santa Margarita, land uses envisioned for development on the existing Ranch Headquarters site (including a Bed & Breakfast, café, amphitheater, and winery) would be located between 1,625 and 2,500 feet east of Highway 101.

State Route 58 (SR 58) is a two-lane highway that extends eastbound from Highway 101 to the Kern County line. The portion of the Future Development Program envisioned for development of a residential village, guest ranch, lodge, restaurant, winery, and golf course is located approximately 62.5 feet south of SR 58 at its closest point (refer to Figure 2-9 in Section 2.0, *Project Description*). The Future Development Program trail is also envisioned adjacent to SR 58 from US 101 to the eastern edge of the community of Santa Margarita. Additional uses that may abut SR 58, east of the community of Santa Margarita, include a 5-acre park with swimming pool, three places of worship, and 50 work force housing units (refer to Figure 2-9 in Section 2.0, *Project Description*). One winery may be located approximately 125 feet south of SR

58, between the community of Santa Margarita and the proposed Agricultural Residential Cluster Subdivision project.

As discussed in Section 4.9.2(b) above, traffic accidents involving large trucks hauling hazardous materials on these roadways could result in a public safety hazard. Although standard accident and hazardous materials recovery procedures may reduce hazards to some extent, due to the proximity of potential future development to Highway 101 and State Route 58, impacts are potentially significant.

Union Pacific Railroad. Future Development Program components may also be located near the Union Pacific Railroad (UPRR) rail corridor. Land uses envisioned for development southwest of the community of Santa Margarita (including a residential village, guest ranch, lodge, restaurant, winery, and golf course) would be located as close as approximately 62.5 feet south of the UPRR rail corridor (refer to Figure 2-9 in Section 2.0, *Project Description*). Other land uses that may be located adjacent to the UPRR corridor include the livestock sales yard, a 5-acre park with swimming pool, three places of worship, 50 work force housing units, and portions of the Future Development Program trail (refer to Figure 2-9 in Section 2.0, *Project Description*).

Safety is also a concern where railroad tracks are adjacent to development and there are no barriers that would prevent trespassing on the tracks. The Future Development Program trail would be located adjacent to the tracks from US 101 to the eastern edge of Santa Margarita. The trail would cross the UPRR tracks approximately ½ mile south of the Highway 101/SR 58 interchange. In other locations, there may be temptation for pedestrians to cross the railroad tracks where a designed crossing is not in place. Trespassers can be hurt on the tracks or by passing trains or equipment. Due to the proximity of potential future development to the UPRR, impacts related to rail safety are potentially significant.

As discussed in Section 4.9.2(b) above, trains commonly carry a variety of hazardous materials, which may present a hazard to the community in the event of a derailment. Although standard accident and hazardous materials recovery procedures may reduce hazards to some extent, due to the proximity of potential future development to the UPRR impacts are potentially significant.

Mitigation Measures. Transport of hazardous materials on Highway 101, Highway 58 and the UPRR corridor will be required to comply with all federal, state, and local laws pertaining to the handling of hazardous materials. In addition, the following measure is also required:

Future Development Program S-2(a)

Transportation Corridor Safety Plan. As part of the Specific Plan for future development on the property (or within individual development plans as applicable), a transportation corridor safety plan shall be prepared and shall include a detailed evaluation of safety impacts associated with Future Development Program land uses located in proximity to the UPRR rail line, Highway 101 and SR 58. At a minimum, the Transportation Corridor Safety Plan shall consider the following measures:

- Required setbacks between transportation corridors

(including UPRR, Highway 101 and SR 58) and Future Development Program structures, pathways, and public use areas., in accordance with County, Caltrans, UPRR, and CPUC standards.

- Identification of a safe and accessible pedestrian/ bicycle/equestrian crossing where the Future Development Program trail crosses the UPRR. This crossing shall be designed to allow pedestrians, bicyclists, and equestrians to safely travel across the tracks. The crossing shall be reviewed by County Parks and Recreation, UPRR and CPU.
- Identification of signage that directs people to the pedestrian/bicycle/ equestrian railroad crossing in obvious and appropriate locations along the railroad right-of-way near future development.
- Fencing and vegetative screening between future development and adjacent railroad tracks. Coordination with the UPRR and the County is required to determine the appropriate height and type of fencing. This fencing can be integrated with barriers that are required to meet noise attenuation standards (See impact N-4 in Section 4.9, *Noise*).
- Location of the trail as far away from the active rail line and highways as possible, and maintenance or creation of a height separation between the trail and transportation corridors.
- Identification of emergency response access and practices in the event of a railway or highway accident or hazardous materials release.

- Public disclosure of potential hazards to trail users, occupants and residents of Future Development Program land uses.

Plan Requirements and Timing. The required Transportation Corridor Safety Plan shall be included in the Specific Plan (or within individual plans, as applicable) for review by Planning and Building prior to approval. All safety features shall be implemented prior to the opening of the trail for public use and occupancy clearance for Future Development Program land uses in proximity to transportation corridors, as applicable.
Monitoring. Planning and Building will review the Specific Plan (or individual development plans) prior to issuance of grading permits. Prior to issuance of occupancy permits, Planning and Building staff shall verify implementation of approved plans. County Parks and Recreation will review trail plans and safety features prior to issuance of grading permits for the trail.

Residual Impacts. With implementation of the above measure, impacts related to transportation corridor safety would be less than significant.

Future Development Program Impact S-3 — **The Future Development Program includes land uses that may involve the use, transport, or storage of limited quantities of hazardous chemicals. The potential public safety impact associated with these chemicals would be a Class II, *significant but mitigable* impact.**

The Future Development Program envisions a community swimming pool east of the community of Santa Margarita, north of El Camino Real. Certain chemicals would be routinely used to maintain the quality of water within the swimming pool. These chemicals include chlorine-based products, buffers, soda ash, and other chemicals. The Future Development Program additionally envisions a private golf course southeast of the community of Santa Margarita, south of El Camino Real. Maintenance of the golf course would require the use of landscape maintenance chemicals such as fertilizers, pesticides, and herbicides. In addition, landscaping associated with residential and commercial development would similarly use landscape maintenance chemicals. Improper storage or use of these and other chemicals could result in a release or direct contact by workers or the public. These impacts are *significant but mitigable* (Class II).

Mitigation Measures. Agricultural Residential Cluster Subdivision measure S-4(a) (Chemical Storage) would apply to the Future Development Program land uses as well. No additional mitigation is required.

Residual Impacts. With implementation of the required measure, impacts related to chemical storage would be less than significant.

Future Development Program Impact S-4 — **Development may result in traffic safety hazards due to conflicts between proposed uses and existing off-site mining operations and on-site agricultural operations. This is a Class II, *significant but mitigable*, impact.**

Active agricultural lands are located throughout the Ranch property and vicinity. In addition, the Southern Pacific Milling Company operates a sand and gravel quarry just outside of the Ranch property, at the northeastern corner of the Santa Margarita Ranch, approximately two miles northeast of Santa Margarita. Residential and commercial uses, pursuant to the Future Development Program, may result in potential conflicts with the existing agricultural and mining operations.

The Future Development Program would result in increased traffic along SR 58, El Camino Real, and West Pozo Road, as well as new roadways and local roadways within the Santa Margarita Ranch community (refer to Section 4.12, *Transportation and Circulation*). The increased use of these roadways could result in conflicts with farm equipment and quarry vehicles that use these roadways. In addition, Future Development Program-generated traffic would travel at greater speeds than agricultural and mining traffic, thereby further increasing the likelihood of traffic safety conflicts. Conflicts between farm and quarry vehicles and equipment and project-generated traffic are a potentially significant impact.

Mitigation Measures. The following mitigation measure is required:

Future Development Program S-4(a)

Farm and Quarry Equipment Pull-Outs. To reduce potential vehicle conflicts, pullouts shall be provided on shared roadways where necessary, as determined by the County Public Works Department. Where pullouts are not feasible, additional shoulder width shall be provided along El Camino Real north of the community of Santa Margarita, SR 58 east of Santa Margarita, and West Pozo Road.

Plan Requirements and Timing. The County Public Works Department shall determine locations and parameters for truck pullouts and/or shoulder width upon application for the first Future Development Program non-agricultural uses. Future applicants shall identify required measures on site plans. **Monitoring.** County Public Works shall review site plans for consistency with requirements, as determined by the Department, prior to issuance of building permits for the first Future Development Program non-agricultural uses.

Residual Impacts. With implementation of the above measure, impacts related to traffic safety conflicts would be less than significant.

Future Development Program Impact S-5

Future Development Program components would be located in the vicinity of a private air strip. Aircraft overflight areas present a potential for aircraft accidents that could result in personal injury or property damage. With compliance with Federal Aviation Administration (FAA) safety requirements, these impacts would be considered Class III, *less than significant*.

A private air strip is located on the Santa Margarita Ranch, trending north-south approximately 750 feet west of the existing Ranch headquarter facilities. The air strip consists of one 3,400-foot-long paved runway and is currently used for incoming and outgoing flights approximately six times per week. The Future Development Program envisions a bed and breakfast, café, amphitheater, and winery on the Ranch headquarter parcel, adjacent to the private air strip. In addition, land uses envisioned southwest of the community of Santa Margarita, including a residential village, guest ranch, lodge, restaurant, winery, and golf course, would be located 0.8 miles south of the air strip. Safety hazards associated with private air strips are principally related to the risk of an aircraft accident.

Personal use airports are regulated by Federal Aviation Administration (FAA) and are administered at the state level by the Caltrans Division of Aeronautics. Compliance with applicable FAA policies and regulations would ensure less than significant safety-related impacts. In addition, Part 77 of 14 Code of Federal Regulations requires FAA agency notification when there is a change in land use that would involve the development of structures and roadways adjacent to the facility. The criterion for notification depends on the height of proposed structures relative to the location of the runway. As applicable, Future

Development Program land uses located on the Ranch headquarter parcel may require FAA notification and review. With this safety review, impacts would be less than significant.

Refer to Section 4.8, *Noise*, for a discussion of noise impacts resulting from air strip operations.

Mitigation Measures. Beyond compliance with applicable FAA policies and regulations, including FAA notification and review (as applicable), no mitigation measures are required.

Residual Impacts. Impacts would be less than significant.

Future Development Program Impact S-6 **The Future Development Program envisions a golf course southwest of the community of Santa Margarita, south of El Camino Real. The proximity of existing and future residential and commercial uses to the future golf course could result in hazards related to errant golf balls. This is a Class II, *significant but mitigable,* impact.**

Errant golf balls occur during the normal course of golf activities. The golf course envisioned under the Future Development Program would be located adjacent to the southwestern edge of the community of Santa Margarita, near existing residences. In addition, the Future Development Program envisions a residential village, guest ranch, lodge, and restaurant near the future golf course. The proximity of such uses to the golf course could result in property damage and/or safety hazards related to errant golf balls. Existing and future residents and occupants would be exposed to some level of potential hazard from errant golf balls.

Mitigation Measures. The following mitigation measures are required:

Future Development Program S-6(a) **Fairway Orientation.** The envisioned golf course shall be designed to orient fairways away from existing and future residential lots, resort, and restaurant uses.

Plan Requirements and Timing. The future applicant shall submit golf course design plans depicting fairway orientation in relation to surrounding land uses to Planning and Building for review prior to issuance of grading permits. **Monitoring.**

Planning and Building shall review golf course design plans prior to issuance of grading permits.

Future Development Program S-6(b) **Disclosure of Errant Golf Ball Hazard.** Upon the transfer of real property and execution of leases on properties surrounding the potential golf course, the transferor will be required to deliver to the prospective transferee a written disclosure statement that shall make all prospective property owners and renters aware that although potential impacts or discomforts associated with errant golf balls may be lessened by the golf course design, some level of nuisance would remain. This notification will be required to include disclosure of potential property damage and health hazards nuisances associated with

errant golf balls.

Plan Requirements and Timing. The written disclosure statement shall be provided to all future residents and occupants by the transferor upon the transfer of real property and execution of leases. **Monitoring.** Planning and Building staff will verify that the written disclosure statements have been provided prior to issuance of occupancy permits.

Residual Impacts. With implementation of the above measures, impacts related to errant golf balls would be less than significant.

Future Development Program Impact S-7 — **Large-scale grading and excavation operations during construction of Future Development Program land uses could expose construction workers and other individuals to valley fever. Impacts are Class II, *significant but mitigable.***

As noted under Agricultural Residential Cluster Subdivision Impact S-6, the San Luis Obispo County Public Health Department has identified a statistically significant increase in valley fever cases in San Luis Obispo County (Public Health Department Notice, January 9, 2007). In addition, the Santa Margarita Ranch contains dry soils, is relatively undisturbed and non-urban, and contains known archaeological resources. As a result, valley fever spores have the potential to occur on the Ranch [refer to Section 4.9.2(a)].

Impacts would occur during large-scale grading and excavation operations, particularly during summers that follow a rainy winter or spring, or during and immediately after wind and dust storms. These activities could expose construction workers and others to valley fever spores, if present in soil within Future Development Program conceptual land use locations. Impacts are potentially significant.

Mitigation Measures. Agricultural Residential Cluster Subdivision measures AQ-2(b) (Dust Control), AQ-2(d) (Dust Control Monitor), and AQ-2(e) (Active Grading Areas) would apply to all Future Development Program land uses. These measures would minimize dust generation, thereby minimizing exposure to valley fever, should it be present.

Residual Impacts. With implementation of the above measures, impacts related to valley fever would be less than significant.

d. Cumulative Impacts. The evaluation of the Future Development Program, which includes the Agricultural Residential Cluster Subdivision, in this EIR accounts for all of the expected growth in the Santa Margarita area, as it represents buildout of the major landholding that surrounds the existing community, consistent with the Salinas River Area Plan. Therefore, cumulative public safety impacts from buildout of the Agricultural Residential Cluster Subdivision in combination with buildout of the Future Development Program were addressed in the Future Development Program impact analysis above. As future applications for individual Future Development Program projects are submitted at a project level of detail, the precise evaluation of future project cumulative impacts would be coordinated through the required Specific Plan and associated environmental review, or through individual project-level environmental review, as applicable.